

## SECTION 10.1

### RECONSTRUCTION: MARCH 2003 TO JUNE 2004

#### Contents

Introduction.....	3
UK post-conflict objectives and planning assumption .....	4
Humanitarian assistance .....	7
Coalition-building.....	18
Post-conflict reconstruction and ORHA.....	22
Responsibility for reconstruction .....	22
UK concerns over participation in ORHA .....	28
Decisions to increase UK support for ORHA.....	43
Reconstruction strategy and funding.....	60
Concerns over the scale of the reconstruction challenge and ORHA's response ....	62
Resolution 1483 .....	70
The return to a 'war footing', June 2003 .....	72
Advice on the UK's responsibilities as an Occupying Power .....	83
The first UK plan for reconstruction in the South, 12 June.....	86
Making CPA(South) a model.....	92
Establishing a British Fiefdom in the South, July 2003.....	99
CPA's 'Vision for Iraq' and 'Achieving the Vision' implementation plan .....	101
Sir Hilary Synnott arrives in Basra, 30 July .....	106
Responding to deteriorating security .....	109
Pressure to provide additional funding for reconstruction .....	122
Staffing the CPA and new structures in London.....	131
First cross-Whitehall Strategy for Iraq.....	134
Lobbying for a level playing field for UK businesses.....	136
Madrid Donors Conference, 23 and 24 October 2003 .....	136
Priorities for the last six months of Occupation .....	141
Responding to the new, shorter timetable for the transfer of sovereignty .....	145
DFID's Interim Country Assistance Plan .....	156

Planning and preparing for the transfer of sovereignty .....	163
UK Transition Plan for Iraq .....	166
UK Transition Plan for Southern Iraq .....	173
Reports from Iraq .....	175
Resolution 1546 .....	185
The state of Iraq on the eve of transition .....	188
Sir Hilary Synnott's assessment.....	191
Resources available for reconstruction .....	191
UK funding for humanitarian assistance and reconstruction.....	193
UK support for the CPA.....	193
Reflections on the level of resources available for reconstruction .....	194

## Introduction

**1.** Section 10 addresses the UK contribution to humanitarian assistance and reconstruction in Iraq between 2003 and 2009:

- This Section (10.1) covers the period between March 2003 and the end of the Occupation of Iraq in June 2004.
- Section 10.2 continues the story from July 2004 to 2009.

**2.** Sections 10.1 and 10.2 consider:

- humanitarian assistance;
- the development and implementation of UK reconstruction policy, strategy and plans;
- the UK's engagement with the US on reconstruction, including with the US-led Office of Reconstruction and Humanitarian Assistance (ORHA) and the Coalition Provisional Authority (CPA); and
- the UK's engagement with successive Iraqi governments on reconstruction.

**3.** Section 10.3 addresses five issues in more detail:

- UK policy on Iraq's oil and oil revenues;
- the Government's support for UK business in securing reconstruction contracts;
- debt relief;
- asylum; and
- reform of the Government's approach to post-conflict reconstruction and stabilisation.

**4.** Those issues are addressed separately from the main reconstruction narrative, in order to provide a clearer account of the development of the UK's engagement.

**5.** This Section does not consider:

- planning and preparing to provide humanitarian assistance and reconstruction, which is addressed in Sections 6.4 and 6.5;
- the financial and human resources available for post-conflict reconstruction, addressed in Sections 13 and 15 respectively;
- de-Ba'athification and Security Sector Reform (SSR), addressed in Sections 11 and 12 respectively; and
- wider UK policy towards Iraq in the post-conflict period, addressed in Section 9.

**6.** During the period covered by the Inquiry, the Government used a number of different terms to describe post-conflict activity in Iraq, including "reconstruction". It did not

generally define those terms. The Inquiry uses the term “reconstruction” in line with the Government’s common usage:

- to include work to repair and build infrastructure, deliver essential services and create jobs;
- to include work to build the capacity of Iraqi institutions and reform Iraq’s economic, legislative and governance structures; and
- to exclude SSR.

## UK post-conflict objectives and planning assumption

7. Mr Jack Straw, the Foreign Secretary, issued a Written Ministerial Statement setting out the UK’s strategic objectives for Iraq on 7 January 2003.<sup>1</sup> The objectives included a definition of the UK’s desired end state for a post-Saddam Iraq:

“We would like Iraq to become a stable, united and law abiding state, within its present borders, co-operating with the international community, no longer posing a threat to its neighbours or to international security, abiding by all its international obligations and providing effective and representative government to its own people.”

8. The development of the UK’s objectives for post-conflict Iraq is addressed in detail in Sections 6.4 and 6.5.

9. The ‘Vision for Iraq and the Iraqi People’ issued by Mr Blair, President Bush and Mr José María Aznar, the Prime Minister of Spain, at the Azores Summit on 16 March, included a number of specific commitments on post-conflict reconstruction.<sup>2</sup> The three leaders declared:

“We will work to prevent and repair damage by Saddam Hussein’s regime to the natural resources of Iraq and pledge to protect them as a national asset of and for the Iraqi people. All Iraqis should share the wealth generated by their national economy ...

“In achieving this vision, we plan to work in close partnership with international institutions, including the United Nations ... If conflict occurs, we plan to seek the adoption, on an urgent basis, of new United Nations Security Council resolutions that would affirm Iraq’s territorial integrity, ensure rapid delivery of humanitarian relief, and endorse an appropriate post-conflict administration for Iraq. We will also propose that the Secretary-General be given authority, on an interim basis, to ensure that the humanitarian needs of the Iraqi people continue to be met through the Oil-for-Food program.

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<sup>1</sup> House of Commons, *Official Report*, 7 January 2003, column 4WS.

<sup>2</sup> Statement of the Atlantic Summit, 16 March 2003, ‘A Vision for Iraq and the Iraqi People’.

“Any military presence, should it be necessary, will be temporary and intended to promote security and elimination of weapons of mass destruction; the delivery of humanitarian aid; and the conditions for the reconstruction of Iraq. Our commitment to support the people of Iraq will be for the long term.”

**10.** On 25 March, Mr Desmond Bowen, Deputy Head of the Cabinet Office Overseas and Defence Secretariat (OD Sec), sent a draft paper to senior officials in the Foreign and Commonwealth Office (FCO), the Ministry of Defence (MOD) and the Department for International Development (DFID) setting out “British Post-Conflict Objectives”.<sup>3</sup>

**11.** The draft included Mr Straw’s formulation of 7 January, adding:

“Our objective is to create conditions for a future Iraqi government which will act to make this aspiration a reality. We will work with the Iraqi people, the UN and other international organisations, and the wider international community to this end.”

**12.** The draft stated:

“British forces will continue to contribute, for no longer than is necessary at a sustainable level, to the US-led Coalition military presence in the interests of promoting a secure environment in Iraq ...

“We have made plans with our international partners to assist the Iraqi people in the process of transition. With others, we will assist in the return to full Iraqi sovereignty ...

“With others, we will help revive the Iraqi economy and assist reform by:

- working with the UN to manage Iraq’s oil revenues in order to achieve the maximum benefit for the Iraqi people in an accountable and transparent manner;
- supporting an international programme for the reconstruction and repair of Iraq’s infrastructure ...;
- fostering economic reform ...;
- agreeing a comprehensive financial framework of transitional support for Iraq ...;
- helping reform Iraq’s public administration ...;
- supporting the observance of human rights, and legal and judicial reform ...;
- helping Iraq generate reformed and accountable security forces acting in accordance with international human rights standards.”

**13.** There is no indication that the objectives were ever adopted formally.

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<sup>3</sup> [Letter Bowen to Chaplin, 25 March 2003, ‘Iraq: Post Conflict Objectives’ attaching Paper \[draft\], 25 March 2003, ‘Iraq: British Post-Conflict Objectives’.](#)

**14.** The transition from conflict (Phase III) to post-conflict (Phase IV) military operations in Iraq started as soon as Coalition troops began to occupy Iraqi territory.

**15.** Section 6.5 concludes that, when that transition began:

- The Government had not taken firm decisions on the nature or duration of the UK's military commitment in post-conflict Iraq or on the extent of the UK Area of Responsibility (AOR).
- There had been no systematic analysis of the UK's military or civilian capacity to fulfil its likely obligations in the South in a range of circumstances, including:
  - in the prolonged absence of an authorising Security Council resolution;
  - in the absence of additional Coalition partners;
  - in a hostile security environment with low levels of Iraqi consent; and
  - over different timescales, in particular the medium and long term.

**16.** Ministers, officials and the military continued to assume that:

- there would be early agreement on a post-conflict resolution;
- levels of consent would rise steadily across most of Iraq; and
- despite the scale of the undertaking, the international community would succeed in realising the Azores vision for Iraq's social, political and economic transformation of Iraq.

**17.** Above all, despite UK concerns that the US had not prepared a satisfactory plan for post-conflict Iraq and that ORHA, the body responsible for immediate post-conflict administration and reconstruction, was not up to the task, it was assumed that the US could act as guarantor of the UK's objectives in Iraq.

### **Definition and use of Area of Operations (AO) and Area of Responsibility (AOR)**

Area of Operations (AO) refers to the UK military's area of combat operations during the invasion of Iraq (Phase III of operations). It is the term applied during conflict and, in terms of time, space and force, is the area in which lethal force can be applied for a designated period of time.

Area of Responsibility (AOR) is usually applied in peace support operations. In Iraq, it refers to the area of southern Iraq for which the UK military was responsible during the post-conflict Occupation of Iraq (Phase IV of operations).

The two terms were not used consistently within government and were sometimes applied interchangeably in the same document.

## Humanitarian assistance

**18.** Section 6.5 addresses the UK's pre-invasion preparations, led by DFID and the military, for the provision of humanitarian assistance during and in the immediate aftermath of conflict.

**19.** Ms Clare Short, the International Development Secretary, described DFID's humanitarian contingency plan in a Written Ministerial Statement to Parliament on 13 March 2003.<sup>4</sup>

**20.** In the Statement, Ms Short stated that DFID would have two roles in the event of conflict:

- to help advise UK Armed Forces on their obligations under the Hague and Geneva Conventions; and
- to use the funds, expertise and influence available to it to support delivery of humanitarian assistance by the international community.

**21.** Ms Short advised that DFID was deploying staff to key locations in the region, had brought DFID's stockpile of non-food items, vehicles and equipment "to immediate readiness", was procuring additional supplies, and was positioning some of its stocks in Kuwait and elsewhere in the region.

**22.** On 17 March, at Ms Short's request, DFID's Conflict and Humanitarian Affairs Department (CHAD) prepared a paper on shortcomings in humanitarian preparations and steps needed to address them.<sup>5</sup>

**23.** Officials identified seven problems:

- "UN funding needs insufficiently met. Preparedness incomplete ...
- Red Cross Movement preparing but requires substantial funding support ...
- NGOs [Non-Governmental Organisations] beginning to establish presence but not fully prepared ...
- US preparedness for response lacks local experience and based on optimistic assumptions ...
- How to maintain the Oil-for-Food (OFF) programme ...
- How to support humanitarian agencies [to] gain early access to Iraq ...
- How Coalition Forces can provide effective humanitarian response ..."

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<sup>4</sup> House of Commons, *Official Report*, 13 March 2003, column 21WS.

<sup>5</sup> [Minute DFID \[junior official\] to Private Secretary/Secretary of State \[DFID\], 17 March 2003, 'Iraq: Humanitarian Assistance' attaching Paper, \[undated\], 'Iraq: What is lacking in terms of being prepared for an effective humanitarian response and what would it take to address that?'](#)

**24.** The proposed solution for the first three problems was to provide “immediate additional funds to DFID”. The proposed solution for the fourth was continued liaison between DFID, the US Agency for International Development (USAID) and ORHA.

**25.** Ms Short sent the paper to Mr Blair with the comment: “This summarises what needs to be done to improve humanitarian preparedness. Perhaps we could really focus on this next week.”<sup>6</sup>

**26.** A No.10 official advised Mr Blair that the main problems identified by DFID were:

- underfunding of humanitarian agencies;
- agencies not ready to respond effectively and lacking experience outside northern Iraq;
- the need for Coalition Forces to provide humanitarian assistance until there was a permissive security environment; and
- the risk that the OFF programme might break down.<sup>7</sup>

**27.** DFID’s proposed solutions included:

- increased funding for DFID and the MOD;
- rapidly securing a permissive security environment; and
- a resolution transferring management of the OFF programme to the UN Secretary-General.

**28.** The official advised that DFID’s analysis was “probably about right”. The MOD had been pressing DFID to help for some weeks, so it was useful that DFID now recognised the need to help. DFID was seconding two people to work with the US and the Cabinet Office was working to broker a deal on additional funding with the Treasury. The funding made available to the MOD to provide humanitarian assistance in the UK’s AOR is described in Section 13.1.

**29.** The military role in providing humanitarian assistance was summarised in a joint minute from Mr Straw and Mr Geoff Hoon, the Defence Secretary, to Mr Blair on 19 March.<sup>8</sup> The letter is described in more detail in Section 6.5. Mr Straw and Mr Hoon advised:

“The military task will be to facilitate a secure environment ... to enable immediate humanitarian relief to be conducted. To help UK forces win hearts and minds, HMT [the Treasury] have allocated them £30m for humanitarian purposes in the first month as well as £10m for quick win projects. (Clare [Short] has allocated £20m for

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<sup>6</sup> Manuscript comment Short on [Minute DFID \[junior official\] to Private Secretary/Secretary of State \[DFID\], 17 March 2003, ‘Iraq: Humanitarian Assistance’](#).

<sup>7</sup> [Minute No.10 \[junior official\] to Prime Minister, 17 March 2003, ‘Iraq: Humanitarian Assistance: DFID Views’](#).

<sup>8</sup> [Minute Straw and Hoon to Prime Minister, 19 March 2003, ‘Iraq: UK Military Contribution to Post-Conflict Iraq’](#).

UN agencies' preparations and earmarked another £60m from DFID's contingency reserve for humanitarian operations. But this is a drop in the ocean; in the worse case, if the Oil-for-Food programme ground to a halt, Iraq could need as much as a billion dollars a month for humanitarian aid)."

### Extending the Oil-for-Food programme

Before the 2003 invasion, the UN Oil-for-Food (OFF) programme was the principal mechanism for Iraqi procurement of humanitarian goods.

The OFF programme was established by resolution 986 in April 1995. Implementation began in May 1996 after the signing of a Memorandum of Understanding between the UN and the Iraqi Government.<sup>9</sup> The programme allowed for:

- the export of Iraqi oil;
- the deposit of oil revenues into a UN-controlled account; and
- the use of those revenues to procure food, medicine and other goods approved by the UN.

Section 6.5 describes how, in January 2003, the UK began discussions with the US on adapting the OFF programme to the circumstances of post-conflict Iraq.

The UK approach was set out in background papers for the Azores Summit, sent to No.10 by the FCO on 15 March:

"If the Iraqi regime falls, new arrangements will need to be put in place to enable the OFF [programme] to keep functioning. Our current plan is to table a resolution soon after conflict starts ... We are seeking to amend some of the procedures to speed up the process for humanitarian goods ..."<sup>10</sup>

Resolution 1472, adopted unanimously on 28 March, transferred authority for administering the OFF programme, including authority to purchase medical supplies and Iraqi goods and services, to the UN Secretary-General for a period of 45 days, with the possibility of further renewal by the Security Council.

**30.** Military operations against Iraq began on the night of 19/20 March. Military operations during the invasion are described in Section 8.

**31.** Ms Short visited New York and Washington on 19 and 20 March for talks with the UN, US, World Bank and the International Monetary Fund (IMF).<sup>11</sup>

**32.** The British Embassy Washington reported that Ms Short had pressed the US Administration hard on the need for an early resolution to enable the OFF programme

<sup>9</sup> Office of the Iraq Programme, *About the programme: Oil-for-Food*.

<sup>10</sup> [Letter Owen to Rycroft, 15 March 2003, 'Azores Summit'](#) attaching Briefing FCO, 'Iraq – Oil for Food Programme (OFF) and Sanctions'.

<sup>11</sup> Telegram 501 UKMIS New York to FCO London, 21 March 2003, 'Iraq Humanitarian/Reconstruction: Clare Short's Visit to New York'.

to continue, on the grounds that any significant break in food distribution under the OFF programme could lead to “humanitarian catastrophe”.<sup>12</sup>

**33.** Ms Short wrote to Mr Paul Boateng, the Chief Secretary to the Treasury, on 21 March to request £120m from the Reserve for humanitarian assistance in Iraq.<sup>13</sup> That amount would cover an initial contribution to the anticipated UN appeal, support the Red Cross and NGOs, and fund DFID’s bilateral contribution. Ms Short stated that her bid did not include any funds for reconstruction; those costs would need to be considered in the “longer term”.

**34.** On the same day, DFID produced its first internal update on the humanitarian situation in Iraq and neighbouring countries.<sup>14</sup> Officials reported that DFID had deployed seven humanitarian and civil/military advisers:

- two to Kuwait City;
- two to join 1st (UK) Armoured Division (1 (UK) Div) in Kuwait;
- one to join ORHA in Kuwait; and
- one each to Amman and Tehran.

**35.** By the early hours of 23 March, 3 Commando Brigade had taken control of Umm Qasr, Iraq’s principal port.<sup>15</sup>

**36.** DFID’s internal update for 24 March reported that the two DFID advisers seconded to 1 (UK) Div were being included in all briefings, and that humanitarian assistance and civil-military issues were moving up the military’s agenda.<sup>16</sup>

**37.** The inter-departmental Iraq Planning Unit (IPU)<sup>17</sup> sent a paper on UK humanitarian planning to Mr Straw’s Private Office on 24 March.<sup>18</sup> The IPU advised that the major humanitarian agencies might begin operations in Iraq within 30 days, as the situation became secure. Until then, the “main humanitarian providers” would be the military, the Red Cross, and local staff working for the UN and NGOs. There was “some capability to respond to low intensity humanitarian needs”, but:

“... this will prove to be inadequate in the event of a protracted conflict (particularly around Baghdad or the North), significant damage to infrastructure and/or large-scale movements of people. The threat/use of CBW [chemical and biological weapons] could trigger a humanitarian disaster ... MOD and DFID are urgently

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<sup>12</sup> Telegram 370 Washington to FCO London, 21 March 2003, ‘Iraq: Ms Short’s Visit’.

<sup>13</sup> [Letter Short to Boateng, 21 March 2003, ‘Iraq Humanitarian Funding: Reserve Claim’](#).

<sup>14</sup> Report DFID, 21 March 2003, ‘Iraq Humanitarian Situation Update: No 1 (internal)’.

<sup>15</sup> Report MOD, 23 March 2003, ‘Iraq: Update for the Number 10 Sitrep, 0600Z 23 March 2003’.

<sup>16</sup> Report DFID, 24 March 2003, ‘Iraq Humanitarian Situation Update: No 2 (internal)’.

<sup>17</sup> The IPU was established in February 2003 to develop policy on issues relating to the administration of Iraq. The creation of the IPU is addressed in detail in Section 6.5.

<sup>18</sup> [Minute IPU \[junior official\] to FCO \[junior official\], 24 March 2003, ‘HMG Humanitarian Planning’ attaching Paper IPU, \[undated\], ‘HMG Humanitarian Planning’](#).

assessing the scope to provide emergency medical provision and public information in this scenario.”

**38.** That assessment was repeated in an FCO paper on Phase IV (post-conflict) issues sent to Mr Blair by Mr Straw on 25 March, in advance of Mr Blair’s meeting with President Bush at Camp David.<sup>19</sup>

**39.** It was also repeated in a DFID paper on humanitarian assistance during and immediately after the conflict sent to No.10 on 25 March.<sup>20</sup>

**40.** The DFID paper identified steps to address the capability gap, including:

- Securing and maintaining a permissive environment as soon as possible.
- Addressing funding and constraints for humanitarian agencies. DFID and the Treasury should conclude discussions on overall humanitarian funding.
- Addressing urgently the risks posed to Iraqi civilians by CBW and assessing the scope for UK support in the event of a CBW attack.
- Standing ready to protect and restore power and water supplies to prevent “a health-based disaster”.

**41.** Between 18 March and 22 April, COBR, the UK Government’s crisis management and co-ordination facility, sent twice-daily updates on key events relating to Iraq to senior officials and departments.<sup>21</sup>

**42.** The 25 March COBR round-up of key events in Iraq reported “some concern about the humanitarian situation in Basra where water and electricity supplies have been disrupted since Friday [21 March]”.<sup>22</sup>

**43.** The MOD informed No.10 on 25 March that the Royal Engineers had started work on a water pipeline from Kuwait into Iraq, in order to restore supplies of drinking water to Basra.<sup>23</sup>

**44.** Ms Short told the 27 March Ad Hoc Meeting<sup>24</sup> that the humanitarian situation in Basra was improving because of the efforts of the International Committee of the Red

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<sup>19</sup> Minute Straw to Blair, 25 March 2003, ‘Camp David: Post-Iraq Policies’ attaching Paper FCO, 25 March 2003, ‘Iraq: Phase IV Issues’.

<sup>20</sup> [Letter Bewes to Rycroft, 25 March 2003, ‘Iraq: humanitarian assistance during and immediately after the conflict’ attaching Paper DFID, 25 March 2003, ‘Iraq: humanitarian assistance during and immediately after the conflict’.](#)

<sup>21</sup> Minute Cabinet Office [junior official] to Manning, ‘Iraq: COBR Round Up of Key Events – 18 March’; Minute Cabinet Office [junior official] to Manning, ‘Iraq: COBR Round Up of Key Events – 22 April’.

<sup>22</sup> Minute Cabinet Office [junior official] to Manning, 25 March 2003, ‘Iraq: COBR Round Up of Key Events – 25 March’.

<sup>23</sup> Letter Watkins to Rycroft, 25 March 2003, ‘Iraq: Military Campaign’.

<sup>24</sup> The Ad Hoc Meeting (also known as the “War Cabinet”) took place daily from 19 March to 12 April, with the exception of Sundays 30 March and 6 April, and was chaired by Mr Blair.

Cross (ICRC).<sup>25</sup> Damage to the high voltage electricity supply by the Coalition had affected the water system. There were lessons to be learned.

**45.** Cabinet discussed the humanitarian situation later on 27 March.<sup>26</sup> Ms Short said that Iraq had been in a frail humanitarian state before the conflict. The big risks now were inadequate water supplies and failed sanitation systems. The military would have responsibility for providing humanitarian assistance once the shooting stopped.

**46.** A USAID Disaster Assistance Response Team (DART) crossed into Iraq for the first time on 27 March, visiting Umm Qasr to assess the humanitarian situation and the condition of the port, which was a major supply centre for the OFF programme.<sup>27</sup> The team reported that there were no major signs of humanitarian crisis, and that the port was in poor but working condition.

**47.** Also on 27 March, Mr Boateng agreed Ms Short's request for £120m from the Reserve.<sup>28</sup> Section 13.1 considers in more detail the resources that the Government made available for humanitarian assistance (and reconstruction).

**48.** The UN launched a Flash Appeal for Iraq on 28 March, requesting US\$2.22bn to provide six months' food and non-food aid for Iraq.<sup>29</sup>

**49.** DFID committed £65m to support the Appeal.<sup>30</sup>

**50.** The Royal Fleet Auxiliary (RFA) vessel Sir Galahad docked at Umm Qasr on 28 March and finished offloading its cargo of 200 tonnes of water, food and humanitarian stores the following day.<sup>31</sup> It was the first shipment of humanitarian assistance into Umm Qasr since the start of the invasion.

**51.** The Kuwait-Umm Qasr pipeline became operational on 30 March.<sup>32</sup> The pipeline filled three 24,000-litre tankers every 45 minutes.<sup>33</sup>

**52.** DFID's internal update for 31 March reported that international ICRC staff had gained access to Basra from Kuwait; the first international staff from a humanitarian agency to do so since the beginning of military operations.<sup>34</sup>

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<sup>25</sup> Minutes, 27 March 2003, Ad Hoc Meeting on Iraq.

<sup>26</sup> Cabinet Conclusions, 27 March 2003.

<sup>27</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>28</sup> Letter Boateng to Short, 27 March 2003, 'Iraq Humanitarian Funding: Reserve Claim'.

<sup>29</sup> United Nations, 28 March 2003, *Transcript of Press Conference by Deputy Secretary-General Louise Fréchet* at United Nations Headquarters, 28 March 2003.

<sup>30</sup> Report DFID, 1 April 2003, 'Iraq Humanitarian Situation Update No.8 (Internal)'.

<sup>31</sup> Report MOD, 29 March 2003, 'Iraq: Update for the Number 10 Sitrep – as at 1630Z 29 March 2003'; *The Guardian*, 28 March 2003, *Aid being delivered by Sir Galahad*; *Daily Mail*, 28 March 2003, *'Sir Galahad docks with aid shipment'*.

<sup>32</sup> Report MOD, 30 March 2003, 'Iraq: Update for the Number 10 Sitrep – as at 0730 30 March 2003'.

<sup>33</sup> Report DFID, 3 April 2003, 'Iraq Humanitarian Situation Update: No 10 (internal)'.

<sup>34</sup> Report DFID, 31 March 2003, 'Iraq Humanitarian Situation Update: No 7 (internal)'.

- 53.** The first ORHA personnel entered Iraq on 1 April, visiting Umm Qasr.<sup>35</sup> *Hard Lessons*, Mr Stuart Bowen’s account as US Inspector General for Iraq Reconstruction of the US experience of reconstruction between 2002 and 2008, recorded that the situation had deteriorated rapidly since the visit of the USAID DART team because of heavy looting.
- 54.** The MOD reported on 2 April that the UN had declared Umm Qasr a “permissive” environment, opening the way for UN agencies and NGOs to start work in the town.<sup>36</sup>
- 55.** Mr Hoon raised humanitarian issues with Mr Donald Rumsfeld, US Secretary of Defense, on 3 April.<sup>37</sup> Mr Hoon proposed that ORHA (the majority of whose staff were still based in Kuwait), should focus on its humanitarian role as soon as it deployed to Iraq.
- 56.** A second USAID DART team visited Umm Qasr on 4 April and reported that “anything not nailed down” had gone.<sup>38</sup>
- 57.** The MOD reported on 4 April that the Red Cross and the Red Crescent were the only humanitarian agencies working alongside the UK military.<sup>39</sup> Water and power provision in Basra were back at pre-war levels.
- 58.** On 6 April, the Cabinet Office informed No.10 that the ICRC and UK military assessed that improving the water supply remained a priority for Umm Qasr and Basra, but the situation was not a “humanitarian crisis”.<sup>40</sup>
- 59.** RFA Sir Percivale docked at Umm Qasr on 7 April to deliver 300 tonnes of “MOD humanitarian supplies”.<sup>41</sup>
- 60.** Mr Hoon informed Parliament on 7 April that UK forces had “deployed in force into Basra”.<sup>42</sup>
- 61.** The COBR evening round-up later that day reported that while no area in Basra was safe enough to call in humanitarian assistance, power and food were available to the majority of the population and the slight shortages of water were not significant.<sup>43</sup>

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<sup>35</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>36</sup> Report MOD, 2 April 2003, ‘Iraq: Update for the Number 10 Sitrep – as at 1600 2 April 2003’.

<sup>37</sup> Minute Watkins to DG Op Pol, 3 April 2003, ‘Iraq: Conversation with Rumsfeld: 3 April 2003’.

<sup>38</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>39</sup> Report MOD, 4 April 2003, ‘Iraq: Update for the Number 10 Sitrep – as at 0600 4 April 2003’.

<sup>40</sup> Minute Drummond to Manning, 6 April 2003, ‘Iraq: Update – Noon Sunday 6 April’.

<sup>41</sup> Report Cabinet Office, 7 April 2003, ‘Iraq: Evening Round Up 7 April’.

<sup>42</sup> House of Commons, *Official Report*, 7 April 2003, column 21.

<sup>43</sup> Report MOD, 7 April 2003, ‘Annex to Evening Sitrep 8 April 2003: Military’.

**62.** Ms Short informed Parliament on 10 April that food supplies were “not currently a major problem” in most of Iraq and there were not the large numbers of internally displaced people that had been feared.<sup>44</sup>

**63.** In the past few days, there had been reports of an increasingly serious humanitarian situation in Baghdad; the ICRC had reported “violent looting” and warned of a breakdown in law and order there.

**64.** Ms Short continued that with 16m Iraqi citizens dependent on the OFF programme and most families at least partially dependent on it, it was “critical” to get the OFF programme and its distribution network working again as quickly as possible.

**65.** Ms Short told the 11 April Ad Hoc Meeting that the ICRC and UN agencies were concerned about lawlessness in Baghdad and elsewhere.<sup>45</sup> Hospitals in particular needed to be secured. The systems in place for the distribution of food and the restoration of the water supply were disabled by the lack of security.

**66.** Mr Blair concluded the meeting by saying that the security situation in the cities had to be stabilised, particularly for hospitals. Although a violent release of anger in response to the fall of the regime was inevitable, the humanitarian situation had to be improved. The three basics were food, water and healthcare; DFID should provide advice on both the current situation and the strategy for the future.

**67.** DFID sent a paper to No.10 later on 11 April, advising that:

- The Iraqi health system was functioning, but was under severe strain in Baghdad and other towns that had suffered heavy casualties. There were localised shortages of medical supplies.
- Water, sanitation and power systems were fragile. UK forces, the ICRC and the United Nations Children’s Fund (UNICEF) were working together to reinstate services in the South; services in Baghdad were under severe strain.
- Food supply remained a concern: stocks distributed before the conflict under the OFF programme were expected to last until the end of April.
- Population movements had so far been limited and managed adequately by the local authorities.
- Key concerns were the breakdown in law and order and the future of the OFF programme beyond 12 May, when the authority provided under resolution 1472 expired.
- In the South, the UK military, drawing on the £30m allocated to them to provide humanitarian assistance, had been distributing food, water and medical supplies. Looting and disorder in Basra had been halted, and work was under way to restore key elements of local public administration.

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<sup>44</sup> House of Commons, *Official Report*, 10 April 2003, column 435.

<sup>45</sup> Minutes, 11 April 2003, Ad Hoc Meeting on Iraq.

- DFID maintained daily contact with the ICRC and UN agencies, but almost all other interventions, including deployment of DFID humanitarian advisers into Iraq, were awaiting an improvement in security. The ICRC was the only agency to have been in Iraq throughout the conflict: UN agencies and NGOs were awaiting their own security assessments before deploying widely. ORHA, which had “a very limited capability to deliver humanitarian assistance”, was similarly constrained.<sup>46</sup>

**68.** The Cabinet Office round-up of events on 11 April reported that the ICRC was “profoundly alarmed by the chaos currently prevailing in Baghdad and other parts of Iraq”.<sup>47</sup>

**69.** Sir David Manning, Mr Blair’s Foreign Policy Adviser, passed the Cabinet Office’s report to Mr Blair, highlighting the ICRC’s concern.<sup>48</sup>

### Publicising humanitarian assistance

The Government sought to generate positive publicity for the Coalition’s humanitarian assistance.

Mr Hoon proposed to Secretary Rumsfeld on 3 April that the Coalition needed to highlight its humanitarian work for as long as it remained engaged in a propaganda war with the Iraqi regime.<sup>49</sup>

Sir David Manning discussed establishing a medical “air bridge” to Baghdad with Mr Hoon and, separately, with Dr Condoleezza Rice, US National Security Advisor, on 12 April.<sup>50</sup>

Sir David reported that he had suggested to Dr Rice that “we” should bring planes into Baghdad packed with medical equipment and specialist medical teams.<sup>51</sup> The initiative would have an immediate impact on local hospitals and on Iraqi and international public opinion. The flights should be undertaken with “much fanfare, and for the cameras”. In practice, the initiative might not amount to much more than giving a much higher profile to what was already happening.

Sir David suggested to Mr Simon McDonald, Mr Straw’s Principal Private Secretary, that, if the idea prospered, “we should try to ensure that the UK is clearly associated with it. We might send British equipment and personnel on the flights, and secure maximum publicity for our contribution.”

Later that day, Mr Peter Watkins, Mr Hoon’s Principal Private Secretary, informed Sir David that US and Australian aircraft loaded with medical supplies would land in

<sup>46</sup> Letter Bewes to Rycroft, 11 April 2003, [untitled] attaching Paper DFID, 11 April 2003, ‘Iraq: Humanitarian Needs and Response’.

<sup>47</sup> Report Cabinet Office, 11 April 2003, ‘Iraq: Evening Round Up 11 April’.

<sup>48</sup> Manuscript comment Manning to Prime Minister, 12 April 2003, on Report Cabinet Office, 11 April 2003, ‘Iraq: Evening Round Up 11 April’.

<sup>49</sup> Minute Watkins to DG Op Pol, 3 April 2003, ‘Iraq: Conversation with Rumsfeld: 3 April 2003’.

<sup>50</sup> Manuscript comment Manning to Prime Minister, 12 April 2003, on Letter Watkins to Manning, 12 April 2003, ‘Baghdad: Medical Support’; Letter Manning to McDonald, 12 April 2003, ‘Iraq: Conversation with Condi Rice’.

<sup>51</sup> Letter Manning to McDonald, 12 April 2003, ‘Iraq: Conversation with Condi Rice’.

Baghdad on 12 April.<sup>52</sup> Further flights were expected in the coming days and Coalition commanders would try to ensure flights were highlighted to the media.

The Inquiry has seen no evidence of further discussion of the air bridge.

**70.** The Cabinet Office reported on 13 April that “despite media reporting of widespread looting and disruption”, the humanitarian situation continued to show “signs of stabilisation”.<sup>53</sup> The ICRC had said that security remained the greatest concern in Baghdad. Liaison between Coalition Forces and Iraqi technicians and managers on restoring and maintaining utilities had begun.

**71.** In his conversation with President Bush on 14 April, Mr Blair identified the need to improve conditions in hospitals as the top humanitarian priority and the main focus of media interest.<sup>54</sup> Baghdad was still not a safe environment for humanitarian assistance.

**72.** By the middle of April, USAID and DFID were beginning to look beyond humanitarian assistance to longer-term recovery and reconstruction.

**73.** Mr Suma Chakrabarti, DFID Permanent Secretary, visited Washington on 14 April.<sup>55</sup>

**74.** The UK Delegation to the IMF and the International Bank of Reconstruction and Development (UKDEL IMF/IBRD) reported that USAID officials had told Mr Chakrabarti that, in the absence of the expected refugee crisis, USAID would be able to divert some resources from humanitarian assistance to reconstruction.

**75.** UKDEL IMF/IBRD also reported that: “US reconstruction plans are comprehensive, and well advanced.”

**76.** A DFID team visited Kuwait from 14 to 16 April and reported on 22 April:

“Broadly, the humanitarian crisis that was feared in Iraq has not materialised. The need for acute *relief* operations has been limited. In the South, localised needs are being addressed by the military and International Committee of the Red Cross. As soon as security permits, UN agencies and NGOs are ready to begin operations on the ground – this is already happening in South and North Iraq. In Baghdad and other central towns, the humanitarian situation is more difficult.

“However, there is an urgent need for *recovery*. Key issues here include restoring law and order; restoring water, fuel and power supplies; re-opening schools, medical facilities and other public services; restoring the underlying public administration including payment of salaries ...

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<sup>52</sup> Letter Watkins to Manning, 12 April 2003, ‘Baghdad: Medical Support’.

<sup>53</sup> Paper Cabinet Office, 13 April 2003, ‘Iraq: Afternoon Round-Up, 13 April’.

<sup>54</sup> Letter Cannon to McDonald, 14 April 2003, ‘Iraq: Prime Minister’s Conversation with Bush, 14 April’.

<sup>55</sup> Telegram 33 UKDel IMF/IBRD to FCO London, 14 April 2003, ‘Iraq: Post-Conflict – US Government Thinking, IFI and UNDP Preparations’.

“The UK military in the South are heavily focused on recovery issues ...

“Alongside recovery, there is an urgent need to begin planning for the reconstruction and reform process. A UN mandate will be required before the IFIs [International Financial Institutions] and other donors are able to fully support implementation.”<sup>56</sup>

**77.** Copies of the report were sent to No.10, the Cabinet Office, the FCO, the MOD, the Treasury, the Department of Trade and Industry (DTI) and the Attorney General’s Office.

**78.** The UK’s AO in the South was declared “permissive” by UK forces on 22 April.<sup>57</sup>

**79.** On 24 April, the UK military sought Mr Hoon’s approval for the first substantial withdrawal of ground troops from Iraq with effect from Sunday 27 April.<sup>58</sup>

**80.** The Annotated Agenda for the 15 May meeting for the Ad Hoc Ministerial Group on Iraq Rehabilitation (AHMGIR) stated that, of the £30m available to the UK military for humanitarian relief operations in the UK’s AO, only £3m had been committed and £1m spent.<sup>59</sup> The remainder could be used for other purposes.

**81.** The UN launched its revised humanitarian appeal for Iraq on 23 June.<sup>60</sup> The UN reported that almost US\$2bn of the US\$2.22bn requested in its 28 March Flash Appeal had been made available to UN agencies; the revised appeal covered the remaining US\$259m.<sup>61</sup> Of the US\$2bn, US\$1.1bn had been made available from the OFF programme and US\$870m had been pledged by donors. The largest donors were:

- the US (providing US\$483m, some 56 percent of total donor contributions);
- the UK (US\$108m, 12 percent); and
- Japan (US\$87m, 10 percent).

**82.** At the launch, Ms Louise Fréchette, UN Deputy Secretary-General, reported that a major humanitarian crisis had been avoided.<sup>62</sup> UN pre-planning had led to the prompt restoration of the OFF food distribution system, and some of the “more dire” planning assumptions, such as large-scale population movements, had not occurred.

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<sup>56</sup> [Letter DFID \[junior official\] to Rycroft, 22 April 2003, ‘Iraq: Engagement with ORHA’ attaching Paper DFID, 22 April 2003, ‘Iraq: ORHA – Visit Report’.](#)

<sup>57</sup> Report MOD, 23 April 2003, ‘Iraq: Update for the Number 10 Sitrep – As at 0630 on 23 April 2003’.

<sup>58</sup> Minute Wallace to PS/Secretary of State [MOD], 24 April 2003, ‘Op TELIC: Realignment of UK Forces’.

<sup>59</sup> Annotated Agenda, 15 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>60</sup> United Nations, Press Release, 23 June 2003, *United Nations Agencies Appeal for US\$259 Million in Emergency Assistance for Iraq*.

<sup>61</sup> United Nations, June 2003, *Humanitarian Appeal for Iraq: Revised Inter-Agency Appeal 1 April – 31 December 2003*.

<sup>62</sup> Telegram 1006 UKMIS New York to FCO London, 24 June 2003, ‘Iraq: Launch of the Revised UN Humanitarian Appeal, 23 June’.

**83.** DFID pledged a further £35m towards the UN appeal, bringing DFID's total contribution to £100m.<sup>63</sup>

**84.** The Inquiry has not seen any assessment by the UK Government of the effectiveness of the UK's humanitarian assistance effort in the UK's AO/AOR.

**85.** Ms Short told the Inquiry that the efforts of the UN agencies and the Red Cross in particular had prevented a humanitarian crisis in Iraq:

“... the humanitarian thing worked because a lot of work was done by a lot of people and we played our part in that”.<sup>64</sup>

## Coalition-building

**86.** Between March and May 2003, the UK sought international partners to share the civilian and military burden in post-conflict Iraq.

**87.** Section 6.5 describes concerns expressed by UK civilian and military planners before the invasion that, in the absence of UN authorisation for Phase IV, it would prove difficult to attract international partners to share the post-conflict burden.

**88.** On 21 March, Mr Ian Lee, MOD Director General Operational Policy (DG Op Pol), sent a “Coalition Engagement Strategy for Phase IV” to the Chiefs of Staff.<sup>65</sup> Mr Lee advised: “We need to pursue this approach as a matter of urgency, since Phase IV may be almost upon us.”

**89.** The Engagement Strategy recommended that the UK inform the US of the UK's need for partners to fill Phase IV military and non-military capability gaps. Officials would then start bilateral discussions with potential partners, leading to a possible multilateral meeting “when we judge that nations feel comfortable with being openly identified”.

**90.** Mr Lee advised Mr Hoon on 26 March that initial discussions with some countries were under way, but could not be concluded without:

“... more clarity on the overall Phase IV framework ... and the legalities of our position in the absence of a UNSCR [T]hese high-level issues will, we hope, be clarified in forthcoming contact at Prime Minister/President level [at Camp David].”<sup>66</sup>

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<sup>63</sup> International Development Committee, Session 2002-2003, *Examination of Witnesses (Questions 49-59)*, 30 June 2003.

<sup>64</sup> Public hearing, 2 February 2010, page 13.

<sup>65</sup> [Minute Lee to COSSEC, 21 March 2003, 'Coalition Engagement Strategy for Phase IV'](#), attaching Paper, [undated], 'Coalition Engagement Strategy for Phase IV'.

<sup>66</sup> Minute Lee to PS/Secretary of State [MOD], 26 March 2003, 'Coalition-Building for Phase IV'.

**91.** On 27 March, the British Embassy Washington reported that the US had invited representatives of around 47 Embassies to attend an inter-agency briefing intended to generate military and civilian contributions to Phase IV.<sup>67</sup> The Embassy commented:

“Given that we have been thinking ourselves about an exercise to generate support for the UK sector in Phase IV, we will need to make sure that we deconflict this from the US effort.”

**92.** The Embassy also commented that this was separate from the US initiative to convene a small core group of countries to manage Iraq’s humanitarian and reconstruction needs. The UK, Spain, Australia, Japan and possibly a Gulf State would be approached to participate in the group.

**93.** Mr Peter Watkins, Mr Hoon’s Principal Private Secretary, advised Mr Lee on 28 March that Mr Hoon agreed that “given the likely scale of the Phase IV task, there are good practical as well as political reasons to engage early with potential partners” and that Mr Hoon had, after discussion with Sir Kevin Tebbit, MOD Permanent Under Secretary (PUS), written to the Defence Ministers of the “most willing” countries.<sup>68</sup>

**94.** On the same day, Mr Hoon informed the Ad Hoc Meeting on Iraq that he had written to selected Defence Ministers asking them to consider a military contribution to the post-conflict phase.<sup>69</sup>

**95.** On 1 April, the Cabinet Office reported that, during the core group’s first conference call, the UK, Spain, Australia and Japan had suggested that “reconstruction must go through the UN, with an early new UNSCR [resolution] and the IFIs engaged”.<sup>70</sup>

**96.** On 10 April, the FCO issued instructions to overseas posts to seek military contributions from host governments to support Phase IV in the UK sector of Iraq.<sup>71</sup> The FCO stated that the UK hoped to be able to reduce its military deployment by two-thirds during Phase IV, but advised posts to:

“... base your approaches on the need for widespread international support for consolidating security and stability and getting Iraq back on its feet, which should be a more powerful argument for potential contributors than offsetting the effects of a UK drawdown.

“We intend to continue to provide a discrete self-supporting military capability in the UK area of operation, allowing maximum flexibility to cope with whatever role we assume in Phase IV. From about September ... [w]e will be able to provide the

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<sup>67</sup> Telegram 397 Washington to FCO London, 27 March 2003, ‘Iraq: Phase IV: US Coalition Building’.

<sup>68</sup> [Minute Watkins to DG Op Pol, 28 March 2003, ‘Iraq: Coalition-building for Phase IV’](#).

<sup>69</sup> Minutes, 28 March 2003, Ad Hoc Meeting on Iraq.

<sup>70</sup> Report Cabinet Office, 1 April 2003, ‘Iraq: Evening Round-Up 1 April’.

<sup>71</sup> [Telegram 33 FCO London to Rome, 10 April 2003, ‘Phase IV Military Contributions: Lobbying Instructions’](#).

headquarters and one of the three brigades, and we would like to make up the remaining two brigades through contributions from other nations.”

**97.** The FCO instructions were sent to UK Defence Attachés along with detailed MOD instructions on the specific contributions sought.

**98.** The same day, the US Embassy London expressed concern to the FCO that the UK’s lobbying campaign had not been co-ordinated with the US.<sup>72</sup> Countries would be offering the same assets to the US and UK.

**99.** On 11 April, Mr Peter Gooderham, Political Counsellor at the British Embassy Washington, reported that he had told the US that the UK had kept it informed at every stage and could not be expected “to wait around while they get their inter-agency act together”.<sup>73</sup> Mr Gooderham had declined a US request to “abort” the lobbying telegram.

**100.** Later that day, Mr Gooderham reported that while there was still “consternation” in the US State Department, he had managed to calm the situation.<sup>74</sup>

**101.** Mr Watkins informed No.10 on 23 April that there were “encouraging signs of interest from potential Coalition partners”, including Italy, which had secured parliamentary approval for deployment of a brigade headquarters, one battalion, 400-500 Carabinieri and a number of specialist capabilities.<sup>75</sup>

**102.** Taken together, offers of contributions provided a promising basis for a UK-led multilateral division and might produce some surplus capability. Multilateral meetings were scheduled on 30 April and 8 May to take things forward.

**103.** In parallel, senior FCO officials sought to engage the European Union (EU) and EU Member States on post-conflict issues.

**104.** The Presidency Conclusions of the European Council on 20 and 21 March stated that the EU was committed to being “actively involved” in addressing Iraq’s humanitarian needs and that it wanted effectively to “contribute to the conditions allowing all Iraqis to live in freedom, dignity and prosperity under a representative government”.<sup>76</sup> The European Council invited the European Commission and High Representative “to explore the means by which the EU might help the Iraqi people to achieve these objectives”.

**105.** Sir Nigel Sheinwald, UK Permanent Representative to the EU, interpreted the European Council Conclusions as evidence that the EU “was shaping up the right

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<sup>72</sup> Email FCO [junior official] to FCO Emergency Unit, 10 April 2003, ‘US Embassy Interest in Phase IV’.

<sup>73</sup> Email Gooderham to FCO Emergency Unit, 11 April 2003, ‘US Embassy Interest in Phase IV’.

<sup>74</sup> Email FCO Emergency Unit [junior official] to Ehrman, 11 April 2003, ‘Phase IV: Next Steps’.

<sup>75</sup> Letter Watkins to Cannon, 23 April 2003, ‘Iraq: Phase IV Contributions and Coalition-building’.

<sup>76</sup> European Commission, Press Release, 21 March 2003, *Brussels European Council 20 and 21 March 2003 Presidency Conclusions*.

way on humanitarian issues”.<sup>77</sup> Although reconstruction had not been explicitly mentioned, the EU had undertaken to contribute to a “post-Saddam Iraq”, and had directed the Commission and Council Secretariat to start planning for that. The UK needed to build on this in order to “start to heal EU divisions”, and make progress on post-conflict resolutions.

**106.** On 26 March, during the early stages of discussion in between the UK and US delegations in New York on the text of what was to become resolution 1483 (see Section 9.1), Sir Paul Lever, British Ambassador to Germany, raised concerns with Mr Peter Ricketts, FCO Political Director, about the UK’s failure to engage EU allies from the outset.<sup>78</sup> Sir Paul recalled that Mr Blair had stated in the House of Commons on 18 March, that, with the wisdom of hindsight, it would have been best if Europe had adopted a common position on Iraq, including with respect to the use of force provided the US acted through the UN and engaged seriously on Israel/Palestine. Sir Paul commented that Mr Blair’s advice had not been followed on reconstruction:

“... I hope that you [Mr Ricketts] and others will, before we get inextricably locked in to a common UK/US bilateral position on post-conflict Iraq, have the opportunity to consider whether, after our experience over the last six months, this is really where we want to be.”

**107.** Mr Ricketts relayed those views, together with those of Sir John Holmes (British Ambassador to France) and Sir Roderic Lyne (British Ambassador to the Russian Federation), to Mr Simon McDonald, Mr Straw’s Principal Private Secretary.<sup>79</sup> Mr Ricketts reported that a meeting of FCO officials earlier that day had agreed that it made sense to engage with European countries at the formative stage of the resolution, “both because we needed their support to get it through the Security Council, and because it was potentially an important part of re-establishing a good working relationship”.

**108.** On 27 March, Sir John Holmes added:

“... the bottom line is that we will need French (and German) support if a UN resolution is to pass. We are more likely to get it if we share our thinking with them at an early stage. They see the need, as we do, to save the Americans (or at least the Pentagon) from too much of a military administration which could go disastrously wrong ...”<sup>80</sup>

**109.** Sir Jeremy Greenstock, the UK Permanent Representative to the UN, confirmed to Mr Ricketts that he was “entirely alive to the opportunity of getting the Europeans and

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<sup>77</sup> Telegram 367 UKRep Brussels to FCO London, 25 March 2003, ‘Iraq: Phase IV: EU Handling’.

<sup>78</sup> Letter Lever to Ricketts, 26 March 2003, ‘Iraq Reconstruction: How to Influence the Americans’.

<sup>79</sup> Minute Ricketts to Private Secretary [FCO], 26 March 2003, ‘Iraq Reconstruction Resolution: Working the Europeans’.

<sup>80</sup> Letter Holmes to Ricketts, 27 March 2003, ‘Iraq Reconstruction: Working the Europeans’.

the [Security] Council to work together on Phase IV”.<sup>81</sup> The prospects of that had been “mildly enhanced” by useful co-operation during negotiations on the resolution extending the OFF programme. Sir Jeremy added:

“The difficult calculation, of course, is how to take forward any thought of working closely with the Europeans when we have to be joined at the hip to the Americans as well.

“... we here in New York can in the end do no more than the Prime Minister manages to win in terms of flexibility from the President in Washington.”

**110.** Mr Blair spoke to President Bush by video link on the afternoon of 4 April.<sup>82</sup> Mr Blair commented that reports from discussions with European partners indicated that they would like to “find a way back”. He thought that getting the right “framework of principles” for Phase IV should help.

**111.** Mr Blair’s subsequent discussions with Mr Jacques Chirac, the French President, and Mr Gerhard Schröder, the German Chancellor, are addressed in Section 9.1.

## Post-conflict reconstruction and ORHA

**112.** Officials in the FCO, the MOD, DFID and the Cabinet Office continued to work on plans for the reconstruction of post-conflict Iraq after the start of the invasion.

**113.** UK efforts to secure a resolution authorising the post-conflict administration and reconstruction of Iraq are described in Section 9.1.

**114.** The UK’s military contribution to the combat phase (Phase III) of the military campaign in Iraq, the transition to post-conflict military operations (Phase IV) and the establishment of the UK military’s Area of Responsibility (AOR) in southern Iraq are described in Section 8.

## Responsibility for reconstruction

**115.** Ms Short held a meeting with DFID officials on 26 March to discuss Iraq.<sup>83</sup> Reflecting on recent progress to secure a resolution authorising the post-conflict administration and reconstruction of Iraq, Ms Short stated: “The important thing was for the world to know that a resolution for a UN mandate was coming.”

**116.** Officials reported a sense among departments that a resolution on reconstruction might not be achieved. Ms Short stated that under the Geneva and Hague Conventions “no changes could be made to the [Iraqi] administration by the Occupying Powers, except ... to keep systems working for civilians”. The Attorney General had been clear

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<sup>81</sup> Letter Greenstock to Ricketts, 27 March 2003, ‘Iraq Reconstruction: Working the Europeans’.

<sup>82</sup> Letter No.10 [junior official] to Owen, 4 April 2003, ‘Iraq: Prime Minister’s Video Conference with President Bush’.

<sup>83</sup> Minute Warren to Fernie, 26 March 2003, ‘Iraq: Meeting with Secretary of State’.

on that point at Mr Blair’s meeting that morning. Ms Short asked her Private Office to request that the Attorney General’s advice be committed to paper.

**117.** Ms Short reported that “the Prime Minister had given her responsibility for reconstruction in Iraq”. That role should be underpinned by a Cabinet Office Committee chaired by Mr Chakrabarti. Ms Short added: “This area was our lead in Whitehall and we needed to ensure that this was recognised.” Mr Chakrabarti said that he had already spoken to Sir Andrew Turnbull, the Cabinet Secretary.

**118.** Cabinet discussed Iraq on 27 March.<sup>84</sup> Looking ahead, the Iraqi economy had potential and the bureaucracy was competent. Iraq was not a failed state and should not be a burden on the international community. Mr Hoon said that securing Iraq’s essential economic infrastructure had been achieved through seizing the southern oilfields almost intact. The sooner the oil could flow again, the sooner the profits could be used for the Iraqi people.

**119.** DFID produced its first substantive paper on post-conflict reconstruction at the end of March.

**120.** On 27 March, Mr Alistair Fernie, Head of DFID’s Middle East and North Africa Department, sent a paper on reconstruction planning to Ms Short.<sup>85</sup> Ms Short had seen an earlier draft on 20 March.

**121.** Mr Fernie advised that officials were:

“... now thinking how to take this [the paper] forward as part of a more comprehensive DFID-led process across Whitehall, looking at the whole range of international activities needed to help Iraq recover from conflict, sanctions and years of misrule.”

**122.** Mr Fernie advised that the paper had been revised to take account of Ms Short’s comments on “getting the multilateral system working to support Iraqi institutions, the importance of sustainable debt and reparations strategy, and focusing on using and developing Iraqi talent rather than bringing in too many international consultants”.

**123.** Comments had been received from the FCO, Treasury and Cabinet Office, centring on:

- what the UK would do if there were no resolution authorising reconstruction; Mr Fernie advised that, with the Attorney General’s advice now in writing, “we should stick to our position that without an SCR the UK can only support humanitarian relief and basic civil administration reform to ensure public security”; and

<sup>84</sup> Cabinet Conclusions, 27 March 2003.

<sup>85</sup> [Minute Fernie to Private Secretary/Secretary of State \[DFID\], 27 March 2003, ‘Iraq: Iraq Reconstruction Planning’](#) attaching Paper DFID, 27 March 2003, ‘Iraq – Reconstruction Planning: Objectives and Approach’.

- setting reconstruction planning within a wider post-conflict context.

**124.** Mr Fernie advised that the paper would be tabled at a Cabinet Office meeting the next day, when:

“We will discuss the process for the more comprehensive paper ... it will be useful to show to No.10 and the Cabinet Office that DFID is not only the natural lead on this approach but also has the human resources and experience to dedicate to it.”

**125.** Mr Fernie sent the paper to the Cabinet Office the following day, describing it as a “work-in-progress” paper setting out some “preliminary ideas on reconstruction planning”.<sup>86</sup>

**126.** Mr Fernie stated that the paper benefited from comments offered by FCO, MOD and Cabinet Office officials at a meeting chaired by DFID, which had raised wider issues about how reconstruction fitted with the UK’s overall approach to rebuilding Iraq and securing international consensus behind that approach. DFID’s view was that the UK needed to “start working now on a broader strategy which binds together the many bits of work going on across Whitehall”.

**127.** The paper stated that it was based on the assumption that “an adequate international mandate, agreed by the UN Security Council, will exist for the UK to play a full role in reforming and restructuring Iraq and its administration”.<sup>87</sup> It also stated that it was focused on DFID’s contribution to reconstruction, but had set that within a “broader context, which should be the subject of a further, more overarching UK Government strategy paper”.

**128.** While reconstruction planning needed to be informed by a long-term perspective of a country’s needs, decisions were likely to be taken soon on new governance structures and policies for Iraq, and the international community (in particular the IFIs, UN and US) were already considering what kind of reconstruction support should be provided. ORHA was likely to take decisions within a matter of days which would set the context for future reconstruction planning.

**129.** The paper adopted the (broad) objectives defined in the version of the UK’s ‘Vision for Iraq and the Iraqi People’ which had been produced for the 16 March Azores Summit.

**130.** DFID’s “core focus” in assisting Iraq’s reconstruction would be:

“... the elimination of poverty, and in particular ensuring the Iraqi Government was able to address its people’s poor health indicators and other social problems. After an initial period of continuing dependence on humanitarian assistance, Iraq’s status as a middle-income country will make it more appropriate for DFID to support

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<sup>86</sup> [Letter Fernie to Drummond, 28 March 2003, ‘Iraq Reconstruction Planning’, attaching Paper DFID, 27 March 2003, ‘Iraq – Reconstruction Planning: Objectives and Approach’.](#)

<sup>87</sup> Paper DFID, 27 March 2003, ‘Iraq – Reconstruction Planning: Objectives and Approach’.

technical assistance for the economic and institutional reforms which will underpin the reconstruction process, and help the Iraqi Government to stimulate the private sector growth, foreign investment and international lending which will enable them to address poverty.”

**131.** In pursuing those objectives, DFID would:

- Work through multilateral channels. DFID’s “overriding aim” should be to ensure that Iraq received comprehensive and prompt support from international institutions and the wider international community. DFID would “wherever possible ... seek to channel the bulk of our financial contributions through multilateral arrangements ... and complement this with targeted technical assistance in areas where DFID has expertise”.
- Tackle dependence on humanitarian assistance. Emergency relief and rehabilitation should blend with immediate reconstruction priorities.
- Plan for a short-term engagement: “given its potential wealth, we should aim for Iraq to be self-sufficient as quickly as possible, perhaps within three years, though some continuing technical assistance may prove appropriate beyond that”.

**132.** The paper stated that experience in Afghanistan had shown that the international community was slow to create tangible benefits on the ground which might demonstrate the “dividends of peace” to communities during “politically and culturally unstable post-conflict times”. DFID had “a justified reputation for relatively speedy response”, and would consider whether its existing humanitarian programme in Iraq and the additional emergency work it might fund after the conflict might provide a useful base to support wider reform in the water/sanitation and health sectors, to ensure that tangible benefits were provided to the Iraqi people relatively quickly.

**133.** The UK would find itself in a “critically responsible role” in Iraq, having been involved from the start in the military campaign. As the main ally of the US, the UK would be in a unique position to influence its engagement.

**134.** The paper concluded:

“Iraq is different to many developing countries which face shortages of well-educated and technically competent people. Using Iraq’s existing talent pool (including, with some political caution, returning exiles) as far as possible, and ensuring its relatively young population is educated to replace that pool, will be an essential investment and reduce political tension.”

**135.** Eight days after the start of the invasion, officials recommended the creation of a Cabinet Committee to oversee the UK approach to reconstruction.

**136.** Sir Michael Jay, FCO Permanent Under Secretary (PUS), discussed the Whitehall machinery for overseeing reconstruction with Sir Andrew Turnbull on 27 March.<sup>88</sup>

**137.** Sir Andrew Turnbull suggested “a Cabinet Committee chaired by the Foreign Secretary which would settle all the fundamental key questions about the reconstruction of Iraq (e.g. what sort of political system)”, with sub-committees looking at specific issues. He would ask Mr Bowen to come up with a proposal.

**138.** Sir Michael said that it was important that the Foreign Secretary was “clearly in the lead”, that DFID reconstruction activity was “restrained until the ‘big picture’ decisions” had been taken, and that the IPU was included in the architecture.

**139.** Sir Michael Jay wrote to Mr Straw later that day, proposing improvements to Whitehall co-ordination on reconstruction.<sup>89</sup> Sir Michael repeated his concern, prompted by a conversation with Mr Chakrabarti, that DFID was “still hankering after the leadership of the Iraq reconstruction agenda”. Sir Michael had discussed this concern with Sir Andrew Turnbull, who had agreed that “it was right that the FCO should take the overall Whitehall lead on reconstruction”. The “ideal structure” would be:

- a Cabinet Committee chaired by you [Mr Straw] to oversee the overall reconstruction effort in Iraq;
- a senior officials’ committee chaired by Desmond Bowen or David Manning, which would feed into the Ministerial Group; and oversee the work of a series of sub-groups, each dealing with specific aspects of the reconstruction agenda ...”

**140.** Sir Michael concluded:

“It would obviously be helpful if you could secure the Prime Minister’s endorsement for our approach in advance. We cannot guarantee that Clare Short will accept it without argument.”

**141.** Later on 27 March, Mr Bowen sent Sir Andrew Turnbull a draft minute addressed to Mr Blair, recommending the creation of an “Ad Hoc Ministerial Group on Iraq Reconstruction” chaired by Mr Straw.<sup>90</sup> Mr Bowen advised that he had opted for an ad hoc group because it was “inherently more flexible and less ponderous than a formal sub-group of DOP [the Ministerial Committee on Defence and Overseas Policy]”.

**142.** Mr Jim Drummond, Assistant Head (Foreign Affairs) OD Sec, sent Mr Bowen some first thoughts on the “reconstruction agenda” for the new Ministerial Group on 28 March:

- humanitarian assistance;
- role of ORHA: “competence and UK links with and involvement in”;

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<sup>88</sup> Minute Warren, 27 March 2003, ‘Sir Michael Jay Bilateral, 27 March’.

<sup>89</sup> Minute Jay to Secretary of State [FCO], 27 March 2003, ‘Iraq: Reconstruction: Whitehall Co-ordination’.

<sup>90</sup> [Minute Bowen to Turnbull, 27 March 2003, ‘Iraq: Reconstruction’ attaching Minute \[draft\] Turnbull to Prime Minister, \[undated\], ‘Iraq Reconstruction’.](#)

- wider UN role on reconstruction;
- political process/fate of the Ba'ath Party: "Outline plan exists, not agreed with US";
- economy: "Good contacts with US";
- reconstruction of infrastructure: "Depends on damage. Beginning now. Disagreements with US on role of Iraqis";
- SSR: "Ideas offered to US, but no plan";
- public administration reform and service delivery: "No plan yet?"
- commercial opportunities: "Needs wider policy agreement with US";
- legal issues: "Some contact with US. No firm agreement. No plan";
- disarmament: "No agreement with US on extent of involvement of UN inspectors"; and
- reintegrating Iraq into the international community.<sup>91</sup>

**143.** Sir Andrew Turnbull wrote to Sir Kevin Tebbit on 31 March, seeking his and, among others, Sir David Manning's agreement on a slightly revised version of the draft minute produced by Mr Bowen on 27 March.<sup>92</sup> Sir Andrew advised that the revised draft had already been agreed with Sir Michael Jay and Mr Chakrabarti.

**144.** The only change to Mr Bowen's draft was the substitution of the word "rehabilitation" for "reconstruction" in the name of the group.

**145.** Sir Andrew Turnbull's draft stated that as the UK moved towards the post-conflict phase, it needed "a coherent policy on an enormous range of issues, including the role of the UN, Iraqi political process, rehabilitation and reform, economic and financial issues (including debt and reparations), security sector reform and reducing our own military role".

**146.** Sir Andrew Turnbull therefore proposed:

"... a new Ad Hoc Ministerial Group on Iraq Rehabilitation reporting to you [Mr Blair]. The Foreign Secretary should chair ... Its terms of reference would be: 'to formulate policy for the rehabilitation, reform and development of Iraq'."

**147.** The new Ministerial Group would be supported by an officials group, led by the Cabinet Office and including the Head of the IPU.

**148.** The Inquiry has not seen a final version of Sir Andrew Turnbull's minute.

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<sup>91</sup> [Minute Drummond to Bowen, 28 March 2003, 'Iraq: Reconstruction Agenda'](#).

<sup>92</sup> [Letter Turnbull to Tebbit, 31 March 2003, 'Iraq: Rehabilitation' attaching Minute \[draft\] Turnbull to Prime Minister, \[undated\], 'Iraq: Rehabilitation'](#).

**149.** Mr Chakrabarti wrote to Sir Andrew Turnbull on 1 April, confirming that the new groups proposed in Sir Andrew’s draft minute to Mr Blair:

“... seem the best way to take forward the detailed implications of any SCR’s content, and what can be done before its passing ... The key will be to agree very quickly on the work programme and to task those with the knowledge and experience in the subject areas to take the lead while consulting others with an interest in ensuring all the workstreams fit together into a coherent – and affordable – strategy. We must draw on the lessons learnt from other post-conflict situations such as Afghanistan, Kosovo, East Timor, Sierra Leone and Bosnia.”

**150.** Mr Chakrabarti attached a short note setting out some thoughts on how such a strategy might be developed and structured. He continued:

“The Cabinet Office will pull all this together, but DFID is already working on issues in our area of expertise under several of the workstreams listed. We are keen to work more closely with HMT [the Treasury], MOD and FCO on areas such as debt and reparations rescheduling, the use of oil revenues, security sector reform, and the diplomatic and financial strategy for building consensus around what needs to be done. Nicola Brewer will take the lead for DFID in the Cabinet Committee senior officials’ group. I hope there will be increased cross-membership of the various workstreams, and that we will use the interdepartmental machinery at our disposal (eg the Global Conflict Prevention Pool for security sector reform) to ensure joined up working.

“In looking at our areas of expertise, we are consulting the [World] Bank and [International Monetary] Fund, UN development agencies, the EC [European Commission] and other key bilateral donors as well as the US Administration ...”<sup>93</sup>

**151.** Sir Andrew Turnbull informed Mr Straw on 7 April that Mr Blair had agreed a new committee should be established “to formulate policy for the rehabilitation, reform and development of Iraq”.<sup>94</sup> Mr Straw would chair; other members would be the Chancellor of the Exchequer, the Defence Secretary, the International Development Secretary and the Trade and Industry Secretary. The committee would be supported by a group of officials, chaired by Mr Bowen.

**152.** Mr Straw chaired the first meeting of the Ad Hoc Ministerial Group on Iraq Rehabilitation (AHMGIR) on 10 April.

## **UK concerns over participation in ORHA**

**153.** Section 6.5 describes how, during March 2003, UK officials considered those rules of international law on belligerent occupation relevant to reconstruction and their implications for UK participation in ORHA.

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<sup>93</sup> [Letter Chakrabarti to Turnbull, 1 April 2003, ‘Iraq: Rehabilitation, Reform and Development’.](#)

<sup>94</sup> Letter Turnbull to Straw, 7 April 2003, ‘Iraq: Rehabilitation’.

**154.** On 17 March, Mr Huw Llewellyn, an FCO Legal Counsellor, advised the IPU on the compatibility of various post-conflict activities with the rules of military occupation.<sup>95</sup>

**155.** Mr Llewellyn explained that Security Council authorisation was not required for humanitarian assistance. The position was more complicated for “rehabilitation” and “reconstruction”:

“Rehabilitation

“As I understand it, this means essential repair work, (for example to schools, hospitals, government buildings, roads). It is closely connected with basic humanitarian assistance.

“... Article 55 of the Hague Regulations requires the Occupying Power to ‘safeguard’ the capital of public buildings etc. Repair work would be consistent with that obligation ...

“Reconstruction

“You list under this heading matters such as reform of the judiciary, security sector and police reform, demobilisation, reform of government and its institutions, the education system, and the banking system ... it might also include the building of new roads and other structures to assist the regeneration of Iraq.

“Construction of entirely new roads and buildings may in some circumstances be permissible – where this is necessary for the relief effort or, for example for maintaining security or public order. As you know, the scope for action on the other issues ... is limited. Any action going beyond these limits would require Security Council authorisation.”

**156.** Mr Llewellyn offered further observations on 18 March, in which he emphasised that “sweeping” institutional and personnel changes would not be permitted.<sup>96</sup>

**157.** On 26 March, Lord Goldsmith, the Attorney General, sent Mr Blair advice requested at the Ad Hoc Meeting the previous day.<sup>97</sup> It covered:

“... the need for UN Security Council authorisation for the Coalition or the international community to establish an interim Iraqi administration to reform and restructure Iraq and its administration.”

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<sup>95</sup> [Minute Llewellyn to IPU \[junior official\], 17 March 2003, ‘Potential Humanitarian and Reconstruction Activities in Iraq’.](#)

<sup>96</sup> Minute Llewellyn to IPU [junior official], 18 March 2003, ‘Potential Humanitarian and Reconstruction Activities in Iraq’.

<sup>97</sup> [Minute Attorney General to Prime Minister, 26 March 2003, ‘Iraq: Authorisation for an Interim Administration’.](#)

**158.** Lord Goldsmith's view was that:

“... a further Security Council resolution is needed to authorise imposing reform and restructuring of Iraq and its Government. In the absence of a further resolution, the UK (and US) would be bound by the provisions of international law governing belligerent Occupation ... the general principle is that an Occupying Power does not become the government of the occupied territory. Rather, it exercises temporary de facto control ...”

**159.** The principles of international law as they applied to the UK and US as Occupying Powers in Iraq before and after the adoption of resolution 1483 on 22 May 2003 are summarised in the Box ‘The legal framework for Occupation’ later in this Section.

**160.** Those principles are addressed in more detail in Section 9.1.

**161.** Section 9.1 also addresses UK efforts to agree with the US a Memorandum of Understanding (MOU) on a set of principles governing activity in post-conflict Iraq.

**162.** In advance of the meeting between Mr Blair and President Bush at Camp David on 26 and 27 March, Mr Straw's Private Office sent Mr Matthew Rycroft, Mr Blair's Private Secretary for Foreign Affairs, a negotiating brief for what was to become resolution 1483, the resolution defining the roles of the UN and the Coalition in post-conflict Iraq.<sup>98</sup>

**163.** The negotiating brief, prepared by the IPU, described what was known about what would happen during the “first few weeks” after the combat phase of the military campaign:

“Immediately after the conflict, the Coalition will be in control of Iraq.

“As soon as it is safe to do so, [Lieutenant General (retired)] Jay Garner [the Head of ORHA] and his Office of Reconstruction and Humanitarian Assistance (ORHA) will arrive behind the military and become a transitional administration. Their aim will be to work with the existing Iraqi public administration, so far as possible. Garner will then take forward the reconstruction process. His people will be inserted into the top of the Iraqi ministries, with senior US officials being assigned to each ministry as ‘shadow ministers’ ...

“ORHA is understaffed and begun preparing for its task only a few weeks ago. There are now some ten or so UK secondees embedded in it. Garner would like to be out of Iraq within 90-120 days. Whether ORHA will be able to get any reform programme started in that time is moot. This period is likely to be dominated by humanitarian and security concerns.”

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<sup>98</sup> [Letter Owen to Rycroft, 25 March 2003, ‘Prime Minister’s Visit to Washington: Iraq: UN Security Council Resolution on Phase IV’ attaching Paper Iraq Planning Unit, 25 March 2003, ‘Iraq: Phase IV: Authorising UNSCR’.](#)

**164.** ORHA and the Coalition might enjoy a “brief honeymoon”, but not if the Coalition seemed set on administering Iraq for more than a brief period. It was therefore necessary to put in place interim arrangements for post-conflict administration that would be accepted by the Iraqi people and the Arab and Islamic world.

**165.** A resolution would be required to authorise those interim arrangements, and to provide a legal basis for “reconstruction and reform”:

“Without a UNSCR, other countries, international organisations, the IFIs, UN agencies and NGOs will be comparatively limited in what they can do ... That would leave US/UK with no viable exit strategy from Iraq and a huge bill.”

**166.** The IPU negotiating brief stated that the task for Camp David was to build on five areas where there was already agreement between the UK and US:

- The Coalition, through ORHA, would be responsible for the administration of Iraq for the first few weeks.
- The UN should not be asked to run Iraq.
- The objective should be Security Council authorisation or endorsement for an international presence that would include the UN.
- Coalition, not UN troops would provide security on the ground.
- As soon as possible, Iraq should govern itself.

**167.** The IPU stated that differences between the UK and US positions remained significant. The IPU explained that the US approach amounted to:

“... asking the UNSC to endorse Coalition military control over Iraq’s transitional administration, its representative institutions and its revenues until such time as a fully-fledged Iraqi government is ready to take over. It would marginalise the role of a UN Special Co-ordinator. These ideas are a non-starter for the Security Council, would be denounced by the Iraqis and the wider Arab/Islamic world, and would not provide the stability needed to develop the new Iraq.”

**168.** The IPU stated that there was “still some distance to go if we are to agree a way forward to avoid an inchoate start to Phase IV”.

**169.** The IPU set out a number of “propositions” which it hoped Mr Blair and President Bush could agree. Those propositions and the progress of the negotiations on resolution 1483 are addressed in Section 9.1.

**170.** Mr Straw sent Mr Blair an FCO paper on Phase IV issues in advance of Camp David.<sup>99</sup> Mr Straw said that he hoped Mr Blair would counter any tendency by President Bush to conclude that the UN had failed over Iraq:

“... the US will need to go on working through the UN, both to authorise the post-conflict work in Iraq so that a wide range of countries can join the peacekeeping and reconstruction effort, and to provide an exit strategy for the US/UK and because the UN itself and its agencies have important expertise to offer.”

**171.** The FCO paper on Phase IV issues stated that, in addition to US agreement on a UN resolution, the UK needed US agreement on a number of other important political, humanitarian and economic issues, including:

- A Baghdad Conference. The US was still thinking of a Coalition conference with the UN in a supporting role. That was the wrong way round for international acceptability.
- The role of the Interim Iraqi Administration (IIA). An early statement of intent to hand over power to an IIA while helping the Iraqi people to build a democratic future “should go down well”. The UN Special Co-ordinator should have veto power over the IIA’s decisions.
- Humanitarian issues. UK and US efforts were substantial: “we should play them up in the media”.
- Economic issues. After several wars and 12 years of sanctions, Iraq’s oil revenues alone would not meet the “very heavy” cost of reconstruction, particularly in the short term. “We need to share the burden with other developed countries ... But contacts with them tell us they will make **their contribution conditional on there being an authorising UNSC resolution for Phase IV.**” The World Bank would need to prepare a rigorous needs assessment, but that too would probably need UN cover.<sup>100</sup>

**172.** On the UK’s bilateral effort, the paper stated that Ms Short was considering where the UK might help with the longer-term contribution to “reform and reconstruction”. SSR and reform of the public service were two areas where the UK had a comparative advantage. UK public finances were “tight”. If the UK was to keep armed forces in Iraq, “the scope for a major effort on reform and reconstruction will be limited”.

**173.** Mr Blair and President Bush met at Camp David on 26 and 27 March. Their discussions are addressed in more detail in Section 9.1.

**174.** At dinner on the first evening, Mr Blair told President Bush that he did not want his visit to Camp David to focus primarily on a UN resolution to deal with post-conflict

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<sup>99</sup> Minute Straw to Blair, 25 March 2003, ‘Camp David: Post-Iraq Policies’.

<sup>100</sup> [Paper FCO, 25 March 2003, ‘Iraq: Phase IV Issues’](#).

Iraq.<sup>101</sup> The question about what sort of resolution was needed for the administration and reconstruction of Iraq should be parked. Mr Blair said:

“The time to debate this would come when we had secured victory, and were in a position of strength.”

**175.** Mr Blair raised Phase IV issues with President Bush the next day. They discussed the need to push for a quick agreement on the resolution to continue the OFF programme, and for a separate resolution that would free up financial and troop contributions from other nations, secure World Bank and IMF involvement and put reconstruction on the right footing.<sup>102</sup>

**176.** Mr Rycroft recorded that Mr Blair had identified the main issue as being whether the UN formed the future Iraqi government or whether the Coalition did so with UN endorsement, but that he had said “it was not helpful to expose this distinction yet”.

**177.** On 31 March, Mr Llewellyn advised Mr Dominick Chilcott, Head of the IPU, that UK military lawyers based in Kuwait were becoming alarmed at ORHA’s activities.<sup>103</sup> ORHA had issued three orders in relation to the port of Umm Qasr, including the application of US labour and customs laws, for which there was no clear legal authority. The position of UK forces, if asked to participate in related activities, was therefore uncertain.

**178.** Mr Llewellyn concluded: “If it cannot be sorted out, we may well need a decision from Ministers about whether UK forces should decline to take part in actions that we consider unauthorised or unlawful.”

**179.** The IPU sent recommendations on the UK’s future engagement with ORHA to Mr Straw on 1 April.<sup>104</sup>

**180.** The IPU advised that the UK objective of an IIA acting under UN authorisation was unlikely to be in place sooner than 90 days after the end of hostilities.<sup>105</sup> Until then, mechanisms were needed to deliver humanitarian assistance and, within the relevant legal constraints, civil administration. Without such mechanisms, those tasks would fall on the military, which had other priorities and limited resources.

**181.** The IPU listed three options:

- tasking and resourcing 1 (UK) Div to take on those tasks autonomously in areas of Iraq for which it was responsible;

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<sup>101</sup> Letter Manning to McDonald, 28 March 2003, Prime Minister’s Meeting with President Bush at Camp David: Dinner on 26 March’.

<sup>102</sup> Letter Rycroft to McDonald, 27 March 2003, ‘Prime Minister’s Meeting with President Bush at Camp David: Iraq Phase IV’.

<sup>103</sup> Minute Llewellyn to Chilcott, 31 March 2003, ‘Iraq: ORHA: Current Activity’.

<sup>104</sup> Minute Iraq Planning Unit to Private Secretary [FCO], 1 April 2003, ‘Iraq: ORHA’.

<sup>105</sup> [Paper IPU, 28 March 2003, ‘Iraq: Office for Reconstruction and Humanitarian Assistance \(ORHA\)’.](#)

- working through ORHA and doing what was possible to increase ORHA's institutional capacity; UK/US differences over legal issues would be likely to have an impact on the UK's ability to achieve that; and
- finding other ways to fulfil those tasks, for example through NGOs or international agencies.

**182.** The IPU noted that ORHA would administer the whole of Iraq as part of an integrated US-led approach and had large resources at its disposal, and concluded:

“We may wish to support 1 Div's capacity to carry out specific actions (eg repairing the water supply) in areas where we are responsible for maintaining security. But the logic of ORHA – a nation-wide approach to Phase IV – limits the UK's responsibilities and exposure. Carving out a separate approach in a UK sector would make no sense.

“The third option is not incompatible with this or with the second option. Indeed, DFID may well wish to go down this route as the primary means of delivering humanitarian and, in due course, reconstruction assistance. We shall need to keep under review where the balance of our overall effort lies.

“But ORHA remains the Coalition's transitional civil administration in waiting and is its primary means for delivering humanitarian assistance. And at least until the UN agencies and NGOs are present on the ground, only ORHA/Coalition Forces will be in a position to do this. This paper thus focuses exclusively on ORHA as the means for adding value and exerting UK influence in the immediate post-conflict environment.”

**183.** The IPU advised that ORHA, which was then in Kuwait, had approximately 200 staff, expected to rise to over 1,000 by the time it deployed to Iraq. The UK and Australia had each seconded six officers. Five more UK secondees were “in the pipeline” and one was working in ORHA's back office in the Pentagon. The UK secondees were “fully integrated” and “adding significant value”. At ORHA's request, the IPU was considering whether to strengthen UK representation, particularly in the areas of public relations, civil administration and humanitarian operations.

**184.** The IPU advised that Lt Gen Garner was reported to be expecting ORHA to act as the transitional administration for 30 to 90 days. The priority for the first 30 days was likely to be dealing with immediate humanitarian needs, including:

- restoration of food supplies;
- payment of public sector salaries;
- re-establishment and rehabilitation of essential public services; and
- working closely with UN staff to restart the OFF programme.

**185.** Depending on the circumstances, the UK could quite quickly be faced with “a grey area of possible activities which could move ORHA beyond the UK’s understanding of an Occupying Power’s rights and obligations”, perhaps including:

- initiation of a small business loan programme;
- abolition of Iraqi Government restrictions on private business;
- significant changes to the exchange or trade regimes;
- significant changes to the structure of the state budget; and
- SSR.

**186.** In addition, the US Department of Defense (DoD) continued to consider that the absence of a resolution need not prevent “thorough-going political and economic reform, including in areas the UK would consider to be clearly outside the UK’s understanding of an Occupying Power’s rights and responsibilities”.

**187.** The IPU concluded that, while ORHA was “in many ways a sub-optimal organisation for delivering the UK’s Phase IV objectives”, it was “the only game in town”. There was “ample scope” to use UK secondees to exert leverage over US Phase IV planning and implementation.

**188.** The IPU recommended that “the UK should continue to commit resources to ORHA where we can add real value and exert influence over emerging US perspectives and plans”. Only by “full, constructive engagement” could the UK “hope to shape the outcomes in ways that stay within UK red lines”.

**189.** The IPU also recommended that the UK should:

- continue to make clear to the US the limits within which the UK, including UK personnel within ORHA, could operate;
- seek close consultation on ORHA’s plans, to ensure that they did not cross UK “red lines”; and
- subject to those points, confirm Major General Tim Cross, the senior UK secondee to ORHA, as Deputy to Lt Gen Garner.

**190.** The Inquiry has seen no response to the IPU paper.

**191.** Mr Straw considered the question of UK support for ORHA at the first meeting of the AHMGIR on 10 April.

**192.** On 1 April, Mr Straw described the UK’s commitment to reconstruction in a speech to the Newspaper Society Annual Conference:

“Today our primary focus has to be the military campaign ... But we have given – and we are giving – a huge amount of thought to the post-conflict situation ...

“I don’t underestimate the scale of the task. Saddam has led his country to ruin ...

“Turning things round in a fully comprehensive way will not be the work of months. It is likely to take years ...

“Today I want to assure all the Iraqi people that our belief in their future prosperity is as strong as our belief in their liberation. In the short term, our approach to humanitarian relief and reconstruction will be founded on four key commitments ...

“First: there will be emergency relief over the coming days and weeks ...

The Ministry of Defence has been allocated £30m ... DFID has earmarked £210m ...

“Second: we will ensure that the United Nations oversees the medium and long-term international aid programme to Iraq ... A central role for the UN will also be crucial in attracting the expertise and funds from the major international financial institutions and aid donors ...

“Third: we will work with the United Nations and others on the long term redevelopment and rehabilitation of Iraq ...

“And fourth: we will ensure that Iraq’s oil wealth will be used for the benefit of the Iraqi people, to develop the infrastructure and services the country so desperately needs.”<sup>106</sup>

**193.** Mr Llewellyn confirmed on 2 April that UK forces were now an Occupying Power in that part of Iraq in their physical control.<sup>107</sup>

### The legal framework for Occupation

It was widely understood by both the US and UK that once they had displaced the regime of Saddam Hussein, Coalition Forces would exercise authority over – and, under international law – be occupiers in Iraq.

The rules of international law on belligerent occupation relevant to reconstruction are set out principally in the 1907 Hague Regulations.

In Iraq in April 2003, the UK was considered, at a minimum, the Occupying Power in that part of South-East Iraq where its forces were physically present and exercised authority (see Section 9.1). The UK’s role alongside the US in ORHA (and then the Coalition Provisional Authority (CPA)) raised questions about whether the UK was also jointly responsible for the actions of those organisations throughout Iraq.

Article 43 of the Hague Regulations provides that the Occupying Power “shall take all the measures in his power to restore, and ensure, as far as possible, public order and safety while respecting, unless absolutely prevented, the laws in force in the country”.

Sir Michael Wood, the FCO Legal Adviser from 1999 to 2006, told the Inquiry:

“While some changes to the legislative and administrative structure may be permissible if they are necessary for public order and safety, more wide-reaching

<sup>106</sup> *The Guardian*, 1 April 2003, *Full text of Jack Straw’s speech*.

<sup>107</sup> Minute Llewellyn to Bristow, 2 April 2003, [untitled].

reforms of governmental and administrative structures are not lawful. That includes the imposition of major economic reforms.”<sup>108</sup>

United Nations Security Council resolution 1483 (2003), which was adopted on 22 May 2003, changed the legal framework for the Occupation of Iraq.<sup>109</sup>

Resolution 1483 confirmed that the administration of Iraq was the responsibility of “the Authority” (the Occupying Powers).<sup>110</sup> It also specified the role of the UN, exercised through a Special Representative to the Secretary-General (SRSG).

In June, the Legal Secretariat to the Law Officers advised that the resolution clarified the legitimate scope of activity of the Occupying Powers and authorised them to undertake actions for the reform and reconstruction of Iraq going beyond the limitations of Geneva Convention IV and the Hague Regulations.<sup>111</sup> In some cases, such actions had to be carried out in co-ordination with the SRSG or in consultation with the Iraqi interim administration.

Particular actions that the resolution appeared to mandate were:

- promoting economic reconstruction and the conditions for sustainable development;
- promoting human rights; and
- encouraging international efforts to promote legal and judicial reform.

The content and implications of resolution 1483 are described later in this Section.

**194.** Mr Tony Brenton, Chargé d’Affaires at the British Embassy Washington, warned Sir David Manning on 3 April that the UK was “in danger of being left behind” on ORHA.<sup>112</sup> The list of senior officials to “shadow” ministries in Iraq was almost complete and those officials would start deploying soon. Australia had bid for a place. The UK had not, even though the US had said it would be open to such a bid. Mr Brenton advised that:

“Following our significant military efforts we surely have an interest in following through to the civilian phase. If so, given the advanced state of US preparations, it will be important that we vigorously pursue the point at next week’s talks [at Hillsborough].”

**195.** Sir David Manning commented: “We need to decide if we want a place. Do we?”<sup>113</sup> He asked Mr Rycroft to discuss the issue with the FCO.

<sup>108</sup> Statement, 15 January 2010, pages 2 and 3.

<sup>109</sup> UN, Press Release SC/7765, 22 May 2003. *Security Council lifts sanctions on Iraq, approves UN role, calls for appointment of Secretary-General’s Special Representative.*

<sup>110</sup> UN Security Council resolution 1483 (2003).

<sup>111</sup> [Letter Adams to Llewellyn, 9 June 2003, ‘Iraq: Effect of Security Council Resolution 1483 on the Authority of the Occupying Powers’.](#)

<sup>112</sup> Letter Brenton to Manning, 3 April 2003, ‘Post Conflict Iraq’.

<sup>113</sup> Manuscript comment Manning, 4 April 2003, on Letter Brenton to Manning, 3 April 2003, ‘Post Conflict Iraq’.

**196.** As part of the preparation for his meeting with President Bush at Hillsborough on 7 and 8 April, Mr Blair requested information on six issues:

- the duration of each post-conflict phase;
- a summary of the tribes, regions and governorates of Iraq;
- a summary of exile groups and their credibility;
- the UK's "vision" of how the UN Special Co-ordinator might work with Coalition Forces;
- an assessment of "how ORHA and then the IIA will actually run Iraqi ministries"; and
- an assessment of the state of the Iraqi civil service and bureaucracy.<sup>114</sup>

**197.** The FCO sent papers on each of those issues to No.10 on 4 April.<sup>115</sup> Three had been produced by the IPU and three by FCO Research Analysts.

**198.** The IPU paper on the post-conflict phases emphasised the timetable's dependence on a range of factors:

- the permissiveness of the security environment;
- the emergence of credible Iraqi leaders;
- Iraqi attitudes towards the Coalition; and
- the extent of Phase III damage to infrastructure.<sup>116</sup>

**199.** The IPU stated that the Iraqi people were likely to be more co-operative after a "swift and relatively clean collapse" of Saddam Hussein's regime. Lt Gen Garner's working assumption was that ORHA would fulfil its role for 30 to 90 days. Over time, its legitimacy in Iraqi eyes would decline and pressure would increase for it to get involved in reconstruction and reform work that exceeded what was legal for an Occupying Power. The UK would therefore want "a fairly rapid transition to an Iraqi Interim Authority – while allowing some time for credible leaders to emerge from within Iraq".

**200.** In a paper on "How ORHA and then the IIA will actually run the Iraqi ministries", the IPU stated that the UK's vision for Iraq was a transition from a command economy with a corrupt public administration to a democratic state with a liberal, market economy and a public sector that served the interests of its people, "something comparable to the transformations of central European countries after the fall of the Berlin wall".<sup>117</sup>

**201.** The IPU reported that Lt Gen Garner planned to deploy ORHA to Baghdad as soon as it was safe to do so and to establish, with the Coalition military, a "Coalition Provisional Administration" with control over the civil administration of Iraq.

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<sup>114</sup> [Letter Rycroft to Owen, 3 April 2003, 'Post-Conflict Iraq: UK/US'](#).

<sup>115</sup> [Letter Owen to Rycroft, 4 April 2003, 'Post-Conflict Iraq: UK/US'](#).

<sup>116</sup> Paper Iraq Planning Unit, 4 April 2003, 'Iraq: Post Conflict Phases: Timing'.

<sup>117</sup> Paper Iraq Planning Unit, 4 April 2003, 'How ORHA and then the IIA will actually run the Iraqi ministries'.

**202.** The US intended to put a senior US official and a small group of Iraqi exiles into each ministry, having removed “undesirable elements”. US officials would work as advisers to Iraqi ministries, which would be “headed by Iraqi secretaries-general”. In practice, the advisers would oversee the work of the ministries and, in due course, begin their reform and restructuring. The US understood the importance of calling those officials “advisers”, rather than “shadow ministers”.

**203.** The IPU reported that there was “a bitter inter-agency dispute in Washington” over the list of US officials and Iraqi exiles. The UK had been invited to nominate British advisers, but had made clear the need to be sure of the legal basis for their activities.

**204.** Once the IIA had been established, there would be a phased transfer of “the direction” of Iraqi ministries. The US intended that the Coalition Provisional Administration should retain “considerable control” over the IIA’s handling of ministries. The UK considered that to be “politically unsellable” and “unlawful”.

**205.** The UK model for the IIA was based on the Supreme National Council for Cambodia (the model proposed in the FCO paper ‘Models for Administering a Post-Saddam Iraq’ in October 2002, see Section 6.4), which met regularly and took decisions that would be implemented provided the UN Special Representative did not object.

**206.** The IPU concluded:

“All the evidence suggests that the IIA will assert its independence vigorously from the outset. A stately transfer of ministries’ powers from the Coalition to it may not be politically possible. But a light supervisory role for a UN Special Co-ordinator may be acceptable as the price the Iraqis have to pay for the international community’s support to nation building. This might finally convince the US too.”

**207.** The IPU paper on the UN Special Co-ordinator envisaged the appointee co-ordinating humanitarian and reconstruction assistance, exercising “a light degree of supervision” over the IIA, and helping with preparations for the Central Iraq Conference (a consultative conference that took place in Baghdad on 28 April, described in Section 9.1).<sup>118</sup> Direct UN administration of Iraq would cross “a red line for the US and, probably, the Iraqis themselves”.

**208.** The FCO Research Analysts’ paper on tribes, regions and governorates described the role of Iraq’s tribes as “a question for the future”.<sup>119</sup> Too much autonomy and they could become a rival to the state. If they were ignored, “a potentially useful counterweight to religious leaderships with political ambitions could be lost in the period during which the new state will be forming”. Iraqi interlocutors maintained that, unlike in Afghanistan, because much of the country was flat, it was “relatively easy for control to be exercised over the whole country (the Kurdish mountains being the main exception)”.

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<sup>118</sup> Paper Iraq Planning Unit, 4 April 2003, ‘UN Special Co-ordinator’.

<sup>119</sup> Paper Research Analysts, 4 April 2003, ‘Tribes, Regions and Governorates of Iraq’.

**209.** The Defence Intelligence Staff (DIS) produced a more detailed paper on tribal dynamics in Iraq and the UK AOR for the Chiefs of Staff on 11 April.<sup>120</sup>

**210.** The FCO Research Analysts' paper on opposition groups distinguished between those that were credible in Iraq and those that had courted US support, with the two main Kurdish groups straddling the divide.<sup>121</sup> The UK needed to balance the views of "external oppositionists who have experience of working in free democratic structures" with the need "immediately" to involve those in Iraq.

**211.** The third paper by FCO Research Analysts, on the state of the Iraqi civil service and bureaucracy, described "a very mixed picture".<sup>122</sup> A large number of able technocrats had kept the country going in difficult circumstances, while corruption and nepotism had been given free rein at different levels. The UK had:

"... a fairly clear idea of how big the civil service is (about 1 million employees), how it is structured and how ... employees are paid. We do not have any deep knowledge about which levels of the administration are so highly politicised as to need immediate reform, nor which individuals might have to be retired or stood down. This in any case cannot realistically be assessed until after liberation.

"Once Saddam Hussein's regime has been ousted, it will certainly be necessary to remove those who effectively enabled the regime to stay in power. Others, even if members of the Ba'ath or guilty of minor transgressions, should probably be left in place if possible in order to keep the machinery of the state running. However, our (as yet limited) experience inside Iraq gives the warning that officials may in any case abandon their posts, possibly to seek sanctuary with relatives of their tribes ...

"Iraqis have reminded us that many competent people now in exile left the civil service, retired early, or were not promoted because they were not sufficiently Ba'athist. They may represent a pool who can be called upon if this can be done without causing resentments or new accusations of nepotism."

**212.** On 8 April, Mr Rycroft reported the outcome of Mr Blair's discussions with President Bush at Hillsborough to Mr Straw's Private Office.<sup>123</sup> Mr Blair had stressed to President Bush the importance of a "joint strategy for the next phase" and of ensuring "legitimacy at every stage"; keeping the UN representative involved would help to ensure UN endorsement.

**213.** Mr Blair emphasised the importance of having the UN involved, in order to engage IFIs and bilateral donors, and to "secure our own exit".

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<sup>120</sup> [Minute SECCOS to PSO/CDS, 11 April 2003, 'OP COS Action: Tribal Factions in Iraq', attaching Paper, \[undated\], 'Tribal Dynamics in Iraq'.](#)

<sup>121</sup> Paper Research Analysts, April 2004, 'Iraqi opposition groups'.

<sup>122</sup> Paper Research Analysts, 4 April 2003, 'The state of the Iraqi civil service and bureaucracy'.

<sup>123</sup> Letter Rycroft to McDonald, 8 April 2003, 'Iraq: Prime Minister's Meeting with Bush, 7-8 April'.

**214.** A public statement made jointly by President Bush and Mr Blair after the meeting stated that the UN had “a vital role to play in the reconstruction of Iraq”.<sup>124</sup>

**215.** Also on 8 April, Baroness Symons, joint FCO/DTI Minister of State for International Trade and Investment, met representatives of UK companies to discuss commercial opportunities in Iraq.<sup>125</sup> She made it clear that the UK was “not in this conflict for business opportunities”, but that UK companies had a great deal of expertise and knowledge to offer and should be involved in the redevelopment of Iraq, for the benefit of the Iraqi people.

### The MOD’s Red Team

Section 6.5 describes the creation of a small “Red Team” in the MOD Defence Intelligence Staff (DIS) in February 2003. The Red Team was intended to give the Chiefs of Staff and key planners in the MOD and Whitehall an independent view of intelligence assumptions and key judgements, to challenge those if appropriate and to identify areas where more work was needed.<sup>126</sup>

The Red Team produced two reports before the invasion (see Section 6.5). Three more were produced before the Red Team was disbanded on 18 April:

- ‘What will Happen in Baghdad?’;
- ‘The Future Governance of Iraq’;
- ‘The Strands of the Rope’ (an assessment of the steps needed to achieve an effective Iraqi Interim Administration and hand over to a representative government of Iraq).

On 7 April, the Red Team issued a report on the likely developments in Baghdad in the days, weeks and months ahead:

“The security apparatus works on fear, not professionalism. With the removal of fear there may well be a widespread law and order problem. The police are all Ba’ath members and cannot initially be trusted until the worst Ba’athists are identified and removed. According to one military interlocutor, the RA [regular army] is the only respected national institution and could be used for internal security duties, if better trained and equipped.

“Once Saddam is gone there is likely to be widespread and apparently random violence between Iraqis. Specific attacks against Coalition Forces are likely to come later (perhaps some months later) if particular individuals or groups feel they are being cut out of contracts, administration positions etc. They may then hire ‘submerged’ paramilitary thugs to redress their grievances.”<sup>127</sup>

<sup>124</sup> US Department of State Archive, 8 April 2003, *Joint Statement by President George W Bush and Prime Minister Tony Blair*.

<sup>125</sup> Minute Allan to PS/Baroness Symons, 8 April 2003, ‘Iraq: Record of Meeting with UK companies’.

<sup>126</sup> Minute PS/CDI to various, 25 February 2003, ‘Iraq: Red Teaming in the DIS’.

<sup>127</sup> [Minute PS/CDI to APS2/SoS \[MOD\], 7 April 2003, ‘Iraq Red Team – What will Happen in Baghdad?’ attaching Paper DIS Red Team, \[undated\], ‘What will Happen in Baghdad?’](#)

On the role of the Ba'ath Party, the Red Team stated:

“To be a Ba'athist does not necessarily mean an individual is a hard core supporter of the regime. Most joined to advance their careers or under duress (mostly government employees). In every government department there is a hard-core ...

“It will require detailed inside knowledge to identify the ‘bad apples’ in any organisation; it may not necessarily be the head of the organisation, it could be the number two or three, or someone even further down the hierarchy. Outsiders, particularly Westerners – who lack detailed knowledge of pre-war political agendas which are unconnected with the Saddam regime – may need to exercise caution to ensure they do not become unwitting agents in any infighting in any existing Iraqi organisations that are kept in place.”

The Red Team concluded:

“Historically there is trouble in Iraq whenever central authority is weakened. It may therefore be advisable to maintain a Coalition military government longer than currently envisaged ...”

On 11 April, in a report on the future governance of Iraq, the Red Team listed five steps for the successful establishment of a long-term representative Iraqi government:

- Establishing a peaceful and secure environment.
- Answering immediate humanitarian needs.
- Establishing an effective Interim Administration.
- Re-establishing the rule of law ...
- A constitutional process leading to elections and the withdrawal of Coalition Forces.”<sup>128</sup>

The Red Team concluded that the Coalition would have to make use of indigenous Iraqi security forces to establish and maintain law and order. The Iraqi Army was described as the “most trusted and least corrupt national security institution”. It was “Iraq’s oldest institution and a focus of national pride. Some senior officers and units have remained sufficiently detached from the regime to be of use.” The Iraqi Army could not be used everywhere. In the south-east “the Marsh Arabs have cause to hate them”, but they would be respected and preferred to Coalition Forces in many areas. In contrast, the civil police were “a largely discredited and demoralised force ... viewed as auxiliaries to the Ba'athist security apparatus”. However, the Red Team assessed that, in the short term, it might be worth “making use of them with appropriate direction and supervision from Coalition forces”.

In its final report, ‘The Strands of the Rope’, issued on 18 April, the Red Team emphasised the immediate need to re-institute the rule of law in Iraq, using ex-Ba'ath personnel (“accompanied by a well-publicised and effective screening process that will remove

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<sup>128</sup> [Minute PS/CDI to APS2/SoS \[MOD\], 11 April 2003, ‘Iraq Red Team – the Future Governance of Iraq’ attaching Paper DIS Red Team, \[undated\], ‘Iraq Red Team: the Future Governance of Iraq’.](#)

the worst offenders”) and the existing Iraqi legal code, stripped of the more repressive elements introduced by Saddam Hussein’s regime.<sup>129</sup> The Red Team judged that:

“If the IIA can provide a secure environment (including the rule of law), resolve short-term economic problems and address immediate humanitarian needs, future Iraqi-led government structures and a process of justice and reconciliation will emerge naturally, given time.”

## Decisions to increase UK support for ORHA

**216.** On 9 April, in his budget statement to the House of Commons, Mr Gordon Brown, the Chancellor of the Exchequer, announced that he had set aside “an additional US\$100m” to “back up the UN and the work of reconstruction and development” (see Section 13.1).<sup>130</sup>

**217.** On 15 April, Mr Boateng advised Ms Short how those funds could be drawn down.<sup>131</sup> He understood that DFID did not need access to additional funds immediately, given that humanitarian and reconstruction work was at a very early stage, and that DFID had £95m of uncommitted resources, but he fully expected DFID to bid for additional funding for Iraq “in the next few months”. Before DFID drew on the new allocation, Ms Short should write to him, setting out her proposals for how the additional money would be spent.

**218.** Mr Straw chaired the first meeting of the AHMGIR on 10 April.<sup>132</sup> Mr Straw told the meeting:

“The prospects for further UN Security Council resolutions were uncertain and negotiations were very likely to take weeks.”

**219.** Lord Goldsmith said that he was content for ORHA to undertake humanitarian, security and public order duties and to restore civilian administration but “it must be careful not to impose reform and restructuring without further legal authority”. US and UK lawyers would try to agree a Memorandum of Understanding to define how the UK would be consulted.

**220.** Summing up the discussion, Mr Straw described the meeting’s agreement that “the UK should retain a right of veto in extremis” on ORHA activities. UK support should increase and be formalised through:

- confirmation of Maj Gen Cross’s position as one of Lt Gen Garner’s deputies;
- an increase in the number of UK secondees;

<sup>129</sup> [Minute PS/CDI to APS2/SoS \[MOD\], 18 April 2003, ‘Iraq Red Team – The Strands of the Rope’ attaching Paper DIS Red Team, \[undated\], ‘Iraq Red Team: The Strands of the Rope’.](#)

<sup>130</sup> House of Commons, *Official Report*, 9 April 2003, column 271.

<sup>131</sup> Letter Boateng to Short, 15 April 2003, ‘Budget announcement on Iraq’.

<sup>132</sup> Minutes, 10 April 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

- provision of a UK spokesman; and
- UK leadership of an ORHA group on “security sector management and planning for security sector reform”.

Mr Straw would write to Mr Blair on that point.

**221.** On 13 April, before Mr Straw had written, Mr Blair told his No.10 team that the UK “should put as many UK people in [ORHA] as possible to help”.<sup>133</sup>

**222.** Mr Straw visited ORHA in Kuwait on 14 April. During his visit, Maj Gen Cross presented him with a “‘Must – Should – Could’ paper”, listing ORHA posts which the UK should consider filling if it were going “to play a full part in the post-war business, and if we wanted to ensure influence with the US”.<sup>134</sup>

**223.** Mr Moazzam Malik, Head of DFID’s Iraq Humanitarian Response and Co-ordination Team, called Ms Short’s Private Office from Kuwait on 15 April.<sup>135</sup> Mr Malik reported:

“... ORHA is incredibly awful – badly conceived; badly managed; US driven; failing; and incapable of delivering to our timeframes. There may be things we could do to support it, but it would be a political judgement (and a big political risk).”

**224.** Mr Malik also reported that he was:

“... very, very impressed with the UK military. They are doing an extremely good job ... using the sort of language you would expect DFID people to use ...”

**225.** Mr Straw wrote to Mr Blair on 15 April, following his return from Kuwait, recommending that the UK should significantly increase its political and practical support to ORHA, including by seconding significant numbers of staff into priority areas.<sup>136</sup> In return, the UK wanted the US to commit to transparency and joint decision-making (see Section 9.1).

**226.** Mr Straw stated that the US’s intention was:

“... that ORHA will oversee the Phase IV humanitarian and reconstruction effort and restore normal functioning of Iraqi ministries and provinces, with the aim of phased restoration of full control of government to the Iraqis themselves. In doing so, the US intends that it will work as far as possible with and through existing ministries in Baghdad. A team within ORHA will work on constitutional issues including setting up the Iraqi Interim Authority (IIA). The US also envisage the establishment of ORHA ‘regional offices’ in the provinces.”

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<sup>133</sup> [Note Blair to Powell, 13 April 2003, ‘Note’.](#)

<sup>134</sup> Statement Cross, 2009, pages 18 and 19.

<sup>135</sup> Minute Bewes to Secretary of State [DFID], 15 April 2003, [untitled].

<sup>136</sup> [Letter Straw to Prime Minister, 15 April 2003, ‘Iraq: Office for Reconstruction and Humanitarian Assistance \(ORHA\)’.](#)

**227.** Mr Straw reported that the UK’s approach to ORHA had been “cautious”. The UK would have preferred an organisation less closely tied to the Pentagon and less subject to US inter-agency politics. There were also significant legal questions. Against that background, the UK had seconded 12 military and civilian officers to ORHA in Kuwait and the Pentagon. Their role was to influence ORHA’s thinking on key Phase IV issues and to ensure that information flowed from theatre to the UK Government, including on commercial opportunities.

**228.** Mr Straw continued:

“... whatever its shortcomings, ORHA will be the essential element in the ability of the Coalition to carry its military successes into the post-conflict phase. The legal constraints are unlikely to be a problem in the first stage of ORHA’s work, which will be focused on immediate humanitarian and reconstruction needs, including the restoration of a functioning civil administration ...

“I therefore recommend a step change in the resources and personnel we offer ... We are working urgently to establish where we can best make a contribution and how this will be funded.

“We now need an immediate effort across Government and with the private sector to get UK experts into key Iraqi ministries quickly. Patricia [Hewitt] is particularly keen that we should appoint people to the economic ministries ...”

**229.** Sir David Manning commented to Mr Blair:

“J[ack] S[traw] rightly calling for a step change in our contribution to ORHA. But legal constraints/possible veto power may be problematic.”<sup>137</sup>

**230.** Mr Straw described his visit to ORHA in Kuwait in his memoir:

“I could not believe the shambles before my eyes. There were around forty people in the room, who, somehow or other, were going to be the nucleus of the government of this large, disputatious and traumatised nation.”<sup>138</sup>

**231.** Maj Gen Cross sent his “Must – Should – Could” paper to the MOD and the IPU on 15 April.<sup>139</sup>

**232.** The “musts” included:

- a secondee to ORHA’s Leadership Group;
- three secondees to ORHA’s public affairs and media office;

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<sup>137</sup> Manuscript comment Manning to Prime Minister, 16 April 2003, on Letter Straw to Prime Minister, 15 April 2003, ‘Iraq: Office for Reconstruction and Humanitarian Assistance (ORHA)’.

<sup>138</sup> Straw J. *Last Man Standing: Memoirs of a Political Survivor*, MacMillan, 2012.

<sup>139</sup> Minute Cross to MOD (MA/DCDS(C)), 15 April 2003, ‘ORHA posts UK manning: must/should/could’.

- three or four advisers to support Iraqi ministries involved in SSR (Defence, Interior and Justice); the UK had been asked to lead ORHA's "Internal Security" cross-cutting group; and
- UK secondees to strengthen each of the three (or possibly four) ORHA regional teams to ensure the UK remained "fully 'joined-up'" with all parts of ORHA.

**233.** The "shoulds" included a UK civilian to lead the ORHA regional office covering central Iraq, and advisers in the oil and finance sectors.

**234.** Maj Gen Cross advised that, if all the recommendations were accepted, the number of UK staff would rise from 19 to "about 100" within an ORHA total of 1,500 (including force protection and support staff).

**235.** On 15 April, the IPU informed Sir Michael Jay that the Cabinet Office was "clear" that the FCO should continue to lead on deployments to ORHA.<sup>140</sup> The IPU had requested extra staff to cover the "major surge of work" in managing the secondment of UK officials to ORHA, and was trying to identify funding. It estimated that the first UK secondees would be required by early May.

**236.** Section 15 addresses the recruitment of additional UK secondees to ORHA. It shows that there were no contingency preparations for the deployment of more than a handful of UK civilians to Iraq and that the UK's response was hampered by the absence of cross-Whitehall co-ordinating machinery and a lack of information about what ORHA needed.

**237.** On 16 April, at the request of the FCO, the JIC produced an Assessment, 'The initial landscape post-Saddam'.<sup>141</sup> The JIC stated:

"The situation in Iraq is complex, fast-moving and confused ...

"There has been jubilation at the fall of Saddam Hussein's regime. But we judge that this is likely to dissipate quickly. Most of the Iraqi population is ambivalent about the role of the Coalition and uncertain about the future. Initial reporting shows that concerns arise quickly about the breakdown of law and order and the need for food and water. Some pre-war reports suggested that the Iraqi population has high, perhaps exaggerated, hopes that the Coalition will rapidly improve their lives by improving their access to clean drinking water, electricity and sanitation. However, even without any war damage, there are severe shortfalls in the infrastructure of these sectors, and in healthcare. Looting has made matters worse ...

"There is no sign yet of widespread popular support for opposition to the Coalition. We judge that, at least in the short term, the details of the post-Saddam political process will be less important for many Iraqis than a restoration of internal security

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<sup>140</sup> Minute Chatterton Dickson to PS/PUS [FCO], 15 April 2003, 'Iraq: ORHA: PUS's meeting with Permanent Secretaries, 16 April'.

<sup>141</sup> [JIC Assessment, 16 April 2003, 'Iraq: the initial landscape post-Saddam'](#).

and the start of reconstruction. But the Iraqi population will blame the Coalition if progress is slow.”

**238.** Also on 16 April, General Tommy Franks, Commander in Chief US Central Command (CENTCOM), issued his “Freedom Message to the Iraqi People”, which described the role of the Coalition Provisional Authority (CPA).<sup>142</sup> Section 9.1 describes how the creation of the CPA signalled a major change in the US approach to Iraq, from a short military Occupation to an extended civil administration, and concludes that the UK was slow to recognise that change.

**239.** The question of whether the UK should take on general responsibility for a geographical area of Iraq in the post-conflict period had been put to Mr Blair’s meeting on post-conflict issues on 6 March 2003 (see Section 6.5).<sup>143</sup> No decision had been taken.

**240.** On 16 April, the AHMGIR, chaired in Mr Straw’s absence by Mr Hoon, commissioned advice on whether the UK should lead one of ORHA’s regional offices.<sup>144</sup>

**241.** In response, later that day, Mr Drummond sent Sir David Manning an IPU paper recommending that the UK defer making a commitment to lead an ORHA regional office until a scoping study had been carried out to determine the practical implications of such a decision, including the costs.<sup>145</sup> The IPU paper was also sent to Mr Straw’s Private Office.

**242.** The IPU paper reported that the US had not yet decided on the number of ORHA regional offices. One possibility was a four region structure consisting of Baghdad, northern and eastern border provinces, central Iraq and southern Iraq.

**243.** The IPU stated that the UK remained concerned that US policy in Iraq would not be consistent with the UK’s understanding of the rights and responsibilities of an Occupying Power. If a UK-led ORHA region included within it areas occupied by US forces, the UK would have legal responsibility for their actions but no practical way to control them.

**244.** The IPU advised that the UK therefore needed to decide whether in principle it wanted to lead a regional office covering a region coterminous with that in which 1 (UK) Div was responsible for maintaining security. If Ministers wanted to pursue that option, a number of fundamental questions needed urgent answers, including how the UK-led regional office would relate to UK forces.

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<sup>142</sup> Statement Franks, 16 April 2003, ‘Freedom Message to the Iraqi People’.

<sup>143</sup> [Letter Cannon to Owen, 7 March 2003, ‘Iraq: Post-Conflict Issues’.](#)

<sup>144</sup> Minutes, 16 April 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>145</sup> [Minute Drummond to Manning, 16 April 2003, ‘Iraq: Support for ORHA Regional Office’ attaching Paper IPU, 16 April 2003, ‘Iraq: ORHA Regional Offices’.](#)

**245.** The paper set out arguments for and against taking on an ORHA regional office. The arguments in favour included:

- the opportunity to influence ORHA at the operational as well as policy level; and
- the possibility of promoting an “exemplary” approach to the relationship between the civil and military arms of the Coalition if the ORHA region matched the UK AOR.

**246.** The arguments against were:

- the reputational risks associated with creating a region where the UK had a high profile (“If the Coalition Provisional Authority ran into difficulty ... this would impact on the UK’s standing in Iraq to a greater degree than if we remained a (junior) partner in ORHA without a clear regional responsibility”);
- limited resources; and
- if ORHA/the US failed to provide resources for activities in the UK-led region, the UK could be faced with the choice of finding resources itself or “being seen to fail in the eyes of the local population and more widely”.

**247.** Sir David advised Mr Blair:

“I think you will have to give firm direction. My own view is that we should accept the risks and lead a regional office to cover area for which we have military responsibility.”<sup>146</sup>

**248.** Mr Blair chaired the Ad Hoc Meeting on Iraq on 17 April.<sup>147</sup>

**249.** Ms Short expressed reservations about suggestions that DFID should fund the extra staff for ORHA.

**250.** Mr Blair concluded that ORHA:

“... was important in getting Iraq back on its feet. We should have influence inside it. He was sympathetic to the British taking a regional lead in the Office, and wanted the scoping study completed quickly so that final decisions could be made on our participation. On the proposal for an additional contribution to the Office [ORHA], work should proceed quickly to identify posts and potential candidates. The issue of funding should be addressed ... before Ministers met on 24 April. There should be no bureaucratic hold up in sorting out this priority.”

**251.** Mr Rycroft wrote to Mr McDonald later that day, confirming that it was Mr Blair’s view that the UK should increase support for ORHA and that it should take on

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<sup>146</sup> Manuscript comment Manning to Prime Minister on Letter Drummond to Manning, 16 April 2003, ‘Iraq: Support for ORHA Regional Office’, attaching Paper IPU, 16 April 2003, ‘Iraq: ORHA Regional Offices’.

<sup>147</sup> Minutes, 17 April 2003, ‘Ad Hoc Meeting on Iraq’.

responsibility for an ORHA regional office “unless the scoping study concludes that this is impossible”.<sup>148</sup>

**252.** Mr Rycroft also recorded Mr Blair’s view that:

“As a general rule, our role in humanitarian aid and in the reconstruction of Iraq should be commensurate with our contribution to the military phase.”

**253.** Mr Rycroft advised that Mr Blair believed that the US\$100m made available to DFID in the 9 April Budget statement should be used to support ORHA, including funding secondees to ORHA from other UK Government departments.

**254.** Ms Short told DFID officials that she had outlined the conclusions of Mr Malik’s report at the Ad Hoc Meeting on Iraq.<sup>149</sup> DFID would not be able to pay for ORHA’s inefficiency. Putting in large numbers of people might make the situation even worse.

**255.** Lt Gen Garner, accompanied by Maj Gen Cross and other ORHA staff, left Kuwait to fly into Baghdad on 21 April.<sup>150</sup>

**256.** In response to the decision at the Ad Hoc Meeting on Iraq on 17 April to increase and formalise UK support for ORHA, Sir Michael Jay wrote to Sir Andrew Turnbull on 22 April, inviting all Permanent Secretaries urgently to set in hand arrangements to identify volunteers for secondment to ORHA.<sup>151</sup>

**257.** Sir Michael attached an IPU list of initial priority areas for UK support to ORHA’s work on strengthening Iraqi ministries, “based on advice from UK secondees in ORHA”. Priority areas included:

- priority one (“must fill”): defence, SSR and intelligence; interior, policing, justice and prisons; the Oil Ministry; all ministries relevant to infrastructure; central banking;
- priority two (“should fill”): finance, foreign affairs, customs and health; and
- priority three (“could fill”): education, culture, local government; and labour and social affairs.

**258.** In his letter, Sir Michael described in broad terms the personal qualities and skills volunteers should possess:

“The key to a successful secondment will be enthusiasm, personal impact, resilience, flexibility and the ability to take a wide top-down view of policy and

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<sup>148</sup> [Letter Rycroft to McDonald, 17 April 2003, ‘Iraq: ORHA’.](#)

<sup>149</sup> Minute PPS [DFID] to Miller, 17 April 2003, ‘Iraq Cabinet Readout: 17 April’.

<sup>150</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009; Statement Cross, 2009, page 20.

<sup>151</sup> [Letter Jay to Turnbull, 22 April 2003, ‘Iraq: UK Support for the Office for Reconstruction and Humanitarian Assistance \(ORHA\)’ attaching Paper IPU, April 2003, ‘Provisional Estimate of Priority Areas for UK Engagement in ORHA Assistance to Iraqi Ministries’.](#)

priorities. The ability to deploy quickly is also essential: ideally, we want the first volunteers to reach Baghdad on around 5 May, to allow them to shape ORHA's work and approach from the start ...

"In all cases, enthusiasm and personal qualities are likely to be just as important as specific expertise."

**259.** The IPU list attached to Sir Michael's letter drew heavily on Maj Gen Cross' earlier "must/should/could" list, but incorporated a number of changes including:

- upgrading the Oil Ministry to "must fill", citing UK commercial interests and the presence of major Iraqi oil installations in the UK's AOR; and
- upgrading infrastructure ministries to "must fill", citing the "important commercial dimension".

**260.** The IPU list only considered ORHA's work to strengthen Iraqi ministries. It did not identify staffing requirements for ORHA's regional offices or for ORHA's senior management team. Maj Gen Cross had listed UK support for ORHA regional offices as "must fill", the provision of a UK civilian to lead an ORHA regional office as a "should fill", and had identified a senior individual to join Garner's senior management team as a "must fill".

**261.** On the same day as Sir Michael Jay's request for volunteers, Ms Short's Private Office sent Mr Malik's report on his visit to ORHA in Kuwait to No.10, the Cabinet Secretary, the Cabinet Office, the FCO, the MOD, the Treasury, DFID, the DTI and the Attorney General's Office.<sup>152</sup>

**262.** Mr Malik's report stated that ORHA was "simply not prepared" to meet the immediate recovery needs in Iraq; those would need to be addressed by the military and, security permitting, by UN agencies and NGOs.

**263.** Mr Malik assessed that ORHA was more focused on longer-term reconstruction and reform. A number of large USAID contracts had been let, and there was "some good thinking" in a number of reform areas, but it remained to be seen whether ORHA's plans and contracts were flexible enough to respond to conditions on the ground. ORHA's teams and pillars were not well co-ordinated and there was "little sense of a unifying strategy".

**264.** ORHA's plans for reconstruction and civil administration were broad and not obviously limited to those of an Occupying Power; UK collaboration would therefore require further legal advice.

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<sup>152</sup> [Letter DFID \[junior official\] to Rycroft, 22 April 2003, 'Iraq: Engagement with ORHA' attaching Paper DFID Humanitarian Response and Coordination Team, 22 April 2003, 'Iraq: ORHA – Visit Report'.](#)

**265.** The ORHA(South) team had, to date, proved largely ineffective. UK forces had now begun to plan on the basis that they would get little practical support from ORHA in the immediate recovery phase.

**266.** The covering letter from Ms Short's Private Office stated:

"The visit report ... has clear implications for the planned Ministerial discussion [at the Ad Hoc Ministerial Group on Iraq Rehabilitation on 25 April] regarding UK secondments to ORHA. Given the competing claims on scarce resources to support Iraq, Ministers will wish to prioritise any staff deployments carefully. Ministers and Accounting Officers will also wish to satisfy themselves that any UK secondments to ORHA meet the usual standards of effectiveness and cost efficiency."

**267.** Sir David Manning commented: "Very unhelpful. More than a whiff of 'not invented here' so won't support/try to improve."<sup>153</sup>

**268.** An annex to Mr Malik's report, marked "Not for circulation outside DFID" and not sent to No.10 or other departments, added:

"Overall, engagement with ORHA is very high risk. Across the board, staffing is thin, management is weak, officials are frustrated, there is poor strategy/planning, weak internal communications and decision making. Equally, it could be argued that engagement would help address these weaknesses.

"Poorly worked out plans could do damage on the ground. Equally, there are areas in which good teams have been assembled and good planning is underway. In these areas, ORHA will set the agenda or reform for some years to come.

"The key judgement is whether UK policy makers can influence an ORHA that is and will remain dominated by US DoD."<sup>154</sup>

**269.** The annex identified three options for DFID:

- No engagement. This would marginalise DFID within the UK Government and in ORHA. It would, however, "safeguard" DFID and leave it free to engage with the UN, IFIs and NGOs and pursue a "more normal DFID country operation".
- Full engagement "as proposed by the Foreign Secretary and General Tim Cross".
- Limited engagement in carefully chosen areas, in an "eyes and ears" role as directed by Ms Short. That would comprise three or four DFID secondees.

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<sup>153</sup> Manuscript comment Manning on Letter DFID [junior official] to Rycroft, 22 April 2003, 'Iraq: Engagement with ORHA'.

<sup>154</sup> Paper DFID, [undated], 'Iraq: ORHA Visit Report – Annex'.

**270.** Ms Short chaired a meeting with Ms Sally Keeble, DFID Parliamentary Under Secretary of State, and DFID officials on 23 April, to discuss DFID planning and support for ORHA.<sup>155</sup>

**271.** Ms Short agreed a suggestion from Mr Chakrabarti that other departments should be given access to the £60m announced by Mr Brown in his 9 April budget statement to pay for their secondments to ORHA. That would mean that they, rather than DFID, would have to pass the Treasury's tests on value for money and effectiveness.

**272.** A DFID official suggested that DFID needed to develop a "game plan for the coming weeks and months", to help DFID's planning, enable it to influence the wider international system and to help agree roles and responsibilities within the UK government. Ms Keeble agreed that such a plan could be useful, but stated that DFID "would need to be very clear that all parts of such a plan which related to DFID were owned and managed by us, and not by No.10 or a Cabinet Office structure we could not trust". Ms Short agreed, noting that aiming for a cross-Whitehall plan risked producing an end result that did not tally with DFID's view on its own or others' roles.

**273.** Ms Short stated that DFID "should not start from a presupposition that we would work with ORHA, but begin by looking at the tasks which needed to be achieved, and within that framework whether it made sense to engage with ORHA". The first priority was to establish law and order, which was a task for the military, not ORHA. Second was immediate assistance, a task for the ICRC rather than ORHA. The third priority, paying wages, was a task for ORHA and the UK needed to understand their plans, but key recovery issues, including financing needs, would emerge from the IFI needs assessment.

**274.** Ms Short concluded that DFID needed "one or two people" within ORHA to act as DFID's "eyes and ears". DFID "should not bow to external pressure to put people into ORHA for the sake of it", but test each proposal individually.

**275.** On 24 April, Admiral Sir Michael Boyce, Chief of the Defence Staff (CDS), advised the AHMGIR that the US planned to divide Iraq into five sectors.<sup>156</sup> The UK military would lead one sector, comprising four provinces in south-eastern Iraq. That was "manageable ... provided that other countries offered troops to work with us" and the UK could take on a fifth province "if others contributed the necessary forces for it". The southern region of ORHA would follow the boundaries of the UK's sector.

**276.** Ministers agreed that "the size of the UK military sector will depend on the permissiveness of the environment and the extent of other nations' contributions, but the current assumption was that it would comprise four, or possibly five provinces in the South". The MOD was instructed to report progress at the next meeting.

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<sup>155</sup> Minute Bewes to Miller, 24 April 2003, 'Iraq: 23 April'.

<sup>156</sup> Minutes, 24 April 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

**277.** Ministers also agreed that departments should continue to recruit additional secondees to ORHA, “with a view to a significant increase by 5 May”, and that the UK should offer to play “a leading role in ORHA south-eastern regional HQ, provided that ORHA leaders confirm that it would be coterminous with the emerging UK-led security sector and that we will not pay programme costs”.

**278.** Mr Chilcott led the inter-departmental scoping visit to ORHA from 27 to 28 April.<sup>157</sup>

**279.** Mr Chilcott reported to Mr Edward Chaplin, FCO Director Middle East and North Africa, that Maj Gen Cross was “a star act” but was “frustrated and angry at Whitehall’s slowness to support him”, particularly DFID and the MOD. Mr Chilcott hoped that the progress now being made would show Maj Gen Cross that “Ministers’ enthusiasm for ORHA is finally being translated into extra staff”.

**280.** Mr Chilcott also reported that security and communications were the biggest problems facing ORHA staff.

**281.** The FCO has not been able to provide the Inquiry with a copy of Mr Chilcott’s report on the case for reinforcing ORHA(South).

**282.** The impact of deteriorating security on the deployment of civilian personnel to Iraq is addressed in Section 15.1.

**283.** A Cabinet Office report to Ministers on 1 May 2003 stated that “the UK recce team” had confirmed the feasibility of “a leading UK regional role in the south east” and would be recommending a “substantial UK presence”.<sup>158</sup>

**284.** In his statement to the Inquiry, Maj Gen Cross described both his time with ORHA in Kuwait and his initial experience in Baghdad:

“Garner had made it clear that he wanted me to be his ‘Coalition’ Deputy, notwithstanding the fact that the UK had still not confirmed publicly that we had anyone in his team. I was still a LO [liaison officer] with a very small team, and I was not receiving any clear direction from Whitehall, other than not to commit the UK to anything!

...

“My UK team was strengthened a little, including a very useful media team provided by Alistair Campbell, effectively from within No 10. But my attempts to get significant numbers of additional UK personnel were frustratingly slow ...

...

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<sup>157</sup> Minute Chilcott to Chaplin, 30 April 2003, ‘Visit to Iraq’.

<sup>158</sup> Letter Drummond to Owen, 1 May 2003, ‘Iraq: Report to Ministers’ attaching Paper Cabinet Office, 1 May 2003, ‘Iraq: Update for Ministers’.

“We established good links into the UK Division. Garner wanted to establish an ORHA office/footprint in or around Basra as soon as events allowed, and he wanted it to be UK led – initially by me. Whitehall seemed to refuse to countenance the idea; it was never explained to me why this was so, but I sensed a fear that this would lead to [the] UK having to bear the brunt of reconstruction costs in the South/South West area. I was given fairly clear direction not to agree to this – just about the only clear direction I received on any issue!”<sup>159</sup>

**285.** Maj Gen Cross told the Inquiry that, once in Baghdad, Lt Gen Garner’s authority became “brutally exposed”:

“The [ORHA] ministry teams fanned out and each reported back, initially quite positively. Most found Iraqis prepared to work with us, buildings standing and files etc available – many having been secured at the homes of various officials. But as the security situation began to deteriorate the US military commanders refused to provide sufficient escort vehicles, and then stopped anyone moving around without an escort. Meetings were disrupted and, most crucially, the Ministry buildings began to be targeted and burnt and looted – Garner repeatedly asked for crucial key points to be guarded but his pleas met with little response. Linked to this the contractual support from the USAID reconstruction effort failed to materialise. There were few resources to work with, and a vacuum of inactivity was created.

“... Garner realised that we couldn’t possibly run the country – we had nowhere near enough people to do that – so we had to enable them [the Iraqi people] to do it themselves. But his efforts were undermined and he got little support from Washington. I received no direction from the UK on our policy on this.”<sup>160</sup>

**286.** Maj Gen Cross also told the Inquiry that, as security in Baghdad worsened, he secured equipment, vehicles and personal protection through personal contacts in the UK Armed Forces.<sup>161</sup> He received little support from the UK Government:

“To be fair communications were difficult, but I was given little support – still no idea what our UK strategic intent was, no response to my ‘Must-Should-Could’ paper. If it had not been for my personal contacts within the UK military I would have had virtually no support ... my impression was that Whitehall was uncertain of where to go from here, and I sensed that the FCO felt it better not to be implicated too much in what was happening – rather let the MOD get it wrong!!”

**287.** At their 24 April meeting, the AHMGIR considered an IPU/FCO paper entitled ‘Oil/Energy Policy for Iraq’.<sup>162</sup> The paper described itself as a “stock-take” which built on previous work by the IPU.<sup>163</sup>

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<sup>159</sup> Statement, 2009, pages 17-19.

<sup>160</sup> Statement, 2009, page 22.

<sup>161</sup> Statement, 2009, pages 22-23.

<sup>162</sup> Minutes, 24 April 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>163</sup> [Paper IPU, 22 April 2003, ‘Oil/Energy Policy for Iraq’.](#)

**288.** The paper stated that Iraq's oil fields had been undamaged by the fighting, although a few wells had been sabotaged. Those fires were now all extinguished. There had been some looting and damage to pipelines and oil refineries.

**289.** There was a growing shortage of gas (for power stations), fuel and cooking gas, particularly in the South.

**290.** The paper stated that, within the Security Council, oil remained a contentious issue. Council members had different motivations. The UK and US were keen to get Iraqi oil flowing again as soon as possible "to meet humanitarian/reconstruction needs". France and Russia wanted to protect the interests of their companies that had existing contracts under the OFF programme.

**291.** The UK was proposing a three-phase approach to dealing with Iraqi oil and the OFF programme:

- To extend resolution 1472 to 3 June (the end of the current OFF programme phase), and possibly extend the OFF programme itself beyond 3 June. If the OFF programme continued "for any length of time", the UN Secretary-General would need enhanced powers to sell Iraqi oil and buy the full range of humanitarian supplies.
- To pass control of Iraqi oil and gas revenues to a "credible interim administration" once one had been established, subject to certain checks to protect against mismanagement or "unfairness".
- To hand over full control over oil and oil revenues to a democratically elected Iraqi Government.

**292.** The UK and the US agreed that all strategic decisions on the development of the oil industry should be left to a "representative Iraqi government" and that, in the meantime, all oil business should be handled in as transparent a manner as possible.

**293.** Introducing the paper at the AHMGIR meeting, an FCO official said that Iraq's oil infrastructure was in a better state than had been feared when the conflict began.<sup>164</sup>

**294.** Ms Patricia Hewitt, the Trade and Industry Secretary, said that UK companies wanted a future Iraqi Government to establish a "level playing field" for oil industry contracts.

**295.** The AHMGIR agreed that the UK should:

- encourage Iraqi oil exports to recommence as soon as possible, but only after an appropriate resolution had been adopted;
- offer UK oil expertise to ORHA and in the medium term to the IIA; and

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<sup>164</sup> Minutes, 24 April 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

- leave future decisions on the shape of the Iraqi oil industry and the management of oil revenues to the new Iraqi Government, while advising on international best practice.

**296.** UK policy on Iraq's oil and oil revenues is addressed in Section 10.3.

**297.** On 24 April, Sir Michael Jay recommended to Mr Straw that the Iraq Planning Unit (IPU) should merge with the Iraq Section of the FCO's Middle East Department (MED) and be renamed the Iraq Policy Unit.<sup>165</sup> The mechanisms in place since mid-January<sup>166</sup> had worked well, but were not sustainable indefinitely. There was a need for "a stable structure which will enable us to sustain the considerable effort which will now be needed for quite a while yet".

**298.** Sir Michael proposed retaining the Iraq Planning Unit's Whitehall-wide character, in particular by recruiting a high proportion of staff on secondment from other departments. He concluded:

"This will be a high priority for the Office [FCO] over the next months at least. We shall find the necessary resources, though this will have to be at the expense of lower priority work elsewhere."

**299.** Mr Straw approved Sir Michael Jay's recommendation on 28 April.<sup>167</sup>

**300.** At the Ad Hoc Meeting on Iraq on 28 April, Mr Hoon said that "efforts to improve the life of Iraqis in the South were bearing fruit".<sup>168</sup>

**301.** Ms Short described the UK role in Basra as "exemplary, but life was still disrupted". In Baghdad, conditions were more difficult and residual anti-American feeling was evident.

**302.** In discussion, Ministers noted that ORHA was at an "embryonic" stage and "more urgency" should be given to UK engagement.

**303.** In late April, tension in Iraq between the UK military and DFID became increasingly apparent.

**304.** Mr Mike O'Brien, FCO Parliamentary Under Secretary of State, attended the Central Iraq Conference in Baghdad on 28 April (see Section 9.1). In the margins he had separate meetings with Maj Gen Cross and Lt Gen Garner.

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<sup>165</sup> [Minute Jay to Secretary of State \[FCO\], 24 April 2003, 'Iraq: Future Handling'](#).

<sup>166</sup> The Iraq Planning Unit was established on 10 February 2003, see Section 6.5.

<sup>167</sup> [Minute McDonald to PS/PUS \[FCO\], 28 April 2003, 'Iraq: Future Handling'](#).

<sup>168</sup> Minutes, 28 March 2003, Ad Hoc Meeting on Iraq.

**305.** Maj Gen Cross told Mr O'Brien that Lt Gen Garner's plan was to create four ORHA regions, each with their own ORHA office.<sup>169</sup> Denmark was already looking to lead the southern office.

**306.** Lt Gen Garner asked Mr O'Brien if the UK would:

- consider assuming responsibility for one of the four ORHA regions;
- deploy "expert staff" to help with reconstruction at working level, ORHA already had enough "managers and administrators"; and
- provide up to five UK military officers to act as the senior ORHA officials in a number of Iraq's 18 Provinces.<sup>170</sup>

**307.** On his way to Baghdad, Mr O'Brien met Air Marshal Brian Burrridge, UK National Contingent Commander, in Qatar.<sup>171</sup>

**308.** The British Embassy's record of the meeting reported that AM Burrridge had raised concerns about DFID.

**309.** Mr O'Brien reported those concerns to Mr Straw on 30 April.<sup>172</sup> AM Burrridge had described DFID as "a disgrace, a bloody disgrace". He had been frustrated by DFID's reaction to military action from the outset:

"DFID's officials had attended planning meetings, apparently under instructions not to participate in discussions or make preparations for the humanitarian consequences of military action. As a result, DFID was unprepared when military action finally started. Since then they have been trying to catch up. Sometimes the inadequacy of preparations was hampering rather than helping aid distribution in the southern region. In Burrridge's view DFID needed to get involved – and quickly. The lack of co-operation with ORHA was of concern.

"Reconstruction was the key area where DFID could be involved in a highly visible way. But so far nothing seemed to be happening."

**310.** Copies of Mr O'Brien's minute were sent to Sir Michael Jay, Mr Ricketts, Mr Chaplin and Sir David Manning.

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<sup>169</sup> Telegram 41 FCO London to Doha, 30 April 2003, 'Central Iraq Conference: Mr O'Brien's Discussions with General Tim Cross'.

<sup>170</sup> Telegram 42 FCO London to Doha, 30 April 2003, 'Central Iraq Conference: Mr O'Brien's Discussions with Jay Garner'.

<sup>171</sup> Telegram 87 Doha to FCO London, 29 April 2003, 'Baghdad Conference: Mr O'Brien's Call on Air Marshall Burrridge'.

<sup>172</sup> [Minute O'Brien to Foreign Secretary \[Straw\], 30 April 2003, 'Mr O'Brien's Call on Air Marshall Burrridge'](#).

**311.** In his evidence to the Inquiry, Lord Boyce echoed AM Burridge’s criticism of DFID.<sup>173</sup> Lord Boyce described DFID as “particularly un-co-operative, particularly as led by Clare Short”. He told the Inquiry:

“... you had people on the ground who were excellent operators for DFID, who were told to sit in a tent and not do anything because that’s the instruction they had received and I actually met them.”

**312.** Lord Boyce also told the Inquiry that the UK military “had hoped DFID would be showing up in force” to work alongside Major General Robin Brims, General Officer Commanding (GOC) 1 (UK) Div.<sup>174</sup>

**313.** In response to a question about the steps taken by the MOD to ensure that sufficient civilian capacity would be available, Lord Boyce told the Inquiry:

“I don’t know is the short answer ... [T]his is an area ... where there was a breakdown, because ... we didn’t get the introduction of civilian aid in the way that we actually expected it, and General Brims who did have a DFID officer in his headquarters, and to whom I spoke on the ground in Iraq after the invasion or during the invasion, was frustrated by the fact that ... the person was not getting the sort of support from head office that they were expecting and I know that General Brims felt equally frustrated.”<sup>175</sup>

**314.** Gen Brims, who left Basra in May 2003, told the Inquiry that, although the DFID adviser in his headquarters reported back to DFID as Phase IV began:

“I didn’t see a result coming back ... I don’t think during my time in Basra I received any UK finance to help the reconstruction at that stage. I think that the initial finance to help the reconstruction all came from Baghdad, ie it was American or it was Iraqi money from Baghdad coming down, for example, to pay policemen.”<sup>176</sup>

**315.** Gen Brims said that what he “really needed” in his headquarters was a Consul General and “some people with experience of running large cities”.<sup>177</sup>

**316.** Sir Suma Chakrabarti told the Inquiry that there had been “absolutely no instruction ... for anyone to sit in their tents and do nothing”.<sup>178</sup> He had spoken to the DFID advisers concerned, who had said that they had not told anyone that they had been instructed to sit in their tents and do nothing. Sir Suma suggested that Lord Boyce’s criticism related to the poor personal relationship between Lord Boyce and Clare Short.

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<sup>173</sup> Public hearing, 3 December 2009, page 105.

<sup>174</sup> Public hearing, 27 January 2011, page 83.

<sup>175</sup> Public hearing, 27 January 2011, page 84.

<sup>176</sup> Public hearing, 8 December 2009, page 43.

<sup>177</sup> Public hearing, 8 December 2009, pages 35-36.

<sup>178</sup> Public hearing, 8 December 2009, pages 38-41.

**317.** On the wider question of the level of DFID advice to and support for the military, Sir Suma told the Inquiry that “the military were right to expect more DFID support than they perhaps got in terms of civil military advisers in the field”. Sir Suma suggested that:

“If you open up the operational security barrier on planning earlier, you engage more in joint planning earlier, I think ... the deployments would probably have happened earlier.”

**318.** On 1 May, Mr O’Brien sent Mr Straw a report of his visit, describing ORHA as “the only game in town”.<sup>179</sup> Mr O’Brien was “convinced that we either need to be fully involved with supporting ORHA, or get the UN into Iraq”. The former would be easier to achieve, and the UK could provide much-needed support.

**319.** Mr O’Brien highlighted the need to deploy a senior UK official to ORHA immediately to take an active role in policy formation.

**320.** Mr O’Brien also highlighted the need to strengthen the IPU:

**“In tandem we need to ensure that we give the IPU the necessary manpower to be able to service ORHA properly. Too much is falling on Dominick Chilcott’s shoulders. He needs more support. Urgent policy decisions need to be taken at Ministerial level.”**

**321.** In a statement to Parliament on 30 April, Mr Hoon announced that:

“Decisive combat operations in Iraq are now complete, and Coalition Forces are increasingly focusing upon stabilisation tasks. It will therefore be possible to make further force level adjustments over the coming weeks while continuing to meet our responsibilities to the Iraqi people.”<sup>180</sup>

**322.** Mr Hoon concluded:

“While details continue to be clarified, we envisage that by mid-May 25,000-30,000 UK Service personnel will remain deployed in the Gulf region, continuing to fulfil our responsibilities towards the Iraqi people. The planned replacement of forces is clear evidence of our commitment to them.

“Our aim is to leave an Iraq that is confident, secure and fully integrated with the international community. The planning process to establish the precise level of the continuing UK presence needed to achieve this aim is a dynamic one, and is kept under review. We will also need to take account of the contributions of Coalition partners. We will continue to withdraw assets and personnel from the region where possible, but we will maintain an appropriate military presence for as long as necessary.”

<sup>179</sup> Minute O’Brien to Straw, 1 May 1003, ‘Central Iraq Conference: Are We Properly Engaged?’.

<sup>180</sup> House of Commons, *Official Report*, 30 April 2003, column 15-16WS.

**323.** On 1 May, after consultations between Mr Straw and Mr Per Stig Møller, the Danish Foreign Minister,<sup>181</sup> the Danish Government announced the appointment of Mr Ole Olsen, Danish Ambassador to Syria, as Head of ORHA(South) for a term of six months.<sup>182</sup>

**324.** The Inquiry has seen no record of those consultations. The Cabinet Office update for Ministers on 1 May stated only that the Danes had been told the UK was “happy that their candidate (Ole Olsen) should lead the office”.<sup>183</sup>

**325.** Overnight on 1/2 May, the UK military’s AO was adjusted to be coterminous with the boundaries of Basra and Maysan Provinces.<sup>184</sup>

**326.** On 2 May, Secretary Rumsfeld and Mr Hoon met at Heathrow, before the Defense Secretary flew back to the US.<sup>185</sup> Mr Hoon stressed the necessity for ORHA to make tangible progress. Secretary Rumsfeld was reported to have:

“... played down expectations somewhat, and cautioned against waiting for a fully formed organisation with a large pot of money. We should keep going pragmatically and keep scratching round for contributions where they were available. This could be done by the UK in their own area. Imposing order within the country would take time; it would take effort to get the ministries up and running and the people back to work.”

**327.** On 2 May, Mr Straw’s Private Secretary wrote to Mr Rycroft to propose that Mr John Sawers, then British Ambassador to Egypt, should be appointed as the Prime Minister’s Special Representative on Iraq to “take the lead for the UK in guiding the political processes leading to the establishment of an Iraqi Interim Authority”.<sup>186</sup> Mr Sawers’ appointment is addressed in Section 9.1.

## Reconstruction strategy and funding

**328.** On 2 May, Ms Anna Bewes, Ms Short’s Principal Private Secretary, sent Mr Rycroft an “Interim DFID Strategy” for the next three to six months as Iraq transitioned from “relief/recovery to reconstruction”.<sup>187</sup>

**329.** Ms Bewes advised that, while the strategy covered “tasks that principally fall to DFID”, there were “strong inter-linkages” with diplomatic and military activity. She stated

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<sup>181</sup> Minute Crompton to PS [FCO], 27 June 2003, ‘Iraq: Ambassador Olsen’.

<sup>182</sup> *BBC News*, 1 May 2003, *Dane to run southern Iraq*.

<sup>183</sup> Letter Drummond to Owen, 1 May 2003, ‘Iraq: Report to Ministers’ attaching Paper Cabinet Office, 1 May 2003, ‘Iraq: Update for Ministers’.

<sup>184</sup> Report Burridge to CJO, 8 May 2003, ‘NCC Op TELIC Hauldown Report’.

<sup>185</sup> Minute Williams to Policy Director [MOD], [undated], ‘Visit of the US Secretary of Defense – 2 May 2003’.

<sup>186</sup> Letter Owen to Rycroft, 2 May 2003, ‘Iraq: Appointment of a Special Representative’.

<sup>187</sup> [Letter Bewes to Rycroft, 2 May 2003, ‘Iraq Rehabilitation’ attaching Paper DFID, \[undated\], ‘Iraq: Interim DFID Strategy’.](#)

that the Interim Strategy drew on the conclusions of the AHMGIR and discussions with other departments and development agencies.

**330.** The Interim Strategy stated that the pledge made to the Iraqi people in the ‘Vision for Iraq and the Iraqi People’ issued at the Azores Summit would:

“... require a full, democratically elected government with control over a unified and transparent budget, free from sanctions and integrated into the international economy, pursuing a programme of sustainable economic growth and poverty reduction.”

DFID’s aim was:

“... to help Iraq reach its development potential, to secure a stable future where the needs of the whole population are met equitably and sustainably.”

**331.** The Interim Strategy stated that, while the expected humanitarian crisis had not materialised, four “immediate recovery tasks” needed to be addressed in the next three months:

- getting public services running again, including by paying salaries;
- re-establishing law and order, with Coalition support and using Iraqi civilian police where available;
- meeting the needs of the vulnerable by maintaining the OFF food distribution system beyond 3 June (with or without the OFF programme itself); and
- restoring public infrastructure, including power and water supplies and sanitation and sewerage systems.

**332.** Drawing on DFID’s experience in other post-conflict and transition countries, and given Iraq’s characteristics as an oil-rich economy with a well-educated population, DFID would consider support (but did not anticipate playing the leading role) in four areas:

- economic management;
- SSR;
- public administration reform; and
- the political transition process.

**333.** DFID would also help to ensure effective co-ordination of international development assistance, including between ORHA, the IMF, the World Bank and the UN.

**334.** During the six-month transitional period, DFID would need to establish a small, temporary presence in Basra and a presence in Baghdad. Its presence thereafter would be determined by “emerging needs” and the UK’s relationship with the Government of Iraq. Given Iraq’s oil wealth and human capital, DFID’s engagement was likely to be limited to about five years and focused on “strategic technical assistance

inputs”. That longer-term presence would be considered in a strategy review scheduled for October 2003.

**335.** The Interim Strategy stated that DFID had earmarked £210m for “relief, recovery and reconstruction activities” during 2003/04.<sup>188</sup>

**336.** Drawing on figures provided by DFID, the Inquiry calculates that DFID committed £117.8m to the humanitarian relief effort in the period up to May 2003, of which £89m had been disbursed:

- £78m to UN agencies (£64m disbursed);
- £32m to the ICRC and the Iraqi Red Crescent (£18m disbursed);
- £6.2m to NGOs (£5.4m disbursed); and
- £1.6m for DFID’s bilateral effort (all disbursed).<sup>189</sup>

**337.** Approximately £90m therefore remained available for “recovery and reconstruction” and further contributions to the humanitarian relief effort.

**338.** The Inquiry has seen no indication of any assessment of whether that budget for recovery and reconstruction was sufficient to achieve the UK’s aspirations and objectives.

**339.** US funding for reconstruction was of a different magnitude.

**340.** In April 2003, the US Congress approved US\$2.4bn for the newly created Iraq Relief and Reconstruction Fund (IRRF1), to pay for “humanitarian assistance” and “rehabilitation and reconstruction in Iraq”.<sup>190</sup>

**341.** Over 70 percent of the fund (US\$1.82bn) was allocated to USAID. By early May, USAID had awarded US\$1.5bn in contracts for projects to restore infrastructure and support initiatives for health, education, agriculture and economic reform. The largest contract, worth US\$680m, was secured by Bechtel to restore infrastructure.

## **Concerns over the scale of the reconstruction challenge and ORHA’s response**

**342.** In early May, the UK Government became increasingly concerned about the scale of the reconstruction challenge and the adequacy of the ORHA response, particularly in the South.

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<sup>188</sup> [Letter Bewes to Rycroft, 2 May 2003, ‘Iraq Rehabilitation’ attaching Paper DFID, \[undated\], ‘Iraq: Interim DFID Strategy’.](#)

<sup>189</sup> Letter Amos to Boateng, 10 September 2003, ‘Iraq Reconstruction Funding: Reserve Claim’; Paper DFID, 4 November 2009, ‘Iraq – DFID Timeline and Financial Commitments: 2003-2009’.

<sup>190</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

**343.** Mr Rycroft sent Mr Blair the DFID Interim Strategy, Mr O'Brien's and Mr Chilcott's reports from Iraq, and an IPU update on ORHA on 2 May.<sup>191</sup> Mr Rycroft commented:

"... ORHA is not yet up to the job. It has no effective management. There is no clear understanding of who is making policy ... A State Department Ambassador, Bremmer [sic], is due to take over from Jay Garner.

"UK input remains insufficient. But Whitehall has at last got your message that we need to send good people into all bits of ORHA ..."

**344.** Mr Rycroft identified some immediate points for Mr Blair's attention:

- The FCO was appointing Mr John Sawers to work "in or very closely with" ORHA.
- The UK would seek to persuade the US to keep ORHA for the short term, before handing over to the IIA and a UN-led mission to support the IIA.
- ORHA should "get the Iraqi ministries operating again, and improve their media work so that improvements in infrastructure are visible".
- ORHA should develop a plan for SSR.

**345.** Mr Blair indicated that he agreed with those points. He commented: "I want to hear from Tim Cross that his concerns are being met next week".<sup>192</sup>

**346.** Mr Rycroft informed the FCO on 6 May that Mr Blair remained concerned that ORHA lacked proper management, but welcomed the increase in UK support.<sup>193</sup> Mr Rycroft asked for further advice by 9 May on the UK's contribution to ORHA, ORHA's internal management and priorities, and an assessment of whether Maj Gen Cross's concerns were now being met.

**347.** Mr Sawers arrived in Baghdad on 7 May.<sup>194</sup>

**348.** The FCO advised No.10 on 9 May that good progress had been made in stepping up UK military and civilian support for ORHA.<sup>195</sup> So far, 34 public sector volunteers had completed pre-deployment training; 11 more would be trained the following week. A first batch of 22 was scheduled to leave for Iraq on 13 May with a similar-sized group to follow a week later. The key to ORHA's success would be achieving results with the Iraqi ministries in Baghdad; support for that work would be the UK's "main effort", although it would also provide 10 secondees to ORHA(South). The FCO reported that officials were in daily contact with Maj Gen Cross, who was content with "the current state of play".

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<sup>191</sup> [Minute Rycroft to Prime Minister, 2 May 2003, 'Iraq: ORHA'](#).

<sup>192</sup> Manuscript comment Blair on Minute Rycroft to Prime Minister, 2 May 2003, 'Iraq: ORHA'.

<sup>193</sup> Letter Rycroft to Owen, 6 May 2003, 'Iraq: ORHA'.

<sup>194</sup> [Telegram 2 IraqRep to FCO London, 11 May 2003, 'Personal: Iraq: What's Going Wrong?'](#).

<sup>195</sup> [Letter Owen to Rycroft, 9 May 2003, 'Iraq: ORHA'](#).

**349.** The FCO also advised that ORHA's top priority was "restore what is left of Iraqi public administration, so that people can return to work and basic services can be delivered once again".

**350.** Mr Blair and President Bush spoke by telephone on 7 May on a broad range of foreign policy issues.<sup>196</sup> Mr Blair commented that ORHA "must grip the nuts and bolts of reconstruction, not just focus on politics".

**351.** On 9 May, the IPU informed Mr Straw's Private Office that it was now clear that negotiations between the US and UK for an MOU covering ORHA's operations were unlikely to succeed.<sup>197</sup> The implications for the UK of that situation are addressed in Section 9.1.

**352.** General Sir Mike Jackson, Chief of the General Staff (CGS), visited Iraq from 7 to 10 May. He reported his concerns about the pace of reconstruction, especially in the South, to General Sir Michael Walker, Adm Boyce's successor as CDS, on 13 May:

"Despite recovering some of the essential public utilities to pre-war standards, it is startlingly apparent that we are not delivering that which was deemed to be promised and is expected ... 1 (UK) Armoured Div have formulated a sound plan involving all the lines of operation and effect that are required to create a viable state. However, they have reached the limit of their technical capabilities and desperately need subject matter experts ... They have had an embedded DFID representative since initial deployment who has made all the right requests for some time, but no action follows ... This situation is compounded by a comprehensive stripping of the public sector infrastructure, an inability to pay public sector employees, a lack of NGO support and planning, and a complete lack of direction and effective action from ORHA."<sup>198</sup>

**353.** Gen Jackson concluded:

"We must release the financial, personnel and infrastructure resources to effect a quicker delivery of reconstruction. If not we will lose the consent we have so successfully achieved."

**354.** The Inquiry has seen no indication that the report was sent outside the MOD.

**355.** On 11 May, Mr Sawers reported:

"Four days in Iraq has been enough to identify the main reasons why the reconstruction of Iraq is so slow. The Coalition are widely welcomed, but are gradually losing public support."

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<sup>196</sup> Letter Cannon to McDonald, 7 May 2003, 'US Foreign Policy Issues: Prime Minister's Conversation with Bush, 7 May'.

<sup>197</sup> Minute Chatterton Dickson to FCO [junior official], 9 May 2003, 'Iraq: ORHA: MOU'.

<sup>198</sup> [Minute CGS to CDS, 13 May 2003, 'CGS Visit to OP TELIC 7-10 May 2003'](#).

“Garner’s outfit, ORHA, is an unbelievable mess. No leadership, no strategy, no co-ordination, no structure, and inaccessible to ordinary Iraqis ...

“I have not yet been out of the capital, but it is clear that Baghdad is the biggest problem ... Baghdad has the worst security, a poor level of essential services, and no information flow. I will recommend to Bremer a Baghdad First strategy. We can afford some of the regions to languish. But failure in Baghdad would fatally undermine our success in the conflict.”<sup>199</sup>

**356.** Mr Sawers listed the main challenges:

- There would be no progress until security improved.
- There needed to be a clear and credible de-Ba’athification policy. ORHA had made mistakes by appointing “quite senior” Ba’ath Party figures as their main partners in the Trade and Health Ministries, and at Baghdad University.
- With security and credible de-Ba’athification would come the chance for “durable reconstruction”. Bechtel was moving far too slowly. It needed “to swamp Baghdad with engineers and skilled labour”. Quick impact projects were also needed to demonstrate that progress was being made. Those were not a substitute for long-term development, but would meet genuine needs and were a “political requirement”.
- The Coalition needed to do more to get out its messages.
- Money needed to be found to pay public sector workers. US\$740m in seized Iraqi funds that could be used was held up in Washington.

**357.** Ambassador Paul Bremer arrived in Baghdad on 12 May, to take up post as Head of the Coalition Provisional Authority (CPA).<sup>200</sup> Lt Gen Garner was to leave Iraq on 1 June, at which point ORHA would be incorporated into the CPA.<sup>201</sup>

**358.** The names ‘ORHA’ and ‘CPA’ continued to be used interchangeably in documents seen by the Inquiry for some time after Ambassador Bremer’s appointment.

**359.** Sir John Sawers told the Inquiry that, although he was “the senior Brit on the ground”, he was not Ambassador Bremer’s deputy nor was he in the line management chain of ORHA or the CPA.<sup>202</sup> Rather, he was a representative of the UK Government and so his role was one of “exerting influence rather than exercising power”.

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<sup>199</sup> [Telegram 2 IraqRep to FCO London, 11 May 2003, ‘Personal: Iraq: What’s Going Wrong?’.](#)

<sup>200</sup> Telegram 5 IraqRep to FCO London, 12 May 2003, ‘Bremer’s First Moves’.

<sup>201</sup> Telegram 027 Baghdad to London, 1 June 2003, ‘Iraq: Coalition Provisional Authority’.

<sup>202</sup> Public hearing, 10 December 2009, pages 56 and 58.

**360.** On 12 May, Ms Short resigned from the Government. In her letter of resignation to Mr Blair she said that she thought the run-up to the conflict had been mishandled, but had agreed to stay to support the reconstruction effort.<sup>203</sup> However:

“... the assurances you gave me about the need for a UN mandate to establish a legitimate Iraqi government have been breached. The Security Council resolution that you and Jack [Straw] have so secretly negotiated contradicts the assurances I have given in the House of Commons and elsewhere about the legal authority of the Occupying Powers, and the need for a UN-led process to establish a legitimate Iraqi government. This makes my position impossible.”

**361.** Ms Short was succeeded by Baroness Amos, who had previously been Minister of State for International Development.

**362.** Mr Hilary Benn was appointed Minister of State.

**363.** Ms Short’s resignation and the Mr Blair’s response are addressed in more detail in Section 9.1.

**364.** Baroness Amos attended the 15 May meeting of the AHMGIR.<sup>204</sup>

**365.** The Annotated Agenda for the AHMGIR meeting stated that UK forces in southern Iraq generally enjoyed the goodwill of the local population and emerging political leaders, but that a continued permissive environment and, in the medium term, the withdrawal of UK forces “depends in part on the local population receiving real benefits from Coalition occupation”.<sup>205</sup> The scale of the reconstruction challenge was “enormous”. Large projects would fall to ORHA and subsequently the Iraqi authorities. But there was a case now for “smaller refurbishment projects”. ORHA had plans for such projects but had been slow to implement them. “In the meantime, given the relatively benign security situation, UK forces have spare capacity to turn to reconstruction efforts.”

**366.** The Annotated Agenda also stated that, of the £10m allocated to the UK military for quick impact projects (QIPs), only £50,000 had been spent. Of the £30m allocated to the UK military for humanitarian relief operations in the UK’s AO, only £3m had been committed and £1m spent. The remainder could be used for other purposes.

**367.** In discussion, Mr Boateng agreed that the MOD could spend the balance of the £10m allocated for QIPs, but said that “other funds for reconstruction” had been allocated to DFID.<sup>206</sup> The MOD and DFID needed to discuss the issue.

**368.** Baroness Amos said that ORHA needed some quick wins to establish its reputation. DFID would put ideas to Ministers the following week.

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<sup>203</sup> Short C. *An Honourable Deception: New Labour, Iraq and the Misuse of Power*. The Free Press, 2004.

<sup>204</sup> Minutes, 15 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>205</sup> Annotated Agenda, 15 May, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>206</sup> Minutes, 15 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

**369.** Ministers agreed that DFID should discuss with the MOD, the Permanent Joint Headquarters (PJHQ), 1 (UK) Div, ORHA and the IPU “measures to achieve a step change in rehabilitation in the South”, before discussing funding with the Treasury and presenting a plan to the AHMGIR on 22 May.

**370.** On 16 May, Ambassador Bremer issued CPA Regulation No.1.<sup>207</sup> It stated:

“The CPA shall exercise powers of government temporarily in order to provide for the effective administration of Iraq during the period of transitional administration, to restore conditions of security and stability, to create conditions in which the Iraqi people can freely determine their own political future, including by advancing efforts to restore and establish national and local institutions for representative governance and facilitating economic recovery and sustainable reconstruction and development.”

**371.** The DFID team in Basra sent DFID a stock-take of the situation in the South on 19 May.<sup>208</sup> ORHA(South) was suffering from the lack of policy guidance, support and specialist staffing from ORHA(Baghdad). Danish staff in ORHA(South) had received US\$500,000 from the Danish Government; that appeared to be all of ORHA(South)’s “immediately accessible” funding. ORHA(South) barely had enough staff to cover the most urgent tasks, such as the payment of salaries; more support was required. There was a risk that neglect by ORHA(South) in these initial months would allow “alternative structures” to emerge.

**372.** The DFID team also reported that “many military units” had said that they did not have the capacity to implement QIPs to the extent that they would like. 1 (UK) Div was aware of the “disconnect” between their capacity and the need to implement £29m worth of QIPs. The DFID team recommended that military capacity should be augmented.

**373.** Sir David Manning visited Baghdad and Basra for the first time from 20 to 21 May. In his report to Mr Blair, he echoed Mr Sawers’ assessment that Baghdad was key, observing that Basra was “way ahead” of Baghdad. Joining the growing chorus of critics of ORHA, Sir David described it as a “shambles”.<sup>209</sup>

**374.** Sir David described Ambassador Bremer as “impressive”. One way of helping him would be to get DFID:

“... properly and energetically engaged. (There is a residue of bitterness about their lack of involvement: they have committed few people and have apparently just completed their third independent reconnaissance about security for staff before deploying more people). Valerie [Amos] will make things change. I hope she will get experts to ORHA very fast.”

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<sup>207</sup> Coalition Provisional Authority, Regulation Number 1, 16 May 2003, *The Coalition Provisional Authority*.

<sup>208</sup> [Minute DFID \[junior officials\] to DFID \[junior official\], 19 May 2003, ‘DFID Basrah: Issues Paper’.](#)

<sup>209</sup> [Letter Manning to Prime Minister, 22 May 2003, ‘Iraq: Visit to Baghdad and Basra’.](#)

**375.** Mr Blair replied: “Send a note from me to Val[erie] asking for this.”<sup>210</sup>

**376.** The Annotated Agenda for the 22 May meeting of the AHMGIR stated that the arrival of Ambassador Bremer, who was “working closely” with Mr Sawers, had made a significant impact on ORHA’s efficiency, but not yet its performance on the ground.<sup>211</sup> Officials were close to agreeing with Mr Andy Bearpark, UN Deputy Special Representative in Kosovo, that he should succeed Maj Gen Cross, who was due to leave ORHA in June. Mr Bearpark needed to be given the right job to “maximise UK influence in ORHA”.

**377.** The Annotated Agenda also stated that 24 UK secondees had arrived in Iraq on 16 May, making a total of 61 UK secondees to ORHA. 11 of those were based in the ORHA(South) office in Basra.

**378.** Ministers agreed that Maj Gen Cross should be replaced by “a senior UK civilian experienced in humanitarian and reconstruction work, placed in a senior position”.<sup>212</sup>

**379.** Mr Bearpark was subsequently appointed CPA Director of Operations and Infrastructure. He arrived in Baghdad on 16 June.

**380.** Section 9.2 describes how, although UK officials in Whitehall regarded Mr Bearpark as the UK’s senior representative in the CPA, Mr Bearpark saw his primary loyalty as lying with the CPA and Ambassador Bremer.

**381.** The 22 May meeting of the AHMGIR also considered a joint DFID/MOD paper on achieving a “step change” in reconstruction in the South, requested by the AHMGIR the previous week.<sup>213</sup>

**382.** The paper, entitled ‘Iraq: Rehabilitation in ORHA Region Lower South’, defined the UK’s role in the South:

“The ORHA Lower South sector will be closely associated with the UK. Although the ORHA regional office is headed by a Dane ... the presence of a UK two-star regional military headquarters will make the UK’s role in the area pre-eminent. The UK will have the greatest number of military personnel in the region and, as one of two initial Occupying Powers, will be seen by other nations to have leading responsibility for the Lower South Region. If there are difficulties in the Lower South region it will be the UK (and, immediately, the UK military) that will have to face them first.”<sup>214</sup>

**383.** The paper also set out the rationale for UK assistance. ORHA’s “mobilisation” was proceeding slowly, and the UK was concerned that its use of large enabling contracts

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<sup>210</sup> Manuscript comment Blair on Letter Manning to Prime Minister, 22 May 2003, ‘Iraq: Visit to Baghdad and Basra’.

<sup>211</sup> Annotated Agenda, 22 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>212</sup> Minutes, 22 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>213</sup> Minutes, 22 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>214</sup> [Paper MOD/DFID, May 2003, ‘Iraq – Rehabilitation in ORHA region lower south’.](#)

would not prove sufficiently flexible or responsive, although there were no realistic options until the IFIs and World Bank engaged. Much of ORHA's funding had to come through a US bureaucratic process which even senior members of the US Administration described as "frustratingly slow".

**384.** The paper stated:

"It is in the UK's self-interest (quite aside from, although coincident with, the interests of the Iraqis) that rehabilitation and reconstruction proceed smoothly and rapidly. Without rapid and visible rehabilitation and reconstruction it is possible that there will be an erosion of the consent to the presence of the Coalition Forces. This is a particular concern to 1(UK) Div as reconstruction is off to a slow start ...

...

"There is thus a near-term gap in the provision of rehabilitation and reconstruction assistance to Iraq. Inasmuch as the UK is responsible for the Lower South Region, the UK is responsible for filling that gap."

**385.** The paper concluded that the success of the Lower South ORHA office would depend on UK direction and capacity in a manner analogous to ORHA's reliance on the US, and that the UK required a plan to address immediate rehabilitation needs and to encourage greater long-term investment and engagement in reconstruction activities. The plan should comprise:

- Support for the ORHA Lower South regional office, including help to draw up an operational plan for rehabilitation, additional staff to help manage projects, and running costs. The paper also proposed that the UK Government should establish sufficient capability in the UK to manage its support for rehabilitation; PJHQ would be able to offer advice to the FCO on how such a team should be structured.
- The reallocation of the £20m allocated to the military to support Internally Displaced People (IDPs), to fund QIPs.
- Funding for short, discrete projects to build the capacity of the Iraqi administration capacity in key areas.

**386.** Ministers were invited to agree the "concept" described in the paper.

**387.** The Annotated Agenda for the AHMGIR meeting invited Ministers to agree that the UK should step up the reconstruction effort in the "southern military sector" by:

- in the short term, encouraging UK forces, with the assistance of DFID advisers, to identify and implement QIPs;
- over the next month, building the capacity of ORHA(South) to identify and implement reconstruction projects, including by seconding additional staff where necessary and developing an operational reconstruction plan;

- tasking the MOD and DFID to discuss funding their plan with the Treasury, if necessary;
- encouraging international partners to support the regional reconstruction plan; and
- encouraging ORHA to accelerate its reconstruction efforts, including by devolving parts of its budget to its regional offices.<sup>215</sup>

**388.** The AHMGIR agreed those recommendations.<sup>216</sup>

**389.** A costed plan for rehabilitation in the South was submitted to the AHMGIR on 12 June.

**390.** On 23 May, Mr Malik briefed Baroness Amos's Office on recent negative reporting on DFID's role in southern Iraq.<sup>217</sup> Much of this appeared to have been inspired by UK military personnel in Iraq or Doha, although direct feedback from the UK military was that DFID's support was "highly valued".

**391.** Mr Malik commented:

"There is some frustration amongst military personnel in Basra that they have not been able to hand over the post conflict effort to civilian agencies quickly enough. However, to a large extent this reflects the security environment ... and the failure of ORHA to deliver. Over the coming days we will be reinforcing advisory support to the military and ORHA, and will be assessing what more we can do."

**392.** Mr Malik recommended that Baroness Amos speak to Mr Hoon before Mr Blair's visit to Iraq at the end of the month.

## Resolution 1483

**393.** United Nations Security Council resolution 1483 (2003) was adopted on 22 May.<sup>218</sup>

**394.** The resolution confirmed that the UN would not have the lead responsibility for the administration and reconstruction of Iraq, which would fall to the CPA. There would be a role for the UN, exercised through a Special Representative to the Secretary-General.<sup>219</sup>

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<sup>215</sup> Annotated Agenda, 22 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>216</sup> Minutes, 22 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>217</sup> Minute Malik to Private Secretary [DFID], 23 May 2003, 'Iraq: DFID Reputation in Southern Iraq'.

<sup>218</sup> UN, Press Release SC/7765, 22 May 2003, *Security Council lifts sanctions on Iraq, approves UN role, calls for appointment of Secretary-General's Special Representative*.

<sup>219</sup> UN Security Council resolution 1483 (2003).

### Resolution 1483 (2003), 22 May 2003

The provisions of resolution 1483 are described in detail in Section 9.1.

In addressing reconstruction, the resolution:

- requested the Secretary-General to appoint a Special Representative for Iraq, with a co-ordinating role focused on reconstruction and humanitarian assistance, reporting regularly to the UN;
- supported “the formation, by the people of Iraq with the help of the Authority and working with the Special Representative, of an Iraqi interim administration as a transitional administration run by Iraqis, until an internationally recognized, representative government is established by the people of Iraq and assumes the responsibilities of the Authority”;
- lifted all sanctions on Iraq except those related to arms;
- noted the establishment of the Development Fund for Iraq (DFI), which would be audited by independent public accountants approved by an International Advisory and Monitoring Board (IAMB) comprising representatives of the UN Secretary-General, the IMF, the Arab Fund for Social and Economic Development, and the World Bank;
- noted that disbursements from the DFI would be “at the direction of the Authority, in consultation with the interim Iraqi administration”;
- underlined that the DFI should be used “in a transparent manner to meet the humanitarian needs of the Iraqi people, for the economic reconstruction and repair of Iraq’s infrastructure, for the continued disarmament of Iraq, and for the costs of Iraqi civilian administration, and for other purposes benefiting the people of Iraq”;
- requested the UN Secretary-General to continue operation of the OFF for up to six months from 22 May;
- decided that all export sales of Iraqi petroleum, petroleum products, and natural gas should be made “consistent with prevailing international market best practices”, and that 95 percent of the revenue should be deposited into the DFI (with 5 percent deposited into the UN Compensation Fund for victims of Saddam Hussein’s 1990 invasion of Kuwait).<sup>220</sup>

Section 10.3 describes in more detail the negotiations between the US and the UK over who should control disbursements from the DFI, which would hold Iraqi oil revenues and other funds.

**395.** On 27 May, Mr Kofi Annan, the UN Secretary-General, named Mr Sérgio Vieira de Mello as his Special Representative to “lead the United Nations effort in Iraq for the next four months”.<sup>221</sup>

**396.** Mr Vieira de Mello arrived in Iraq on 2 June.<sup>222</sup>

<sup>220</sup> UN Security Council Resolution 1483 (2003).

<sup>221</sup> UN, Press Release, 27 May 2003, *Transcript of Press Conference by Secretary-General Kofi Annan and Special Representative for Iraq, Sérgio Vieira de Mello, 27 May*.

<sup>222</sup> Letter Straw to Blair, 5 June 2003, ‘Iraq: Winning the Peace’ attaching Briefing FCO/UND, ‘Role of the UN Secretary-General’s Special Representative in Iraq’.

**397.** Sir Suma Chakrabarti told the Inquiry that Ms Short's resignation, the exchanges within the UK Government that had preceded it, and the adoption of resolution 1483 led to a significant shift in DFID's attitude to ORHA:

"... we [DFID] didn't think ORHA would be actually the lead in terms of post-conflict work. We thought the UN would take that role on. The UN was geared up to do so, putting more staff into Iraq at the time ...

"The penny dropped that ... ORHA was going to be the only game in town when 1483 was passed. It probably dropped actually with Clare Short's resignation ... because it was at that point we realised that perhaps there wasn't a shared objective on UN leadership in the British Government because the Prime Minister's conversation with Clare Short made that clear. From that point on, we had to try and make ORHA work better whether we liked it or not."<sup>223</sup>

### The return to a 'war footing', June 2003

**398.** Mr Blair visited Basra and Umm Qasr on 29 May. DFID, the FCO and the MOD provided separate briefings for the visit.

**399.** DFID advised that the humanitarian situation was improving steadily, although security remained a key concern.<sup>224</sup> Without security, it would be difficult to achieve progress in other areas. In many parts of Iraq, water and power services were "almost at pre-conflict levels". Looking ahead, rebuilding Iraqi public institutions would be the main challenge. ORHA had a central role to play; DFID had stepped up its "staff support" for ORHA in Baghdad and Basra and was looking at additional areas to support.

**400.** The FCO advised that Ambassador Bremer's arrival had yet to translate into improvements on the ground.<sup>225</sup> The UK now had 61 secondees in ORHA (including in Basra), most of whom were working with Iraqi ministries.

**401.** Success in ORHA(South) was "crucial to achieving UK national objectives in Iraq". The UK had provided a Deputy to Ambassador Olsen and 10 other secondees, and planned to further reinforce ORHA(South) by:

- providing more secondees;
- providing an operational plan compatible with ORHA's national plan; and
- encouraging ORHA(Baghdad) to accelerate reconstruction efforts by delegating more of its budget to regional offices.

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<sup>223</sup> Public hearing, 8 December 2009, page 34.

<sup>224</sup> Letter Bewes to Cannon, [undated], 'Iraq – Humanitarian Update'.

<sup>225</sup> Letter Sinclair to Cannon, 27 May 2003, 'Prime Minister's Visit to Iraq'.

**402.** The MOD provided, as part of a larger briefing pack, briefs on “Reconstruction and the UN” and humanitarian assistance.<sup>226</sup> The briefing on humanitarian assistance reported that there was no humanitarian crisis in southern Iraq:

“Food, water, power and other essentials are available in towns across the UK’s Area of Operations. Our priority is the provision of a safe and secure environment.

“UK forces will continue to deliver emergency relief where it is needed, and where they are able to do. However, as the security situation stabilises enough for civilian aid agencies to fully deploy, we are rightly handing some responsibilities over to them.”

**403.** Mr Nicholas Cannon, Mr Blair’s Assistant Private Secretary for Foreign Affairs, passed the briefings to Mr Blair on 27 May, with the comment: “you may encounter whinging [in Iraq] about electricity and water supplies (the military are clear that these are already better than pre-conflict levels) and about the law and order situation”.<sup>227</sup>

**404.** Mr Blair met Ambassador Bremer in Basra on 29 May.<sup>228</sup> Ambassador Bremer told Mr Blair that the first phase of the CPA’s work would involve demonstrating that Saddam Hussein’s regime had definitively disappeared, by delivering improvements in basic services (which were already mostly up to pre-conflict levels) and maintaining law and order. The second phase would include the revival of the economy, the first stage of establishing a free Iraqi Government, and the revival of civil society. Ambassador Bremer’s “target economic end state” was a liberal, open market economy.

**405.** Mr Blair asked about resources. Ambassador Bremer confirmed that he had no resource constraints; the CPA had between US\$4bn and US\$5bn available to spend.

**406.** Ambassador Bremer discussed the inadequacy of ORHA’s strategic communications in a separate meeting with Mr Alastair Campbell, Mr Blair’s Director of Communications and Strategy.<sup>229</sup> Mr Campbell suggested that Mr John Buck, Head of the UK’s Communication and Information Centre (CIC), who was due to arrive in Iraq shortly, should take on the task of drawing up a strategic communications plan. Ambassador Bremer agreed.

**407.** Mr Buck described the situation he faced on his arrival in Iraq in his evidence to the Inquiry:

“... there was no coherent communications operation. The US Army were doing one thing. The British Army were doing another. The CPA were doing another. My task largely focused on actually bringing these people together into one unit.”<sup>230</sup>

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<sup>226</sup> Letter Watkins to Cannon, 27 May 2003, ‘Prime Minister’s Visit to Iraq’ attaching Briefing, [undated], ‘Prime Minister’s Visit to Iraq: 29 May 2003’.

<sup>227</sup> Minute Cannon to Blair, 27 May 2003, ‘Visit to Iraq, 29 May’.

<sup>228</sup> Letter Cannon to Owen, 29 May 2003, ‘Iraq: Prime Minister’s Meeting with Bremer, 29 May’.

<sup>229</sup> Minute Campbell to Sawers, 29 May 2003, ‘Meeting with Ambassador Bremer’.

<sup>230</sup> Public hearing, 31 January 2011, pages 100-101.

**408.** A Cabinet Office update for Ministers on 29 May reported that (unspecified) recent initiatives by Ambassador Bremer and the DoD underlined the need to press the US to consult more systematically with the UK.<sup>231</sup> The UK was having some success at influencing US thinking, including through Mr Sawers, the British Embassy Washington, an FCO Legal Adviser seconded to the CPA, and regular contacts between US and UK lawyers (in the last few days, those contacts had persuaded the US to drop the death penalty from a CPA Penal Order), but consultation remained “haphazard”. Ministers should be prepared for “further abrupt changes in US policy”.

**409.** Mr Sawers reported by telegram on 1 June:

“ORHA is no more, replaced by the Coalition Provision Authority ...

“Jay Garner departed on 1 June ... ORHA, with its reputation as a failure, is being buried with him. Bremer’s brisk management style and additional powers have enabled him to impose a new structure with a new name that should lead to a more coherent approach to re-building Iraq.”<sup>232</sup>

**410.** Mr Sawers advised that Mr Andy Bearpark would be the CPA’s Director of Operations, with: “Across the board responsibility for policy implementation, leading on top priority tasks, managing the CPA’s regional structure, and operational co-ordination with the UN.” Mr Bearpark arrived in Baghdad on 16 June; his role is considered later in this Section.

**411.** *Hard Lessons* recorded that ORHA had 600 staff when it was absorbed by the CPA during May.<sup>233</sup> That fell “far short of what it [the CPA] needed to manage its burgeoning relief and reconstruction program”.

**412.** Also on 1 June, the Deputy to Ambassador Olsen in ORHA(South), a UK official, sent two reports to Mr Chilcott. The first offered her first impressions:

- “Office infrastructure was (and still is) virtually non-existent, living conditions were (and still are) pretty miserable ...”
- ORHA(South) had no operating budget and was running, “sparsely”, on funding from the Danish Foreign Ministry and Ambassador Olsen’s own bank account.
- ORHA(South) had no security guards or caterers, and had been forbidden from contracting them directly. UK pressure on ORHA(Baghdad) to provide that support would be appreciated.
- ORHA(South) had 21 staff (eight UK civilians, five UK military officers, five Danish civilians, two US military officers, and one Japanese civilian). Additional staff were arriving “in trickles” but were predominately military officers and had

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<sup>231</sup> Paper Cabinet Office, 29 May 2003, ‘Iraq: Update for Ministers’.

<sup>232</sup> Telegram 27 IraqRep to FCO London, 1 June 2003, ‘Iraq: Coalition Provisional Authority’.

<sup>233</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

been directed to ORHA(South) by 1(UK) Div and Maj Gen Cross. Those officers were useful as “stopgaps”, but ORHA(Baghdad) needed to provide expert staff.

- ORHA(Baghdad) was “dysfunctional and totally pre-occupied with Baghdad”. There had been no attempt to engage with ORHA(South), including on policy issues. Communication was virtually non-existent (it remained impossible to telephone anyone in Baghdad).
- Ambassador Olsen was “very unhappy” with the seeming indifference of ORHA(Baghdad) and the lack of resources. It was not out of the question that he would leave if things did not improve.
- ORHA(South)’s “concept of operations” was to work jointly with the military and, once it had built its knowledge base and secured the necessary resources, to move into the lead allowing the military to focus on security and their exit strategy. That would not happen until ORHA(South) had considerably more people.<sup>234</sup>

**413.** Her second report provided an assessment of ORHA(South)’s staffing requirement.<sup>235</sup> Additional support was required in 15 areas; in most of those, three or four specialists would be required to make a discernible difference across the region. The areas included: electricity; water and sewerage; infrastructure/reconstruction; the judiciary; human rights; gender issues; the economy (two DFID advisers were due to arrive in Basra shortly); political analysis; and the media.

**414.** ORHA(South) itself needed an office manager, a logistics manager, a finance officer, an information manager and security staff (both for the office and to enable moves outside Basra).

**415.** After returning to the UK, Mr Blair sent a personal Note to President Bush.<sup>236</sup> Mr Blair wrote:

“I met Jerry Bremer and others in Iraq. He is very impressive, got a real grip and is doing a great job. But the task is absolutely awesome and I’m not at all sure we’re geared for it. This is worse than re-building a country from scratch.

“We start from a really backward position. In time, it can be sorted. But time counts against us ...”

**416.** Mr Blair went on to suggest that:

- Security in Baghdad had to be dealt with at once.
- “Bechtel needs to move far more quickly in letting contracts for infrastructure reconstruction – patching up won’t do”.

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<sup>234</sup> [Minute UK \[junior official\] to Chilcott, 1 June 2003, ‘ORHA South – First Impressions’.](#)

<sup>235</sup> Minute UK [junior official] to Chilcott, 1 June 2003, ‘Additional Staffing Requirements for ORHA South’.

<sup>236</sup> Letter Manning to McDonald, 2 June 2003, ‘Iraq: Prime Minister’s Note’ attaching Note [Blair to Bush], [undated], ‘Note’.

- The Coalition’s communications strategy had to be put on a more energetic footing.
- The CPA needed greater administrative capacity. Mr Blair proposed a small US/UK team “with one of our people from our own circle” to act as a rapid conduit to President Bush and himself, enabling them to clear the bureaucratic obstacles immediately.

**417.** Mr Blair concluded his Note by stating that he would be “going back to almost a war footing” in order to ensure focus on issues in Iraq.

**418.** Mr Blair and President Bush discussed Iraq over breakfast on 2 June.<sup>237</sup> Mr Blair emphasised the “huge scale” of the reconstruction task. Saddam Hussein had left an “appalling” legacy and reduced a potentially rich country to third world levels of poverty. Ambassador Bremer was being asked to take on “a shattered country with decrepit infrastructure and a population that had developed a dependency culture”. That was “a very tall order”. He should be given whatever he wanted for capacity building.

**419.** Mr Blair also argued that a clear political vision and timetable was needed, together with a media strategy to avoid “a dangerous information vacuum”.

**420.** On 3 June, Mr Blair chaired a meeting on Iraq attended by Mr Hoon, Baroness Amos, Sir Michael Jay (in Mr Straw’s absence) and No.10 officials.<sup>238</sup> Mr Blair said that he had returned from Iraq convinced that “an enormous amount needed to be done”. He told the meeting:

- The CPA lacked grip and organisation, rather than money or staff.
- The UK should “beef up” its involvement in the CPA.
- There should be a White House/No.10 team to work alongside Mr Sawers and Ambassador Bremer.
- There should be a strong civilian team in the South.
- The CPA and US decision-making processes were too slow. Contracts needed to be processed faster.
- British companies needed to be energised to take up opportunities in Iraq.

**421.** Mr Blair also said that he believed that Whitehall should go back to “a war footing” for the next two to three months to avoid “losing the peace in Iraq”.

**422.** Following the meeting, Mr Cannon commissioned a number of papers to be ready before a further meeting on 6 June. Those included a list of 10 to 15 outstanding, practical issues for Mr Blair to raise with President Bush that would “make a big

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<sup>237</sup> Letter Manning to McDonald, 2 June 2003, ‘Breakfast Meeting Between The Prime Minister and President Bush: 2 June 2003’.

<sup>238</sup> [Letter Cannon to McDonald, 3 June 2003, ‘Iraq: Prime Minister’s Meeting, 3 June’.](#)

difference to the people of Iraq if they are resolved”, and advice on how to improve the Iraqi media.

**423.** Mr Rycroft subsequently told Mr Chilcott, who had been tasked to produce that list of outstanding practical issues, that Mr Blair was “looking for some really big ticket items to push”, along the lines of:

- “1. Get x people in to sort out the police.
2. Move y US forces from a to b to improve security.
3. Get Bechtel to build by X date a new power station in place y.
4. Ask x big figure person to go to Iraq to sort out the TV.
5. currency.
6. CPA internal.
7. setting up IIA.
8. Basra – give CPA Basra \$x million, and ... etc etc.”<sup>239</sup>

**424.** Mr Rycroft added that Mr Blair did not need “lots of analysis of what’s going wrong ... he knows that”. He needed “things that are concrete and ambitious enough so that if/when they happen they really transform the place”.

**425.** Mr Chilcott replied that he could not produce a “serious paper” with the specific detail requested:

“To offer advice on where to build big infrastructure projects ... requires a lot more knowledge than we have in the IPU about local conditions ... and some sense of an overall development plan for Iraq – something the World Bank will presumably draw up once they have got themselves engaged. These judgements will have to be carefully considered by development experts.

“In my view, the two most important things the PM should raise with the President now are (a) security and (b) the functioning of the CPA. Until these are solved, there is little chance of any infrastructure work making much impact.”<sup>240</sup>

**426.** Baroness Amos saw Mr Blair’s direction as an opportunity for a substantive reassessment of DFID’s engagement on reconstruction in Iraq.

**427.** Baroness Amos gave Mr Benn and Mr Chakrabarti a read out from Mr Blair’s 3 June meeting later that day.<sup>241</sup> She reported that Mr Blair had made a number of specific proposals:

- There was a lack of administrative capacity in the CPA. The UK should increase its support for it.

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<sup>239</sup> Email Rycroft to Chilcott, 4 June 2003, ‘Draft Paper for the PM’.

<sup>240</sup> Email Chilcott to Rycroft, 4 June 2003, ‘Draft Paper for PM’.

<sup>241</sup> Minute Bewes to DFID [junior official], 3 June 2003, ‘PM Iraq Meeting’.

- There should be a process to identify and resolve “logjams”.
- The UK needed “urgently to think through:
  - what are the key priorities? (Infrastructure? Water? Power?)
  - what are the blockages?
  - therefore, what needs to be done by whom and when? What large scale projects were needed?
  - and how much will that cost?
  - We should ‘think big’ – e.g., if a new power station was needed, identify where, how big, how much it would cost and let the contracts asap.”

**428.** Baroness Amos commented that “the Prime Minister’s thinking seemed to be that the UK would put in the people; US the money”, and that he did not seem to accept that President Bush might not be able to produce immediate funding.

**429.** Baroness Amos stated that DFID should think “carefully but urgently” about the concerns and proposals presented by Mr Blair. DFID should not simply “reflect back” Mr Blair’s proposals, if those were not exactly what were needed. This could be a very good opportunity to address (unspecified) difficult issues.

**430.** Baroness Amos added that she did not believe that the main problem with the CPA was a lack of people, or that it could be solved by putting more people in. It was more likely to be a lack of strategic thinking.

**431.** Baroness Amos also reported that, after the meeting with Mr Blair, she had agreed with Mr Hoon and Sir Michael Jay that a cross-departmental paper should be produced for the next meeting of the AHMGIR, addressing the points raised by Mr Blair.

**432.** Later on 3 June, Baroness Amos sent Mr Blair a report on her visit to Washington and New York the previous week.<sup>242</sup> She reported that:

“... US inter-agency conflicts are making for bad policy on Iraq, with negligible co-ordination and a potentially dangerous lack of leadership. There is no strategic direction, and no sense of what the US wants to achieve.”

**433.** The solution was for the UK “to set out a clear vision for Phase IV, sell it to President Bush (and hence Rumsfeld) and use it to build alliances beyond the Coalition”.

**434.** Baroness Amos also reported that the World Bank and the IMF had started work on a reconstruction needs assessment. Work was Washington-based, but experts were ready to visit Iraq “as soon as the security situation permits”.

**435.** Baroness Amos confirmed that she would visit Iraq shortly. To maintain the momentum on Iraq, she planned that Mr Benn would visit in July and Mr Chakrabarti in September.

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<sup>242</sup> Letter Amos to Blair, 3 June 2003, ‘Iraq Reconstruction: Next Steps’.

**436.** A draft version of the list of 10 to 15 outstanding, practical issues requested by Mr Blair on 3 June, produced by the IPU, was considered by the 5 June meeting of the AHMGIR, chaired by Mr Straw.<sup>243</sup>

**437.** Mr Straw wrote to Mr Blair later that day:

“We [the AHMGIR] fully shared your view that an enormous amount of work remains to be done. We were concerned that the US was not showing the same energy, focus and drive in the reconstruction effort that they did in the military campaign.

“Colleagues also felt strongly that the US must not be allowed to take UK support for granted. Otherwise, as the US ultimately called the shots, we risked being caught in a position of sharing responsibility for events in Iraq without holding the corresponding power to influence them. In that context, the Treasury expressed worries about the provisional arrangements for disbursing oil revenues from the Development Fund for Iraq ...”<sup>244</sup>

**438.** Mr Straw attached a revised IPU paper, which he described as “setting out what needs to be done to make reconstruction work, containing ideas which would make a big difference to the people of Iraq”. He highlighted the importance of preventing looting and criminality and turning the CPA into an efficient, functioning organisation, adding:

“Unless we put these two foundation stones in place, reconstruction will continue to falter.”

**439.** The IPU paper, entitled ‘Iraq Reconstruction: 30 Day Priorities’, stated that the US and UK needed:

- a clear, coherent strategic plan;
- a timetable for delivering it; and
- regular contact between Mr Blair, President Bush and Ambassador Bremer to review progress and agree next steps.

**440.** The IPU proposed “some specific targets we [the US and UK] should now set ourselves, for delivery within 30 days”, in six areas:

“1. Restore security ...

2. Agree and implement a strategic plan for the CPA

- a) Agree specific targets for reconstruction direct with Bremer, and agree the resources needed to deliver them. And then let him get on with his job.

...

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<sup>243</sup> Minutes, 5 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>244</sup> [Letter Straw to Blair, 5 June 2003, ‘Iraq: Winning the Peace’ attaching Paper IPU, 5 June 2003, ‘Iraq Reconstruction: 30 Day Priorities, 5 July 2003’.](#)

- c) Give Bremer and the CPA the means to do their job ... the right people with the right skills ...
  - d) Make the regional network of CPA offices function – with access to funds, good communications, inputs into central policy making ...
3. A clear, transparent Coalition decision-making process
- ...
- b) Development Fund for Iraq: we must get the decision-making right. We are jointly responsible for this, legally and politically ... Need transparent and accountable mechanisms for setting Iraq's budget, priorities for expenditure, and procedures for disbursement – not just post facto auditing.
4. Power, water and sewage
- Repairs to essential infrastructure, and provision of essential services, must be top of CPA's agenda. We need to speed up decision-making process and awarding of sub-contracts ...
5. Restoring normal economic life ...
6. Security sector reform ...”

**441.** In the paper, the IPU did not consider the resources that would be required to achieve those targets or the particular role of the UK.

**442.** Mr Straw also attached a list of projects “which urgently need to be taken forward in and around Basra”, and commented that he, Baroness Amos and Mr Hoon were “keen to get cracking” on them.

**443.** Mr Straw's letter was copied to Baroness Amos, Mr Hoon and other Ministers.

**444.** The Inquiry has seen no indications that a paper on the Iraqi media was produced for Mr Blair (as No.10 had requested on 3 June). The IPU paper listing “30-day priorities” identified the need to “communicate to the Iraqi population what we have already done and what we are trying to achieve”, but did not recommend any associated actions.

**445.** On the same day, Mr Straw sent a personal letter to Mr Blair asking him to raise a number of points “very forcefully” with President Bush, including:

“Contracts: As you know, the US are completely ruthless on favouring US companies, and will not help UK companies unless you play hardball with Bush.”<sup>245</sup>

**446.** Mr Straw offered as an example of this behaviour, a Bechtel sub-contract to install 170 megawatts (MW) of power capacity in Baghdad. Siemens UK had almost secured that contract, but it had now “gone cold”.

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<sup>245</sup> [Minute Straw to Blair, 5 June 2003, 'Iraq'](#).

**447.** The Government's support for UK businesses is described in Section 10.3.

**448.** Mr Rycroft passed the IPU paper and the list of projects in Basra to Mr Blair on 5 June, under a minute which suggested the "set of big picture but concrete points" that might come out of Mr Blair's meeting with Mr Straw, Mr Hoon and Baroness Amos the following day and which could then be put to President Bush.<sup>246</sup> The minute was copied only within No.10. The points were:

- a. "Security. This is the top priority ...
- b. Sort out the CPA's Organisation. The only way to get round the ... problem is for you to raise directly with Bush.
  - Install proper phones and IT.
  - Delegate more decision-making to the CPA, to avoid ... wrangling.
  - Sort out the communications strategy.
- c. Infrastructure projects. This is where we will be judged by ordinary Iraqis.
  - Get Bechtel to conclude their sub-contract with Siemens UK asap, so Siemens can help restore power capacity.
  - Set up the national phone network.
  - Get UNDP [United Nations Development Programme] and UNICEF to sort out the power and water supplies.
- d. Restoring normal life.
  - Sort out the currency.
  - Open the airports to civil flights.
  - Appoint x to sort out the Iraqi media.
  - Press on with security sector reform.
- e. Basra: see separate list of things we can do in our own area ...
- f. US/UK contacts. ... Since we share legal responsibility as Occupying Powers, we (the UK) may also at times need to have a veto over CPA decisions ..."

**449.** Mr Blair held a further meeting on Iraq on 6 June, to agree the points to put to President Bush.<sup>247</sup> It was attended by Mr Straw and Gen Walker, as well as those who had been present on 3 June.

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<sup>246</sup> [Minute Rycroft to Prime Minister, 5 June 2003, 'Iraq: Meeting at 0800 on Friday'](#).

<sup>247</sup> [Letter Cannon to McDonald, 6 June 2003, 'Iraq: Prime Minister's Meeting 6th June'](#).

**450.** Mr Cannon reported the main points from the meeting to Mr McDonald. The meeting had identified “over-zealous” de-Ba’athification and the CPA’s failure to provide funding for the South as causes of insecurity there. It had agreed that:

- Mr Blair should tell President Bush that the UK needed “the decision-making process on a different footing, so that problems are rapidly referred to the highest level and obstacles short-cut”.
- Mr Blair should write to Ambassador Bremer listing specific projects in the Basra area needing immediate CPA funding.
- Baroness Amos would visit “the UK sector” to enhance DFID operations.
- Ms Hewitt should try to visit Iraq to promote the involvement of UK business.

**451.** Mr Blair spoke to President Bush later that day.<sup>248</sup> In his report to Mr McDonald of the conversation, Mr Cannon wrote that Mr Blair had said his main concern was administration; Ambassador Bremer needed to be able to break through the bureaucratic obstacles that he faced.

**452.** Mr Blair raised the difficulty Ambassador Bremer was having accessing the funding he needed. UK projects in Basra had been affected. Mr Blair said that he would write to both Ambassador Bremer and President Bush setting out those projects.

**453.** Mr Blair raised delays in Bechtel’s operations, including unnecessary delays in agreeing a contract for Siemens UK. The US was chasing Bechtel.

**454.** Mr Blair also raised the need for action on replacing Iraq’s currency.

**455.** The Inquiry has seen no indications that Mr Blair wrote to Ambassador Bremer and President Bush, listing the projects requiring immediate CPA funding.

**456.** The Annotated Agenda for the 11 June meeting of the AHMGIR stated that the list of projects “which urgently need to be taken forward in and around Basra”, which Mr Straw had sent to Mr Blair on 5 June, would “for the most part be implemented as quick impact projects, once additional engineering staff are in place (DFID is undertaking urgent recruitment)”.<sup>249</sup>

**457.** The Cabinet Office produced a draft proposal for a new, DFID-led Iraq Rehabilitation Operations Group (IROG) on 10 June.<sup>250</sup> The Cabinet Office proposal stated that, while current administrative structures were “satisfactory and worth keeping”, now that the UK was moving into an “increasingly operational phase” they were no longer sufficient. DFID should lead a new Group with a remit to oversee:

- priorities for expenditure from the Development Fund for Iraq (DFI), including the process of reaching decisions on such expenditures;

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<sup>248</sup> [Letter Cannon to McDonald, 6 June 2003, ‘Iraq: Prime Minister’s Conversation with Bush, 6th June’.](#)

<sup>249</sup> Annotated Agenda, 12 June 2003 Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>250</sup> Minute Bowen to DFID, 10 June 2003, ‘Iraq: Management Arrangements’.

- co-ordination of UN, IFI, NGO, ICRC and CPA operational activity;
- implementation of UK-funded reconstruction projects; and
- preparation of regular progress reports to the AHMGIR.

**458.** The IPU would continue to have responsibility for administering UK secondments to the CPA and for SSR.

**459.** DFID sought the FCO's agreement to the draft proposal.<sup>251</sup> An IPU official advised Mr Straw's Private Secretary that, while there was a good case for setting up a DFID-led Group to co-ordinate and implement development activity in Iraq, the proposal as drafted risked fragmenting UK policy-making. It should explicitly state that the IPU remained the "policy lead for CPA issues as a whole" (and not just for administering UK secondments and SSR).

**460.** Sir Michael Jay agreed with that advice.<sup>252</sup>

**461.** Mr Straw agreed that DFID should set up the IROG but, to ensure a coherent UK interface with the CPA, stated that it should report to the AHMGIR through the IPU.<sup>253</sup>

**462.** The DFID-led IROG met for the first time on 15 June.<sup>254</sup> The first IROG Action Plan would be put to the AHMGIR on 3 July.

## Advice on the UK's responsibilities as an Occupying Power

**463.** A paper on the management of the DFI was submitted to the 5 June meeting of the AHMGIR (chaired by Mr Straw).<sup>255</sup>

**464.** The paper stated that while resolution 1483 made the UK jointly responsible (with the US) for disbursements from the DFI, it contained little detail on how the DFI should be managed. The UK needed to settle that issue quickly with the US; spending decisions could start being made in the next few weeks. The management arrangements needed to meet the UK's objectives in terms of transparency and accountability; in particular, the arrangements needed to meet the commitments in the resolution to use resources in the DFI "in a transparent manner" and to ensure that oil sales were "made consistent with international best practice".

**465.** The Annotated Agenda stated that the CPA had circulated a draft regulation which gave the US Administration "sole oversight" over DFI spending.<sup>256</sup> Such an arrangement

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<sup>251</sup> Minute IPU [junior official] to PS/Straw, 11 June 2003, 'Iraq: Management Arrangements'.

<sup>252</sup> Manuscript comment Jay on Minute IPU [junior official] to PS/Straw, 11 June 2003, 'Iraq: Management Arrangements'.

<sup>253</sup> Minute Owen to IPU [junior official], 13 June 2003, 'Iraq: Management Arrangements'.

<sup>254</sup> Minute Dodd to Manning, 18 June 2003, 'Iraq: Rehabilitation'.

<sup>255</sup> [Annotated Agenda, 5 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting attaching Paper, \[undated\], 'Implications of and Modalities for the Development Fund for Iraq'](#).

<sup>256</sup> [Annotated Agenda, 5 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting.](#)

would marginalise UK influence and risk presentational problems, but was not settled US policy. The UK was lobbying in Washington and Baghdad to amend the draft regulation.

**466.** Mr Jon Cunliffe, Treasury Managing Director for Macroeconomic Policy and International Finance, advised Mr Brown the following day that resolution 1483 made the US and UK jointly responsible, as Occupying Powers, for governing Iraq including, specifically, for disbursements from the DFI.<sup>257</sup> The resolution changed the basis on which the UK engaged with the US, but the current framework for making and implementing decisions did not reflect that. As far as economic and financial policy was concerned, it was “a mess” because:

- It was not clear what decisions Ambassador Bremer could take without approval from Washington.
- Ambassador Bremer reported to Secretary Rumsfeld; there was no clear framework in Washington for involving other US departments.
- The UK had no clear involvement in decision-making; what UK-US consultation there was tended to be between No.10 and the White House.

**467.** Mr Cunliffe suggested that this mattered because:

- The UK had responsibility without power. If money was wasted on a large scale, or there was an economic policy failure, or the CPA acted in a way that cut across its mandate under resolution 1483, the UK would be accountable.
- The Treasury had no way to ensure that the right economic and financial policies for Iraq were pursued. Attempts to give the IMF and World Bank a direct role in the use of the DFI had failed.

**468.** Mr Cunliffe reported that he had raised his concerns at the AHMGIR meeting the previous day; Mr Straw and Baroness Amos had been sympathetic. Mr Cunliffe understood that No.10 was considering proposing a joint White House/No.10 group, to which the CPA would report.

**469.** On 9 June, Ms Cathy Adams from the Legal Secretariat to the Law Officers sent a reply to a letter of 21 May from FCO Legal Advisers seeking advice on resolution 1483.<sup>258</sup> The advice relating to the formation of a representative government is described in Section 9.2.

**470.** Ms Adams advised that the resolution clarified the legitimate scope of activity of the Occupying Powers and authorised them to undertake actions for the reform and reconstruction of Iraq going beyond the limitations of Geneva Convention IV and the Hague Regulations. In some cases, such actions had to be carried out in co-ordination

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<sup>257</sup> [Minute Cunliffe to Chancellor, 6 June 2003, 'Iraq Reconstruction'](#).

<sup>258</sup> [Letter Adams to Llewellyn, 9 June 2003, 'Iraq: Effect of Security Council Resolution 1483 on the Authority of the Occupying Powers'](#).

with the Special Representative of the Secretary-General (SRSG) or in consultation with the Iraqi interim administration.

**471.** Particular actions that the resolution appeared to mandate were:

- promoting economic reconstruction and the conditions for sustainable development;
- promoting human rights; and
- encouraging international efforts to promote legal and judicial reform.

**472.** To the extent that such actions were not otherwise authorised elsewhere in the resolution or under occupation law, then there was a clear requirement to act only in co-ordination with the SRSG.

**473.** Ms Adams also advised that the resolution clearly imposed joint US/UK responsibility for disbursements from the DFI, and that it was therefore important to ensure that the US Government did not take actions in relation to the DFI which were incompatible with the resolution. She continued:

“The fact that the resolution imposes joint responsibility gives the UK a locus to argue with the US that we should be fully involved in the decision-taking process. Anything less would be legally risky.”

**474.** Ms Adams concluded that the resolution did not grant the Coalition full legislative and executive authority in Iraq, so there was still a need to consider the legality of specific proposals against the requirements of occupation law and the terms of the resolution.

**475.** The following day, 10 June, the CPA issued a regulation that gave Ambassador Bremer, as “Administrator of the CPA”, authority to oversee and control the establishment, administration and use of the DFI and to direct disbursements from the DFI “for those purposes he determines to be for the benefit of the Iraqi people”.<sup>259</sup>

**476.** The regulation also established a Program Review Board (PRB) to develop funding plans and make recommendations to Ambassador Bremer on expenditures from the DFI, “in consultation with the Iraqi interim administration, when established”.

**477.** On 12 June, Mr Brenton wrote to Sir David Manning addressing the “considerable concern around Whitehall that our views are not being taken sufficiently into account in the formulation of policy on governing Iraq”.<sup>260</sup> Mr Brenton described the CPA regulation on the DFI as “obviously flawed” from the UK’s perspective, and the latest and most serious example of that.

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<sup>259</sup> Coalition Provisional Authority, Regulation No.2, 10 June 2003, *Development Fund for Iraq*.

<sup>260</sup> Letter Brenton to Manning, 12 June 2003, ‘Iraq: UK/US Cooperation’.

**478.** The CPA issued a further regulation on 18 June, detailing the operation of the PRB.<sup>261</sup> Voting members of the PRB included representatives of the Iraqi Ministry of Finance and the UK. Non-voting members included the representatives of the IMF, World Bank, UN SRSG and the International Advisory and Monitoring Board (IAMB).

**479.** An IPU update on reconstruction, which was sent to No.10 on 20 June, advised that the DFI Regulations “met some, but not all of our key requirements”.<sup>262</sup>

**480.** The FCO’s covering letter to that update cited the DFI Regulations as one example of the continuing lack of proper consultation with the UK by the US, but added that the Regulations did not cross the UK’s “legal red lines”.

**481.** The UK’s efforts to scrutinise disbursements from the DFI are considered in Section 10.3.

### **The first UK plan for reconstruction in the South, 12 June**

**482.** Ministers agreed the UK’s first plan for reconstruction in CPA(South) on 12 June. Although the focus remained on securing US and CPA(Baghdad) resources, the plan provided limited, additional UK support for CPA(South) and QIPs. The plan identified a need to agree a source of UK funding to meet the costs of being an Occupying Power, until other (US or Iraqi) sources of funding became available.

**483.** A 12 June PJHQ briefing reported that there was “a trend of intelligence reporting from the UK AOR showing increasing dissatisfaction of the civil populace”.<sup>263</sup> The briefing attributed that to a lack of food, failure to ensure essential services “such as water, electricity and security”, a general increase in anti-Coalition rhetoric from Shia clerics, a lack of accurate information/news reporting, and a lack of progress in the political process.

**484.** The 12 June meeting of the AHMGIR, which was attended by Baroness Amos, Mr Benn and senior DFID officials, considered a joint DFID/MOD paper entitled ‘UK Support to the CPA South Area – Next Steps’.<sup>264</sup> The paper was the response to the commission from the 15 May and 22 May meetings of the AHMGIR for an operational plan for reconstruction in CPA(South).

**485.** The paper began by identifying key actions required to make progress in the South:

- clarifying CPA(South)’s remit, and making it fully operational;

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<sup>261</sup> Coalition Provisional Authority, Regulation No.3, 18 June 2003, *Program Review Board*.

<sup>262</sup> Letter Owen to Rycroft, 20 June 2003, ‘Iraq: Reconstruction Priorities’ attaching Paper IPU, 20 June 2003, ‘Iraq Reconstruction: 30 Day Priorities, 5 June 2003’.

<sup>263</sup> Minute DACOS J3(Ops Sp) and DACOS J2(Int) to MA/DCJO(Ops), 12 June 2003, ‘Relations with the Basrah Population’.

<sup>264</sup> [Annotated Agenda, 12 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting attaching Paper DFID/MOD, 11 June 2003, ‘UK Support to the CPA South Area – Next Steps’.](#)

- restoring Iraqi public administration;
- maintaining and improving law and order;
- improving public communications; and
- internationalising the Coalition effort.

**486.** This required urgent action by CPA(Baghdad), in particular to:

- clarify CPA(South)'s remit;
- ensure US companies delivered on their contracts to provide operational support to CPA(South) and repair essential infrastructure; and
- provide "operating/emergency" funding for Iraqi institutions.

**487.** The paper assessed:

"CPA(South) is unable to deliver in terms of determining priority needs, overseeing implementation, or supporting the political transition. There is a lack of vision; CPA(South) is severely undermanned; and has almost no systems or resources in place to deliver any tangible improvements soon. In consequence, 1 (UK) Div retains almost all executive authority in the UK area of operations (AO). In turn, locals look to the British military, not CPA(South), to address local problems. To the extent that these functions are being carried out at present, it is due to the unstinting efforts of 1 (UK) Div, the few UK secondees in the South, and, more importantly, the high quality of the Iraqi counterparts they are working with."

**488.** UK actions to strengthen CPA(South) included:

- Exploring the possibility of establishing a CPA(South) Liaison Team in CPA(Baghdad), to track policy development and champion the South.
- CPA(South) needed more senior staff. DFID/FCO would "look for" a "Director of Operations" to support Ambassador Olsen. The UK should provide at least one and ideally two of the CPA representatives in the Governorates.
- CPA(South) also needed more staff at working level. DFID would "look to recruit" additional specialist staff.
- The lack of an effective CPA(South) communications operation was a major constraint. 1 (UK) Div and DFID would complete a joint assessment of needs by 11 June.
- While discussions continued between CPA(South) and CPA(Baghdad) on securing operating funds for CPA(South), 1 (UK) Div would provide administrative support to CPA(South) and DFID would look to deploy an office management team as soon as possible. That team would have access to operating funds for up to three months, if required.

**489.** The paper assessed that a functioning Iraqi public administration was essential for “a return to normalcy”. UK actions to restore it included:

- CPA(South) and UK representatives would continue to press CPA(Baghdad) to release funds for the operating budget; this would also require a “high level political push”. There was a risk that those funds would not immediately be forthcoming: “We [the UK] therefore need to identify a line of funding that will – effectively – cover the costs of being an Occupying Power until other sources are freed up. Realistically, this might be for three months.”
- 1 (UK) Div would continue to focus QIPs on restoring public infrastructure, and DFID would continue to fund similar activity through UN agencies and NGOs.

**490.** The paper stated that the “total UK package” would be worth £26m over the six-month period to October, comprising:

- £5m from DFID for QIPs<sup>265</sup> (in addition to the £10m already held by the UK military);
- up to £10m from DFID for additional senior and support staff, equipment and if necessary operating costs for CPA(South); and
- £1m from the Global Conflict Prevention Pool for police training.

**491.** The paper also stated that the UK’s AOR would expand to four Governorates to match the CPA(South) area.

**492.** The Annotated Agenda for the meeting stated:

- The UK had “a fluctuating contingent” of around 70 secondees in the CPA.
- Security in the South remained fragile. Iraqi frustration with the pace of progress could cause the situation to deteriorate. The UK’s ability to “push the pace” would be constrained by the reduction in UK military force strength following the transition to the 3rd (UK) Mechanised Division.

**493.** Ministers noted the main recommendations in the DFID/MOD paper and agreed the UK should:

- “press CPA headquarters to agree the mandate for CPA(South), to ensure US firms deliver on their contracts, and to provide budgets so that Iraqi public institutions are able to get back to work;
- seek to co-ordinate the UK and CPA reconstruction efforts in the South with the armies and development agencies of incoming military contingents;
- increase the number of DFID advisers and other staff in CPA(South), particularly in the area of project management;

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<sup>265</sup> The DFID/MOD paper also stated that DFID would provide £6m for QIPs. The Inquiry concludes that £5m is the correct figure.

- take forward measures to improve the synergies between the UK-led Division and CPA(South);
- strengthen CPA(South) information capacity and examine projects to foster regional media;
- take forward projects to improve law and order and re-establish local administration, including by increasing UK funding for quick impact projects from £10m to £16m, using DFID resources; and
- spread UK experience and best practice to the two new provinces in the UK-led military sector.”<sup>266</sup>

**494.** Closing the meeting, Mr Straw commissioned “a short Iraq strategy paper” for the next meeting, “agreed at UK official level prior to seeking agreement with the US”.

**495.** The Cabinet Office wrote to the IPU on 16 June to propose that work on that strategy paper should not continue because: “It now transpires that the CPA is in the process of drafting its own strategy/vision document.”<sup>267</sup> It would be more sensible to feed UK views into that document.

**496.** The meeting of the AHMGIR officials’ group on the following day invited departments to send comments on the CPA’s strategy paper to the IPU.<sup>268</sup> Comments should include the need to consider:

“... environmental and sustainable development issues, the role of women in the political process and reconstruction generally, the need for a more prominent reference to the role of UN and the IFIs, and more specific legal wording; UNSCR 1483 did not give the CPA carte blanche.”

**497.** The officials’ group agreed that the UK needed to impress on Ambassador Bremer and the US “our right to be consulted” on such a fundamental joint Coalition document.

**498.** The CPA’s strategy documents – ‘Vision for Iraq’ and ‘Achieving the Vision’ – were finalised in July and are described later in this Section.

**499.** Mr Andy Bearpark arrived in Baghdad on 16 June to take up the post of CPA Director of Operations.<sup>269</sup> He was the most senior UK official within the CPA.

**500.** Mr Bearpark told the Inquiry that he had received “very straightforward” instructions during a meeting with Baroness Amos and Mr Chakrabarti before his deployment:

“‘Look, Andy, it is chaos out there. Nobody has the faintest idea of what’s going on ... We know you have got sharp elbows when you need to. Go out there and use them and see what happens’ ...”<sup>270</sup>

<sup>266</sup> Minutes, 12 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>267</sup> Minute Dodd to Crompton, 16 June 2003, ‘Iraq: Ad Hoc Ministerial’.

<sup>268</sup> Letter Dodd to Manning, 18 June 2003, ‘Iraq: Rehabilitation’.

<sup>269</sup> Paper Cabinet Office, 18 June 2003, ‘Update for Ministers’; Statement Bearpark, 25 June 2010, page 1.

<sup>270</sup> Public hearing, 6 July 2010, page 13.

**501.** He had also been told that he should “owe his allegiance” to the CPA rather than the UK Government.<sup>271</sup> Ambassador Bremer had appreciated and welcomed that position.

**502.** Mr Bearpark told the Inquiry that Ambassador Bremer had described his role as “like a chief operations officer in a private company”.<sup>272</sup> That included responsibility for staffing, life support and the flow of funds to CPA regional offices.

**503.** Mr Bearpark also told the Inquiry that, shortly after arriving in Baghdad, Ambassador Bremer asked him to take on responsibility for all the Iraqi infrastructure ministries with the exception of the Ministry of Oil.<sup>273</sup> At that point, his title had changed to Director of Operations and Infrastructure.

**504.** The Inquiry asked Mr Bearpark why the oil sector had not been included in his remit.<sup>274</sup> He replied:

“It was never, ever said to me officially – and it was certainly never, ever put in writing, but every member of my staff ... said that it was perfectly obvious that I couldn’t be put in charge of oil because I really wasn’t American ... [and] oil would remain an American interest.

“So it was a very specific instruction from Bremer that I was not in charge of the Oil Ministry.”

**505.** The UK’s exclusion from oil sector policy during the CPA period is described in Section 10.3.

**506.** The UN Development Programme hosted technical consultations on Iraq’s reconstruction needs on 24 June.<sup>275</sup>

**507.** The UK Permanent Mission to the UN in New York (UKMIS New York) reported that Mr Cunliffe, the head of the UK delegation at the consultations, had set out four priorities including agreement on a multi-donor mechanism for channelling external resources to reconstruction projects. UKMIS New York commented that Japan, Australia and the European Commission in particular wanted “an alternative to the DFI”.

**508.** UKMIS New York reported that the event was “a positive first step towards the internationalisation of the reconstruction effort”, with the UN and IFIs now “proactively engaged”. There was agreement to hold a formal donor conference, probably in October 2003. Donor interventions were “upbeat”, reflecting a widespread commitment to reconstruction. But there were important caveats; donors wanted to see early progress

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<sup>271</sup> Statement Bearpark, 25 June 2010, page 1.

<sup>272</sup> Public hearing, 6 July 2012, pages 5 and 7.

<sup>273</sup> Public hearing, 6 July 2012, page 5.

<sup>274</sup> Public hearing, 6 July 2012, page 71.

<sup>275</sup> Telegram 1011 UKMIS New York to FCO London, 24 June 2003, ‘Iraq: Technical Consultations on Reconstruction Needs, New York, 24 June’.

in establishing a representative Iraqi Government and assurances from the CPA that there would be budgetary transparency and accountability.

**509.** On 24 June, Mr Blair held a meeting to discuss Iraq, attended by Mr Straw, Mr Hoon, Baroness Amos, CDS and officials.<sup>276</sup>

**510.** Mr Hoon reported that Ambassador Olsen, Head CPA(South), was considering resigning over the lack of funding provided for CPA(South) by CPA(Baghdad). This was an opportunity to replace him with a British official. Mr Cannon's record of the meeting, which was copied to Baroness Amos, asked the FCO for advice on that point.

**511.** A draft of the CPA's strategic plan was provided to the 26 June meeting of the AHMGIR.<sup>277</sup> The Annotated Agenda described the draft as "a good basis for further work" but "still deficient"; it did not include dates for the restoration of a full sovereign Iraqi Government, lacked reference to macro-economic management and the environment, exaggerated the role of the free market, did not include proper linkage to resolution 1483, and was "not in a form digestible to Iraqi and regional audiences".

**512.** The AHMGIR agreed that officials should push for improvements to the CPA's strategic plan, particularly on macro-economic issues and linkage to resolution 1483.<sup>278</sup>

**513.** The AHMGIR also asked for a weekly assessment of progress in "each of the key areas" and a daily update. Reports should bring out what was being done in the South, what the MOD and DFID could do and what would need CPA intervention.

**514.** The first of those weekly assessments was produced for the next meeting of the AHMGIR, on 3 July.

**515.** Mr Blair spoke to President Bush on 26 June.<sup>279</sup> Mr Blair set out the huge scale of the reconstruction task and suggested that he and President Bush should hold a video conference to work through all the reconstruction issues.

**516.** Dr Condoleezza Rice, US National Security Advisor, called on Mr Blair on the same day.<sup>280</sup> Mr Blair emphasised the need for the CPA to be "empowered". Problems remained in moving funds from CPA(Baghdad) to CPA(South). Mr Blair hoped that, with some "easy wins" on infrastructure, the South could become a "showcase", since the situation was easier there.

**517.** Dr Rice called on Mr Hoon on 27 June.<sup>281</sup> Reflecting on Mr Blair's conversation with President Bush the previous day, she said that they had agreed that "we were

<sup>276</sup> Letter Cannon to Owen, 25 June 2003, 'Iraq: Prime Minister's Meeting, 24 June'.

<sup>277</sup> Annotated Agenda, 25 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting attaching Paper CPA, [undated], 'OCPA Strategic Plan'.

<sup>278</sup> Minutes, 26 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>279</sup> Letter Rycroft to MacDonald, 26 June 2003, 'Prime Minister's Discussion with President Bush, 26 June'.

<sup>280</sup> Letter Rycroft to MacDonald, 26 June 2003, 'Prime Minister's Meeting with Condi Rice, 26 June'.

<sup>281</sup> Letter Williams to MacDonald, 27 June 2003, 'Defence Secretary's Meeting with Condi Rice – 27 June 2003'.

‘doing alright’ so far, but this would soon not be good enough”. She undertook to raise the problem of moving funds from CPA(Baghdad) to CPA(South) in Washington.

**518.** Mr Hoon said that the South could be an example of progress for the whole of Iraq. Dr Rice responded that it was important that the South should be a success.

**519.** Dr Rice asked if the drawdown of UK forces in southern Iraq meant a lessening of UK commitment to the area. Mr Hoon replied that force levels were based on an assessment of the security situation. He added that it was important that “significant funds” for reconstruction flowed into the area if a successful outcome was to be achieved.

**520.** Dr Rice called on Sir David Manning on the same day. Sir David expressed concern about the lack of consultation by the US with the UK.<sup>282</sup> Dr Rice indicated that she had heard about the problems, and had “taken these on board”.

### **Making CPA(South) a model**

**521.** Baroness Amos visited Iraq from 25 to 26 June, the first visit to Baghdad by a Cabinet Minister since the fall of Saddam Hussein’s regime.<sup>283</sup> She met a range of Iraqi officials, a group of Iraqi women, Mr Vieira de Mello, Ambassador Bremer and UK officials.

**522.** In her initial report to Mr Blair on 27 June, Baroness Amos advised that life in Basra had regained an air of normality.<sup>284</sup> However, Iraqi expectations were high; restoring services to pre-war levels would not be enough. CPA(South) was administratively very weak. The UK could make the South “a ‘model’”, but this would require a clear vision of what should be done and strong leadership. Baroness Amos recommended Ambassador Olsen’s immediate replacement.

**523.** Baroness Amos also highlighted the lack of communication between the CPA and the Iraqi people, both in Basra and Baghdad: “Rumours of our intent and motives feed insecurity. People still think we are in it for the oil.”

**524.** On the same day, the FCO advised No.10 that the UK should seek to replace Ambassador Olsen with a UK official, if he carried out his threat to resign.<sup>285</sup> An effective UK official could improve CPA(South)’s performance and give a boost to reconstruction. The UK would in any case probably want to provide a successor to Ambassador Olsen when his tour ended in October. The FCO’s advice was not copied to other government departments.

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<sup>282</sup> Letter Rycroft to McDonald, 27 June 2003, ‘Iraq: Meeting with Condi Rice, 27 June’.

<sup>283</sup> Telegram 56 IraqRep to FCO London, 26 June 2003, ‘Iraq: Baroness Amos Visit’.

<sup>284</sup> Letter Amos to Blair, 27 June 2003, ‘Iraq’.

<sup>285</sup> Letter Owen to Rycroft, 27 June 2003, ‘Iraq: Ambassador Olsen’.

**525.** Baroness Amos appeared before the International Development Committee (IDC) on 30 June.<sup>286</sup> Mr Tony Worthington invited Baroness Amos to clarify the Government's "aspirations" in Iraq, including "about having a sort of British zone", enabled by some devolution of powers from CPA(Baghdad). Baroness Amos replied:

"... we see the South very much as a European zone ... rather than just a British zone. The Italians are coming in soon. There is a Dane [Ambassador Olsen] who is running CPA(South) ... The Coalition effort is now very broad."

**526.** Baroness Amos sent a fuller report of her visit to Iraq to Mr Blair on 2 July.<sup>287</sup> In her covering letter, she advised that security was the "overwhelming – and immediate – priority". The UN planned to scale back the number of international UN staff in Baghdad, from 300 to 200, on security grounds. Baroness Amos commented:

"This will send an extremely negative signal to both Iraqis and the international community and – if it takes effect for more than a few weeks – it will also have a major impact on our recovery and reconstruction effort ... We should look again at the number of troops in theatre and be prepared to put more Coalition (or other international) troops on the ground if that is required."

**527.** Baroness Amos stated that the UK's focus on security in the South (leaving security in Baghdad largely to the US) was not good enough. Security across Iraq was the single most important factor in determining the success or failure of political and reconstruction efforts. The Coalition was running out of time.

**528.** Baroness Amos highlighted three priorities from her report:

- security;
- agreeing a clear timetable for political transition and communicating it to the Iraqi people; and
- "urgent actions to effect palpable, significant and immediate improvements in the lives of the Iraqi people".

**529.** Baroness Amos concluded by asking that Mr Blair raise two issues with President Bush when they spoke the following day:

- the urgent need to grip security in Baghdad; and
- the need for a public and well-communicated timetable for the political transition.

**530.** Baroness Amos's report stated that, in many respects, life in Basra and Baghdad was "returning to normal". In Basra, water and sanitation services were back at pre-conflict levels, a possible cholera epidemic had been contained, the public health

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<sup>286</sup> International Development Committee, Session 2002-2003, *Examination of Witnesses (Questions 60-77)*, 30 June 2003.

<sup>287</sup> [Letter Amos to Blair, 2 July 2003, \[untitled\], attaching Report, \[undated\], 'Iraq: Visit Report'](#).

surveillance system was being re-established, hospitals and clinics were functioning again, and police stations had been refurbished.

**531.** CPA(Baghdad) was functioning more effectively, helped by the good relationship between Mr Sawers and Ambassador Bremer and the arrival of Mr Bearpark. However, across the CPA, there were:

“... still too many people with the wrong skill set – policy focus rather than operational expertise, and insufficient experience of post-conflict developing country situations.”

**532.** Across Iraq, food distribution was going well, salaries had been paid, an interim budget was being developed, the oil sector was recovering well, and Bechtel had completed its assessment of immediate needs and would shortly begin a series of projects.

**533.** The report also identified a number of priorities, including:

- security;
- the justice and security sector;
- the political process;
- kick-starting the economy; and
- better communication with the Iraqi people, to manage expectations and address “conspiracy theories and rumours”.

**534.** The report concluded that “without improved security, little else is possible”. Iraqis were increasingly frustrated with the perceived lack of progress, and “time was running out fast”. The Coalition needed to accelerate progress.

**535.** Baroness Amos made a number of recommendations, including:

“Make CPA(South) a model

- We need to replace Olsen. If that is not possible immediately, we should strengthen the senior management team around him; and provide other staff as required.

...

“Strengthen CPA (Baghdad)

- Provide whatever additional staff are required with the right skill ...

...

“Public Services

- Electricity supply lies at the root of many of the public service problems ... I stand ready to provide additional resources if they are required to support emergency rehabilitation.”

**536.** Baroness Amos' meetings with Mr Vieira de Mello and Ambassador Bremer focused on the political process and are considered in Section 9.2.

**537.** Sir David Manning sent a note to Mr Blair on 2 July, in advance of a video conference between Mr Blair and President Bush, offering advice on the conversation.<sup>288</sup> He stated:

“This is a key exchange.”

**538.** Of the messages that were vital to get across, Sir David identified security as the top priority and suggested (noting that the MOD would probably disagree) a surge of large numbers of troops into Iraq to get through the “security crisis”. This should be accompanied by an accelerated reconstruction programme and a “very vigorous political programme” plus an effective media strategy.

**539.** Cabinet met on 3 July, before the video conference.<sup>289</sup> In the course of the meeting, Mr Straw, Baroness Amos and Mr Hoon all emphasised that security was the main issue. Mr Blair concluded that the UK should make CPA(South) “a model”.

**540.** The video conference took place later that day. In addition to the President and Mr Blair, Mr Hoon, Mr Rumsfeld, Vice President Cheney and senior UK and US officials joined the conference in London and Washington. Ambassador Bremer, Mr Sawers and General Ricardo Sanchez, Commander Combined Joint Task Force – 7, dialled in from Iraq.

**541.** Mr Blair began by congratulating Ambassador Bremer on the “remarkable performance” of the CPA.<sup>290</sup>

**542.** Mr Blair then listed areas of concern, including:

- Security. This was hampering CPA efforts at reconstruction; what more did the CPA need?
- Reconstruction. Mr Blair underlined the urgency of rebuilding power and water infrastructure and asked whether there were particular obstacles that needed to be removed. He observed that Iraqi public expectations were outrunning the CPA's capacity to respond.
- Communications. It was essential to improve the CPA's capacity to communicate with the people of Iraq and handle the local and international media.

**543.** Mr Blair concluded that the UK would do its “level best to meet any demand for additional resources. If there were any obstacles that needed clearing, Sawers/Bremer should tell him.”

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<sup>288</sup> [Minute Manning to Prime Minister, 2 July 2003, 'Iraq: Your Video Conference with President Bush'](#).

<sup>289</sup> Cabinet Conclusions, 3 July 2003.

<sup>290</sup> Letter Cannon to McDonald, 3 July 2003, 'Iraq: Prime Minister's Video-Conference with President Bush, 3 July'.

**544.** The AHMGIR met later on 3 July, chaired by Mr Hoon.

**545.** The Annotated Agenda for the meeting, prepared by the Cabinet Office, reported that the security situation was “constraining the reconstruction work of the CPA, the UN and other international actors”.<sup>291</sup> As a result of security concerns, UK CPA secondees were operating a night-time curfew.

**546.** On CPA(South), the Annotated Agenda stated that Ambassador Olsen was leaving soon; the UK was looking for a strong UK replacement. There had been some progress in resolving funding and other issues between CPA (South) and CPA(Baghdad), but operational funding had still not arrived.

**547.** In discussion, Ministers said that “there was no need, at present, to increase UK forces”.<sup>292</sup>

**548.** Mr Hoon, as Chair of the AHMGIR, summed up the discussion stating “real improvements [in security] would depend in part on progress on political reform and reconstruction”.

**549.** The AHMGIR was also provided with:

- a draft UK Action Plan covering “political reform, security, economic and physical reconstruction” for June to September 2003, which had been produced by the DFID-led IROG;
- the statement of progress on rehabilitation which they had requested at their previous meeting (on 26 June);
- a paper from the Department for Environment, Food and Rural Affairs (DEFRA) on environmental reconstruction; and
- a paper from the MOD on the clearance of unexploded ordnance (UXO) and depleted uranium (DU).<sup>293</sup>

**550.** The draft UK Action Plan listed existing and planned activities to the end of September 2003 which, taken together, and assuming continued engagement by the US, UN and IFIs, should lead to tangible progress towards the strategic objective of:

“A free Iraq at peace with its neighbours and governed by a Government representative of all strands of society.”<sup>294</sup>

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<sup>291</sup> Annotated Agenda, 3 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>292</sup> Minutes, 3 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>293</sup> Annotated Agenda, 3 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting attaching Paper MOD, 2 July 2003, ‘Current policies and activities relating to clearance of unexploded ordnance (UXO) and depleted uranium (DU) in Iraq’ and Paper DEFRA, 1 July 2003, ‘Environmental Reconstruction in Iraq’.

<sup>294</sup> Annotated Agenda, 3 July 2003, Ad Hoc Group on Iraq Rehabilitation Meeting attaching Paper [draft], 2 July 2003, ‘Iraq Rehabilitation Plan June – September 2003’.

**551.** The Action Plan defined objectives, indicators and activities (ranging from sending secondees to the CPA to joint UK-Iraqi patrolling in Basra) in nine areas:

- political process;
- strategic communications;
- public administration;
- law and order;
- needs of the vulnerable;
- repairs to public infrastructure;
- oil industry;
- economic management; and
- medium term needs assessment.

**552.** The statement of progress on rehabilitation, which had been produced by “officials in London, in liaison with colleagues in Iraq”, listed key issues, “current facts”, “UK inputs” and “next steps” in six areas:

- security;
- public infrastructure;
- public administration;
- humanitarian relief;
- macro-economic issues; and
- the political process.<sup>295</sup>

**553.** Ministers endorsed the draft Action Plan and agreed that they should receive weekly statements of progress, with baselines added.<sup>296</sup>

**554.** The Annotated Agenda for the AHMGIR stated that Iraq faced a range of environmental problems as a result of successive conflicts, poor environmental management under Saddam Hussein, and limited regional co-operation on natural resource management.<sup>297</sup> Ministers were invited to agree that:

- Environmental reconstruction and sustainable development issues should be factored into UK, Coalition and international policy towards Iraq.
- The UK should support the work of the UN Environment Programme (UNEP), including by considering part-funding their post-conflict assessment.
- The UK should tackle UXO and DU on the basis of the scale of risk posed to the Iraqi population.

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<sup>295</sup> Minute Dodd to Cannon, 4 July 2003, ‘Iraq: Rehabilitation’.

<sup>296</sup> Minutes, 3 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>297</sup> Annotated Agenda, 3 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

- Notwithstanding the lack of legal obligation, the UK should mark and clear up expended surface but not sub-soil DU “on an opportunity basis”.

**555.** The Annotated Agenda stated that the UK was assisting explosive clearance by providing information, advice and £5m in DFID funding to UN agencies and NGOs. The MOD was providing information on sites where DU had been used to international agencies and local communities.

**556.** Ministers agreed that:

- Environmental issues should be factored into overall policy towards Iraq and that the UK should consider part-funding the UNEP assessment.
- The UK should tackle depleted uranium (and unexploded ordnance) “on the basis of the scale of risk posed to the Iraqi population, but clear up depleted uranium from the surface”.<sup>298</sup>

### The focus of the CPA’s media operations

Mr John Buck deployed to Iraq at the end of May 2003, as the CPA’s interim Director of Strategic Communications.

He provided an assessment of the CPA’s communication effort on his departure from Baghdad at the end of June.<sup>299</sup> Considerable progress had been made. A single structure had been established and a single information campaign (focusing on getting the Iraqi people accurate messages about key CPA policies on security, the economy, and infrastructure and salary payments) had been agreed. The major challenge was to ensure that this new structure was fully staffed; a successor to Mr Buck had not yet been nominated.

Mr Buck told the Inquiry that, at the time he left Iraq, there was an “embryo” of an effective CPA media operation.<sup>300</sup> However, from his perspective as the new FCO Director Iraq, that operation subsequently became much less effective:

“... it was something we [the FCO] agonised over a lot, but it was never something that we had a great deal of control over, and I think part of the problem was that over time during the autumn, the focus of the US became very much the Presidential elections. So the whole focus of the media operation became far more domestic ... relaying back to the US what was happening [rather] than actually communicating with the Iraqi people.”

Mr Andy Bearpark, CPA Director of Operations and Infrastructure, echoed that assessment, and also set out the danger of not communicating effectively with the Iraqi people:

“At that stage ... the CPA strategic communications effort was entirely directed at the American people. So there was an enormous effort to explain back to the States what was happening, but zero effort to explain to the Iraqi people what was happening.

<sup>298</sup> Minutes, 3 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>299</sup> Telegram 53 IraqRep to FCO London, 25 June 2003, ‘Iraq: CPA: Getting the Message Across’.

<sup>300</sup> Public hearing, 31 January 2011, page 101.

“ ... In that atmosphere, it means that myths can grow very, very quickly and in very dangerous ways. So one myth that grew, which is absolutely ludicrous ... was that the electricity was in fact being produced but it was being stolen by the Americans.”<sup>301</sup>

**557.** On 7 July, Ambassador Bremer announced:

- He had approved the interim Iraqi budget for 2003.<sup>302</sup>
- The Coalition would print and distribute new banknotes for Iraq, to replace both the “Swiss Dinar” (used in the Kurdish North of Iraq) and the “Print Dinar” (used elsewhere) by mid-January 2004. The Print Dinar was inconvenient to use, coming in only two denominations, and easy to counterfeit. Swiss Dinar banknotes had been in circulation since at least 1990, and were falling apart.
- The Central Bank of Iraq was now independent.<sup>303</sup>

**558.** Mr Brown was briefed by a Treasury official the following day that UK officials had helped to develop the interim budget and the plan to print and distribute new banknotes.<sup>304</sup> Both decisions should help to establish macroeconomic stability in Iraq. Earlier UK concerns over the legitimacy of printing a new currency had been met. The UK had not been consulted over the decision to make the Central Bank independent; the Treasury had not been expecting the announcement.

**559.** The Annotated Agenda for the 10 July meeting of the AHMGIR reported those changes:

“Bremer has also announced the independence of the Iraqi Central Bank ... the announcement has taken all by surprise. It is not clear if De Mello was fully consulted ... We are trying to clarify the situation.”<sup>305</sup>

## Establishing a British Fiefdom in the South, July 2003

**560.** In July, the UK Government sought to replace Ambassador Olsen as Head of CPA(South) with a British official but did not address the implications, including the resource implications, of that decision.

**561.** Sir Michael Jay reported to FCO and IPU colleagues on 7 July that he had discussed Ambassador Olsen’s future with his Danish colleague, Mr Friis Petersen.<sup>306</sup>

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<sup>301</sup> Public hearing, 6 July 2010, pages 23-24.

<sup>302</sup> Coalition Provisional Authority, Press Release, 7 July 2003, *Text of Ambassador Bremer’s Address to the Iraqi People: Budget and Banknotes*.

<sup>303</sup> Coalition Provisional Authority, Order No. 18, 7 July 2003, *Measures to Ensure the Independence of the Central Bank of Iraq*.

<sup>304</sup> Minute Treasury [junior official] to Chancellor, 8 July 2003, ‘Iraq: Announcements on Currency and Budget for 2003’.

<sup>305</sup> Annotated Agenda, 10 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>306</sup> Minute Jay to Chaplin, 7 July 2003, ‘Ambassador Olsen’.

**562.** Sir Michael asked colleagues for advice on possible successors to Ambassador Olsen. Sir Michael commented that, while he could “see the arguments” for a British replacement, the UK should “at least consider” appointing someone other than a US or UK citizen, to demonstrate the international dimension to Iraq’s reconstruction.

**563.** Mr Neil Crompton, Mr Chilcott’s successor as Head of the IPU, replied on 9 July.<sup>307</sup> He recalled that Sir Michael had discussed the question of whether to seek a British or international replacement with Mr Chaplin and others, and had concluded that the FCO should seek a British replacement. That conclusion had strong support across Whitehall:

“... where there is desire for a leader with strong political and managerial skills, who can gain Bremer’s trust, and lead the whole operation in the British AOR.”

**564.** Mr Crompton identified a number of possible candidates for Ambassador Olsen’s successor, including Sir Hilary Synnott.

**565.** The Annotated Agenda for the 10 July meeting of the AHMGIR invited Ministers to note and agree that the UK should:

**“... increase our effort in CPA (South) as required. This should include replacing Ambassador Olsen with a suitably strong UK figure.”**<sup>308</sup>

**566.** The AHMGIR agreed:

- Secondments to the CPA should be maintained at “approximately the current level”, but matched more closely to requirements, with more specialist than policy staff.
- The UK effort in CPA(South) should be increased “as required”, including through the appointment of a “suitably strong UK figure” to replace Ambassador Olsen.<sup>309</sup>

**567.** Multi-National Division (South-East) (MND(SE)) was formally established on 12 July, coinciding with the handover from 1 (UK) Div to 3rd (UK) Mechanised Division.<sup>310</sup>

**568.** The 16 July Chiefs of Staff meeting commented:

“Although mindful of the Prime Minister’s imperative for exemplar operations in the South, the strong advice from UK representatives in the CPA was for the UK to spread its influence and thus avoid being left to run the South without strong links to US resources.”<sup>311</sup>

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<sup>307</sup> Minute Crompton to FCO [junior official], 9 July 2003, ‘Iraq: Replacement for Ambassador Olsen’.

<sup>308</sup> Annotated Agenda, 10 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>309</sup> Minutes, 10 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>310</sup> Report Lamb, 30 January 2004, ‘Post Operational Tour Report – Version 1 Operation Telic 2/3 11 July to 28 December 2003’.

<sup>311</sup> Minutes, 16 July 2003, Chiefs of Staff meeting.

**569.** The Annotated Agenda for the 17 July meeting of the AHMGIR stated that the CPA had decided to create Governorate Teams (GT) in each of Iraq's 18 governorates.<sup>312</sup> The UK was likely to be asked to provide leaders for four of those GTs.

**570.** The Annotated Agenda reported that Mr Bearpark recommended against concentrating the UK contribution to GTs in the four southern governorates on the grounds that an all-UK sector might have more difficulty in accessing funds from Baghdad.<sup>313</sup> A spread of representation would also give the UK sight of developments across Iraq.

**571.** At the meeting, Ministers were informed that Sir Hilary Synnott, a former British High Commissioner to Pakistan, had been appointed as Head of CPA(South), to succeed Ambassador Olsen.<sup>314</sup>

**572.** Ministers agreed that the UK should shift emphasis over time from regional areas of operation to governorates and should explore the possibility of leading two teams in CPA(South East) and one each in CPA(South) and CPA(North). Ministers requested firm recommendations for the following week.

**573.** The 24 July meeting of the AHMGIR agreed that the UK would offer to lead four GTs, two in the South East, one in the Kurdish area, and one elsewhere in the Sunni area "but not in the less stable central areas around Baghdad".<sup>315</sup>

**574.** By 25 July, close to 100 UK personnel were seconded to the CPA, 30 of them in Basra. Section 15.1 describes UK staffing for the CPA in more detail.

### **CPA's 'Vision for Iraq' and 'Achieving the Vision' implementation plan**

**575.** Officials had agreed in June that the UK should contribute to the development of the CPA's strategy, rather than develop a strategy of its own.

**576.** Mr Sawers reported on 6 July, as part of a general update of developments in the CPA, that the CPA's strategic plan was at an advanced stage of drafting and in "pretty good shape".<sup>316</sup> UK officials were feeding in concerns that it needed to be clearer about the scope for economic change, and to give a higher profile to the UN's "independent role".

**577.** The IPU welcomed the news, commenting that it had thought the strategic plan was "lost in the weeds".<sup>317</sup>

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<sup>312</sup> Annotated Agenda, 17 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>313</sup> Annotated Agenda, 17 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting attaching Paper Iraq Policy Unit, 14 July 2003, 'Ad Hoc Ministerial Meeting: 17 July, (Annex C) Future Staffing of the CPA'.

<sup>314</sup> Minutes, 17 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>315</sup> Minutes, 24 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>316</sup> Telegram 69 IraqRep Baghdad to FCO London, 6 July 2003, 'Iraq: CPA Activity'.

<sup>317</sup> Telegram 27 FCO London to IraqRep Baghdad, 7 July 2003, 'Iraq Priorities'.

**578.** The Iraqi Governing Council met for the first time on 13 July (see Section 9.2). The CPA and the Governing Council agreed that the CPA would be “required to consult” the Governing Council on “all major decisions and questions of policy”.

**579.** Mr Blair visited Washington on 17 July.<sup>318</sup> Mr Blair urged President Bush to focus on a media strategy for communicating with the Iraqi people, to ensure they understood that the US and UK were there to help and were improving basic services. It was those opposed to Coalition Forces who were responsible for the power shortages. Mr Blair proposed that UK and US media professionals should work out a media plan. If more resources were needed, they should be made available.

**580.** Mr Blair said that if security could be improved, the pace of reconstruction could quicken.

**581.** The Annotated Agenda for the 17 July meeting of the AHMGIR advised that the CPA’s ‘Vision for Iraq’ had been finalised.<sup>319</sup> Although not perfect, it met the UK’s (unspecified) “basic requirements”.

**582.** *Hard Lessons* recorded that senior Pentagon officials had approved the CPA’s ‘Vision for Iraq’, which had been drafted by the CPA’s Office of Strategic Planning, on 18 July.<sup>320</sup>

**583.** The ‘Vision for Iraq’ was underpinned by an implementation plan, ‘Achieving the Vision to Restore Full Sovereignty to the Iraqi People’, which was circulated to members of Congress on 23 July.<sup>321</sup>

**584.** ‘Achieving the Vision’ defined the CPA’s “primary goal” as:

**“... a unified and stable, democratic Iraq that provides effective and representative government for the Iraqi people; is underpinned by new and protected freedoms and a growing market economy; is able to defend itself but no longer poses a threat to its neighbours or international security.”<sup>322</sup>**

**585.** It defined four “principal objectives or ‘core foundations’”:

- security – establishing a secure and safe environment;
- essential services – restoring essential services to an acceptable standard;
- economy – creating the conditions for economic growth;
- governance ...”

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<sup>318</sup> Letter Rycroft to Adams, 18 July 2003, ‘Prime Minister’s Visit to Washington, 17 July’.

<sup>319</sup> Annotated Agenda, 16 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>320</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>321</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>322</sup> Paper CPA, 21 July 2003, ‘Achieving the Vision to Restore Full Sovereignty to the Iraqi People’.

**586.** *Achieving the Vision* also defined a large number of subsidiary objectives, and set targets for those objectives for October 2003, January 2004 and “February 2004 onwards”. The target for power generation was to generate 4,000MW by October 2003 and 5,000MW by January 2004 (from a base of 2,700MW in May 2003).

**587.** *Hard Lessons* assessed:

“The CPA’s *Achieving the Vision* suffered from some serious flaws. First, Iraqis were not sufficiently consulted on it. The Iraqi Governing Council ... was never given a chance to provide advice on it ... The CPA also had established overly ambitious infrastructure outcomes before ascertaining baseline conditions and before determining costs. Moreover, the outcomes had unrealistic completion dates, some by October 2003, just three months later.”<sup>323</sup>

**588.** The Inquiry asked Mr Bearpark if the CPA saw the ‘Vision for Iraq’ as a framework for delivering an international or just a Coalition reconstruction effort.<sup>324</sup> He replied:

“Paradoxically, I think both of those things are true. I think in terms of designing of the strategy, that was – it was nothing to do with the Coalition. It was a purely American-led document. So this was the American vision of what should happen, what the objectives should be.

“There was, however, even at that stage, a recognition on the part of the CPA that the delivery of these objectives would, in some cases, be impossible without the wider involvement of the international community.

“So if you like, the CPA viewed the international community as having no role whatsoever in terms of setting the objectives, but as having a fairly useful role in terms of delivering some of the objectives, and the easiest way of expressing that would, as ever, be, in financial terms ...”

**589.** In his memoir, Sir Hilary Synnott, who would take up post as Head of CPA(South) on 30 July, recalled:

“My task was to do my best to manage the region according to Bremer’s plans. Bremer had the awful task of formulating the plan itself ... I forced myself to sit down and try to read the Vision’s electronic manifestation ... The trouble was it did not amount to an operational plan of action, only a list of subsidiary objectives under each of these headings. There were no indications about how in practice they would be achieved: no details of funding, of personnel involved, of support systems or of timing. It was particularly notable that the ultimate objective, of handing full sovereignty back to the Iraqi people, had no timing attached to it at all.”<sup>325</sup>

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<sup>323</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>324</sup> Public hearing, 6 July 2010, page 25.

<sup>325</sup> Synnott H. *Bad Days in Basra: My Turbulent Time as Britain’s Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

**590.** Ms Emma Sky, CPA Governorate Co-ordinator in Kirkuk from June 2003 to February 2004, told the Inquiry that she had not been engaged in development of the ‘Vision for Iraq’ or ‘Achieving the Vision’:

“I recall ... in September 2003 going down to Baghdad [for Mr Bremer’s monthly meeting of commanders and Governorate Co-ordinators] ... and there was a CPA strategy that was, ‘This is what we are going to do’, but none of us had known about it before, weren’t involved in the development of it.”<sup>326</sup>

**591.** On 23 July, the DFID Office in Basra produced a ‘Review of the Humanitarian Situation and DFID-Funded Operations in the Lower South Area of Iraq’.<sup>327</sup> The Review, which had been developed in consultation with CPA(South), the UK military, Iraqi government bodies, UN agencies, the ICRC and NGOs, described itself as:

“...the first comprehensive operational monitoring exercise undertaken by DFID in the lower South since the conflict.”

**592.** In the Review, DFID concluded that the humanitarian phase of operations had rapidly passed, although some elements of humanitarian vulnerability remained. Despite continuing insecurity, a tendency by some agencies to over-assess and under-implement, an over-emphasis on Basra at the expense of other provinces, and poor co-ordination within the South and between the South and Baghdad, significant progress had recently been made “in providing quick-fixes to immediate problems, and in finally gearing up the ... reconstruction process”.

**593.** DFID assessed that the new CPA model – whereby CPA(Baghdad) would deal directly with each governorate through CPA Governorate Teams (GTs), rather than indirectly through CPA regional offices such as CPA(South) – was more consistent with Iraq’s existing centralised model of government. CPA(South) would continue to exist, but as a “regional hub” providing expertise to the four governorates, and without explicit authority. DFID commented:

“Such a dramatic change in direction typifies the uncertain and ad hoc evolution of the CPA ... and whilst eminently sensible, poses an entirely new set of challenges in terms of establishing and staffing ... and ensuring that four offices rather than just one receive adequate support and guidance from Baghdad.”

**594.** Security remained the single most important factor in determining progress on reconstruction. The security situation remained “at best fragile, at worst anarchic”, fuelled by rising expectations, poor service provision and criminality. There had been some improvements in recent weeks, including the deployment of small numbers of Iraqi police onto the streets.

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<sup>326</sup> Public hearing, 14 January 2011, page 7.

<sup>327</sup> [Paper DFID-Basrah, 23 July 2003, ‘Review of the Humanitarian Situation and DFID-Funded Operations in the Lower South Area of Iraq’.](#)

**595.** The Review also provided a detailed assessment of the state of health services, nutrition and food distribution, water supply, sanitation, power, infrastructure, education services, agriculture and livestock, Internally Displaced People (IDPs) and refugees, mines and unexploded ordnance, public information, and co-ordination.

**596.** On co-ordination in the South, DFID advised that the UN and CPA remained “at arms length” leading to a dysfunctional approach in the South and no real leadership:

“The elements of an effective strategy are distributed among the players and co-ordination is not yet sufficient to harness resources (primarily USAID contractors), and experience (UN) under the current authority (CPA).

...

“The shadow of Baghdad looms over all co-ordination issues, with local solutions regularly undermined by unilateral decisions or lack of direction from the centre.”

**597.** DFID assessed that the decision to establish GTs had further undermined CPA(South)’s ability to exert its authority.

**598.** The Inquiry has seen no indications that the Review was circulated to other departments.

**599.** Mr Sawers’ 28 July valedictory report from Baghdad offered a generally positive assessment of progress in the three months since the invasion.<sup>328</sup> He commented:

“The Coalition didn’t exactly help itself. The needs of the post-conflict planning never received sufficient attention ... We wasted not only the first month after Saddam fell, but also the six months before that when we should have been planning realistically.”

**600.** There was real progress on security, the political process and the economy (salaries were being paid, food was being distributed, commerce on the street was lively, and there was a strong commitment to economic reform backed by the World Bank and the IMF). Although there was still a long way to go in all three areas:

“... the CPA under Jerry Bremer has plans in place on all fronts. ‘Drift’ isn’t a word in his vocabulary. We may only be at the five mile mark in this marathon, but the route ahead is mapped out, and the runners know what they have to do.”

**601.** Mr Sawers did not consider the progress in the South.

**602.** Mr David Richmond succeeded Mr Sawers as the Prime Minister’s Special Representative on Iraq on an interim basis, and remained in post until Sir Jeremy Greenstock arrived in September (see Section 9.2). Mr Richmond remained in Iraq as Sir Jeremy’s deputy.

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<sup>328</sup> Telegram 101 IraqRep to FCO London, 28 July 2003, ‘Iraq: How Far Have We Come?’.

**603.** Mr Blair and President Bush spoke by telephone on 31 July.<sup>329</sup> The conversation turned to the media, and Mr Blair commented that better Iraqi media would make a difference in achieving accurate reporting of events in Iraq. They agreed that if there was no real improvement in a couple of weeks “top level US/UK media people” would be asked to work up and implement a plan.

**604.** Mr Hoon’s Private Secretary wrote to Mr Rycroft on 4 August to advise him that MOD Ministers had agreed that an additional (130-strong) infantry company and a small (30-strong) riverine capability were required in Iraq (see Section 9.2).<sup>330</sup> The letter stated:

“Paradoxically we are having to deploy more personnel partly because our reconstruction efforts are being successful (there is more worth securing and more civil activity to safeguard).”

### **Sir Hilary Synnott arrives in Basra, 30 July**

**605.** Ambassador Olsen resigned as Head of CPA(South) on 28 July.<sup>331</sup>

**606.** Sir Hilary Synnott arrived in Basra on 30 July.<sup>332</sup>

**607.** At that time, the UK had approximately 100 officials seconded into the CPA, including 30 in CPA(South) (see Section 15.1).

**608.** Shortly before he deployed, Sir Hilary called on Mr Blair.<sup>333</sup> In his evidence to the Inquiry, Sir Hilary recalled that during that meeting he had pointed out that he would have no secure communications in Basra. The Inquiry has not seen a record of that meeting.

**609.** Sir Hilary told the Inquiry that he had several Terms of Reference:

- formal Terms of Reference, agreed by Ambassador Bremer;
- “the British Government’s idea of what my responsibilities should be”, which were not shown to Ambassador Bremer and related to keeping London informed; and
- “some objectives” set personally by Mr Blair, which included the statement that “if I had any difficulties at all, I should let him know personally”.<sup>334</sup>

**610.** In his memoir, Sir Hilary described the first and second of those Terms of Reference:

“My mission statement ... entailed giving ‘leadership and direction’ to the work of the CPA in the four southern provinces; and it also required me to give a political context

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<sup>329</sup> Letter Rycroft to Adams, 31 July 2003, ‘Iraq: Prime Minister’s Conversation with Bush, 31 July’.

<sup>330</sup> [Letter Latham to Rycroft, 4 August 2003, ‘Iraq: Force Level Review’.](#)

<sup>331</sup> *Iraq Report*, 1 August 2003, *Southern Iraq Administrator leaves post*.

<sup>332</sup> Synnott H. *Bad Days in Basra: My Turbulent Time as Britain’s Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

<sup>333</sup> Public hearing, 9 December 2009, page 10.

<sup>334</sup> Public hearing, 9 December 2009, pages 4-5.

to the work of the military commanders in the South. I would be ‘accountable directly to Ambassador Bremer’.

“But there was also a covering letter, marinated in subtleties. From a Whitehall perspective, it read, despite [Ambassador] Bremer’s decision to create 18 Provincial Co-ordinators who reported directly to him, ‘the UK Supremo in the South concept still holds.’”<sup>335</sup>

**611.** The Inquiry has not seen that covering letter.

**612.** Mr Blair told the Inquiry:

“I was always very clear with our people out there, ‘If you have got a real problem, pick up the phone, if necessary, and if you start to get messed around with bureaucracy, come to me directly’.”<sup>336</sup>

**613.** Sir Hilary told the Inquiry that he did not take up Mr Blair’s offer to call him, but said that his reporting telegrams were directed at No.10 and Ministers (rather than middle-ranking officials).<sup>337</sup>

**614.** On his third day in Iraq, Sir Hilary called on Ambassador Bremer in Baghdad:

“... he [Bremer] didn’t give me any instructions, so I offered him three priorities, which he agreed with. The first was I needed to find out what Baghdad’s priorities were, which we didn’t know in the South. The second was to make sure that our priorities ... in the South were consistent with Baghdad’s priorities, and the third was to change the location of where we worked, which was in every sense dangerous to health, and for that I got tremendous support from Baghdad.

“Ultimately, we continued really to have no direction from Baghdad, which was a pity in one sense but a blessing in another, because unless I had an instruction not to do something, I felt able to do whatever we were able to do.”<sup>338</sup>

**615.** In his memoir, Sir Hilary wrote:

“I was particularly surprised and dismayed in my first encounters in Baghdad with the lack of interest in the political and social situation in the four southern provinces, and by Bremer’s declared intention to concentrate exclusively on Baghdad.”<sup>339</sup>

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<sup>335</sup> Synnott H. *Bad Days in Basra: My Turbulent Time as Britain’s Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

<sup>336</sup> Public hearing, 29 January 2010, page 189.

<sup>337</sup> Public hearing, 9 December 2009, pages 14-15.

<sup>338</sup> Public hearing, 19 December 2009, pages 44-45.

<sup>339</sup> Synnott H. *Bad Days in Basra: My Turbulent Time as Britain’s Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

**616.** Sir Hilary reported his first impressions from Basra on 7 August.<sup>340</sup> He wrote that CPA(South) was not well thought of in the CPA. Mr Bearpark had told him that it was the least effective of the CPA's regional offices "by a long way". Feelings in CPA(South) about CPA(Baghdad) were equally negative. Sir Hilary assessed that much of the problem stemmed from poor communication in both directions, leading to a high level of mutual misunderstanding.

**617.** In that context, Sir Hilary reported:

"I have no secure communication at all with Baghdad or London (both deficiencies are now on their way to being rectified, although I may yet call for a push from the FCO); e-mails are usually by means of free Yahoo or Hotmail ISPs; there are no telephone landlines; mobile coverage is sketchy, which leaves a few sat[ellite] phones. All of this should have improved by the end of the month."

**618.** Sir Hilary also reported that Ambassador Bremer had agreed his three "procedural priorities":

- to improve the information flow and consultation between Baghdad and Basra;
- to set priorities for work in the South, in line with wider CPA objectives; and
- to upgrade living and working conditions in CPA(South).

**619.** On the second point, Sir Hilary reported that he had agreed a proposal from Major General Graeme Lamb, GOC MND(SE), to establish a Joint Co-ordination Board comprising the UK Division, CPA(South) and the UN. The first meeting had revealed a "heartening commonality of approach and attitude".

**620.** Sir Hilary wrote in his memoir that his arrival, along with the British military command of MND(SE), established "some sort of British Fiefdom" in the South, but one which he saw as "still entirely dependent on American resources for its lifeblood".<sup>341</sup>

**621.** Sir Hilary told the Inquiry that one major benefit of his appointment as Head of CPA(South) was that he and Maj Gen Lamb were able to work "formally very close together", increasing their influence with the CPA and London.<sup>342</sup> One difficulty was the tendency of some UK Cabinet Ministers to make public statements about the UK's exemplary approach in the South, which overlooked CPA(South)'s dependence on US financial resources:

"... I know that the Americans in Baghdad were pretty upset with this British ... boasting. As I was, because I was worried that this would freeze up the flow of resources."

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<sup>340</sup> [Telegram 42 FCO to UKRep Iraq, 7 August 2003, 'Iraq: Basra: First Impressions and Work in Hand'](#).

<sup>341</sup> Synnott H. *Bad Days in Basra: My Turbulent Time as Britain's Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

<sup>342</sup> Public hearing, 9 December 2009, pages 11-12.

**622.** The Inquiry asked Mr Bearpark if the UK's assumption of "lead responsibility" for the South had given rise to an American assumption that the UK would provide a higher level of financing for CPA(South) than it did.<sup>343</sup> Mr Bearpark said that at a senior level the US believed that the UK was making a "reasonable and fair contribution" in the South, in terms of both personnel and funding. There was a problem, however, at the "middle level", which was exacerbated by repeated stories in the UK media that the US could learn from the exemplary job that the UK was doing in the South:

"A result of that was that ... there were certainly American officials within CPA(Baghdad) who would say to me, 'Look, why are you coming whinging at us yet again ... to try to get some resources for CPA(South)? You Brits know how to do it so well, why don't you fund it as well, if you are that clever about it?'"

**623.** Mr Bearpark also told the Inquiry that, while in theory his responsibilities included staffing, life support and the flow of funds to all CPA regional offices, in practice there was "a big difference between CPA(South) ... and the other CPA regional offices, because CPA(South) was British and run in a particular way ... as a British operation".<sup>344</sup>

**624.** Sir Jeremy Greenstock told the Inquiry:

"... I think we did a good job in the early stages in Basra. But we [the UK] were very short of money, and we got virtually no American money because DFID concentrated on that. The Americans said let the Brits look after Basra."<sup>345</sup>

## Responding to deteriorating security

**625.** Security in Iraq deteriorated in August 2003. Concerns about progress on reconstruction in the South and the implications for the level of consent enjoyed by UK forces led the UK to develop the Essential Services Plan, which aimed to improve essential services rapidly and visibly.

**626.** On 10 and 11 August, Basra experienced severe rioting.<sup>346</sup> Mr Richmond reported:

"The immediate cause of the disturbances is clear. Supplies of petrol and diesel in Basra's service stations ran out on 9 August ... This was combined with a major blackout in Basra because of a failure in the transmission line which rippled through the entire system. (The system is so fragile that the only surprise is that it has not happened before.)

"There is no doubt that political elements ... exploited the situation ... There is also some evidence of pre-planning ... But without the fuel and electricity crisis agitators would not have found much purchase."

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<sup>343</sup> Public hearing, 6 July 2010, page 75.

<sup>344</sup> Public hearing, 6 July 2012, pages 5 and 7.

<sup>345</sup> Private hearing, 26 May 2010, page 54.

<sup>346</sup> Telegram 114 IraqRep to FCO London, 12 August 2003, 'Situation in Basra'.

**627.** A Cabinet Office update for Ministers on 14 August reflected the same analysis:

“... the Basra demonstrations are evidence of increasing frustration with the Coalition’s failure to restore basic services. Attacks on MND(SE) are widening.”<sup>347</sup>

**628.** Sir Hilary Synnott wrote in his memoir:

“... Riots erupted outside our Electricity Accounts building. Instead of just stones and rocks, there was now gunfire ...

... Within a day, however, the Army had stepped in to organise the fuel distribution network ... The violence subsided to a normal level as quickly as it had blown up.”<sup>348</sup>

**629.** Lieutenant General Robert Fry, Deputy Chief of Defence Staff (Commitments), advised the Chiefs of Staff on 18 August:

“Iraqi consent to the Coalition presence in MND(SE) is declining because supplies of fuel, power and water are failing to meet expectations.”<sup>349</sup>

**630.** He reported that UK troops were being diverted to “fuel security” tasks; 19 Mechanised Brigade was now dedicating four patrols to fuel security tasks for every one patrol to general security tasks.

**631.** Lt Gen Fry identified three courses of action for the UK:

- accelerate reconstruction by the CPA;
- step in to lead the reconstruction effort in MND(SE); or
- step in temporarily to alleviate the situation, before handing over to the CPA/Iraqi ministries.

**632.** Lt Gen Fry concluded that if an acceleration of the CPA’s reconstruction effort did not check the deterioration, then a shift to the third course of action would be essential.

**633.** The Chiefs of Staff meeting on 20 August agreed that the first course of action should be pursued, although contingency planning should be undertaken for the third course of action.<sup>350</sup>

**634.** An update for the AHMGIR, produced on 20 August, advised that Basra was now calmer, although that calm might be “short-lived if the Coalition cannot maintain at least the current level of service delivery”.<sup>351</sup> Security across MND(SE) remained volatile, and security concerns had led to the withdrawal of Japanese staff in CPA(South).

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<sup>347</sup> Letter Drummond to Owen, 14 August 2003, ‘Iraq: Update for Ministers’ attaching Paper Cabinet Office, 14 August 2003, ‘Iraq: Update for Ministers, 14 August 2003’.

<sup>348</sup> Synnott H. *Bad Days in Basra: My Turbulent Time as Britain’s Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

<sup>349</sup> Minute DCDS(C) to COSSEC, 18 August 2003, ‘Essential services in MND(SE)’.

<sup>350</sup> Minutes, 20 August 2003, Chiefs of Staff meeting.

<sup>351</sup> Paper Cabinet Office, 20 August 2003, ‘Iraq: Update for Ministers, 21 August 2003’.

**635.** Concern over the apparent failure of the CPA's plans to restore electricity prompted Mr Richmond to commission Mr Nick Horne, a UK consultant working in the CPA, to produce a report on electricity supply problems in the Basra area.<sup>352</sup>

**636.** Mr Horne's report identified the immediate causes of the blackout across the Basra area on 9 August, and made recommendations to address them.<sup>353</sup> It also identified the medium- and long-term measures required to accelerate restoration of a reliable supply of electricity across Iraq.

**637.** Mr Richmond sent copies of the report to the FCO, the MOD, DFID, the DTI and the Cabinet Office on 20 August.<sup>354</sup> He commented:

“Iraq’s electricity infrastructure suffered decades of neglect. Though little damaged by the war, subsequent looting and sabotage have caused massive damage to transmission lines. This goes some way to explain why electricity supplies have been so unreliable. But Coalition plans to restore power to pre-war levels were not properly staffed, funded or implemented. Two or three months have been largely wasted.”

**638.** Mr Richmond reported that the CPA's electricity team was small (eight people, of whom only three were specialists) and poorly managed. In contrast, a UN project in northern Iraq employed 80 international experts and several thousand Iraqis to run a small network that relied on a single hydro-electric power station.

**639.** The CPA had been working to a plan to achieve pre-war levels of generation (4,400MW) by the end of September. That plan comprised “a single sheet [of paper] with no activities, timescales, parts requirements etc”.

**640.** Mr Richmond suggested that the riots in Basra had drawn attention to the CPA's failure to meet electricity targets. Ambassador Bremer had been “horrified” by Mr Horne's report and had directed that a “proper plan” should be developed. A revised plan to generate 4,400MW by the end of September had now been agreed; a plan to generate 6,000MW (Iraq's estimated need) by May 2004 was being developed.

**641.** Mr Richmond recommended that the UK should support this effort by providing technical experts in a number of areas.

**642.** Mr Richmond also reported that a major conference would take place at CENTCOM Headquarters at the end of August to discuss electricity and oil.

**643.** On 19 August, the UN Headquarters at the Canal Hotel, Baghdad, was bombed; 22 UN staff and visitors including Mr Vieira de Mello were killed (see Section 9.2).

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<sup>352</sup> Telegram 128 IraqRep to FCO London, 20 August 2003, ‘Iraq: Electricity: What Went Wrong and What is Being Done’.

<sup>353</sup> Report Horne, 12 August 2003, ‘Report on the Electrical Problems in the Basrah Area’.

<sup>354</sup> Telegram 128 IraqRep to FCO London, 20 August 2003, ‘Iraq: Electricity: What Went Wrong and What is Being Done’.

**644.** One member of DFID staff was slightly injured in the attack.<sup>355</sup>

**645.** The Annotated Agenda for the 28 August meeting of the AHMGIR reported that:

“World Bank and IMF Missions, which were working from the UN building, have been withdrawn. A number of NGOs are withdrawing their international staff. The ICRC is thinning out its staff. The UN is maintaining operations, but some staff have been withdrawn from Baghdad temporarily while decisions on future security arrangements are made.”<sup>356</sup>

**646.** The Annotated Agenda continued that, in the absence of some UN and NGO international staff, and with additional constraints on remaining staff:

“... local staff should be able to continue to implement most existing humanitarian and reconstruction programmes, including running the food distribution system, at least in the short-term. However, there will be an immediate impact on new programmes, which in many cases will not now go ahead.”

**647.** A report into the incident commissioned by the UN recorded that, at the time of the bombing, there were between 350 and 550 UN international staff in Baghdad.<sup>357</sup> Although most of those staff were withdrawn following the bombing, the UN Secretary-General declined two recommendations from UN officials, on 2 and 22 September, to evacuate all UN international staff from Iraq. By early October, there were between 20 and 30 UN international staff in Baghdad and between 5 and 10 across the rest of Iraq.

**648.** Sir Hilary Synnott told the Inquiry:

“After the attack ... the Spanish and Japanese Governments ordered their civilians to leave. And on 30 August, of course, the UN ordered their expatriates to leave also. Everybody else stayed.”<sup>358</sup>

**649.** Mr Bearpark described the effect of the bombing in his evidence to the Inquiry:

“... on that day, an enormous body of knowledge, wisdom and ability was lost.

“But the other factors were even more important than that. The first one was that, for entirely understandable and probably correct reasons, the UN system ... [including] the World Bank and the IMF withdrew from Iraq. It is very difficult to overstate the chaos that caused for the CPA, because all your interlocutors suddenly vanished ...

“... that leads me on to the third factor .. which is that it recreated the animosity within the CPA to the UN system ... it did enable the UN-disliking elements of the CPA to feel justified in their original behaviour, even though very slowly, carefully and

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<sup>355</sup> Minutes, 28 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>356</sup> Annotated Agenda, 28 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>357</sup> The Independent Panel on the Safety and Security of UN Personnel in Iraq, 20 October 2003, *Report of The Independent Panel on the Safety and Security of UN Personnel in Iraq*.

<sup>358</sup> Public hearing, 9 December 2009, page 111.

patiently during that period, June, July, August, the relationships had started coming together very well.”<sup>359</sup>

**650.** The Cabinet Office advised Ministers on 21 August that, conscious of growing public frustration in the South with living conditions and the underlying causes of the riots earlier in the month, the UK was taking action both in CPA(South) and with CPA(Baghdad) to improve the delivery of basic services.<sup>360</sup> CPA(South) and MND(SE) were increasing fuel stocks, exploring ways to improve water supply, and working to improve the electricity supply to the Basra oil refinery.

**651.** There had been a series of meetings in CPA(Baghdad) on electricity and utilities. Ambassador Bremer had accepted “all recommendations related to the electricity problem in the South” and authorised US\$200m for immediate remedial work. Electricity generation and transmission were to have top priority. The UK was seeking further details.

**652.** On the same day, Mr Benn met informally with Mr Dennis McShane, FCO Minister for Europe, and Mr Adam Ingram, MOD Minister for Armed Forces.<sup>361</sup> The meeting agreed that:

- Sir Hilary Synnott needed “operations support”. DFID hoped to give Sir Hilary delegated authority to spend UK funds when CPA(South) was fully staffed.
- A strong UK delegation should attend the CENTCOM infrastructure Conference the following week, which would produce a strategy for improving Iraq’s infrastructure. In parallel, a team from engineering firm Mott MacDonald would visit Basra to prepare shorter-term proposals to improve power supply in the South.
- Thereafter, the UK “should decide fast on remedial action”. That might require more UK expenditure if the CPA could not respond fast enough.

**653.** The Ministers directed officials to report to the 28 August meeting of the AHMGIR on why so little of the funding allocated to CPA(South) had been spent.

**654.** An MOD official produced an informal record of the meeting for MOD colleagues only.<sup>362</sup> He commented:

“DFID (Benn/[DFID junior official]) v[ery] helpful and forward leaning, going so far as to identify fact that c. £30m of DFID allocation for Iraq remains unspent and that perhaps now, and on utilities in the South, is the time and place to spend it ...

“This prompted a sensible discussion (first I have heard at an Ad Hoc Group) of the consequences of the CPA actually not delivering in the medium term in the South ...

<sup>359</sup> Public hearing, 6 July 2010, pages 28-29.

<sup>360</sup> Paper Cabinet Office, 20 August 2003, ‘Update for Ministers 21 August 2003’.

<sup>361</sup> Letter Drummond to Owen, 21 August 2003, ‘Iraq: Informal Ministerial’.

<sup>362</sup> Email IRAQ-AD SEC-S to PJHQ-J9-HDPOLOPS3-S, 21 August 2003, ‘Not the Ad Hoc Ministerial’.

Again FCO line was that Synnott would sort it out. Min(AF) made the point about us expecting a lot from one man ...

“... there is no dispute that there is a problem, that something needs to be done and that it may well involve spending money – this is a significant step forward ... Most significant appears to be [the] developing DFID thaw on [its] doctrinaire approach to spending priorities.”

**655.** The CENTCOM Iraqi Power Generation and Distribution Conference took place in the US from 25 to 27 August.<sup>363</sup> The objective of the Conference was to develop a practical response to the challenges in Iraq, and encourage co-ordination.

**656.** The Inquiry has not seen a record of the Conference.

**657.** The 27 August meeting of the Chiefs of Staff was advised that the estimated cost of the third course of action identified by Lt Gen Fry on 18 August – that the UK should step in to lead reconstruction in the South until the CPA could begin to deliver results – was US\$91m.<sup>364</sup> A decision on whether to proceed would depend on the results of the CENTCOM Conference.

**658.** Mr Crompton advised Mr Straw in advance of the 28 August meeting of the AHMGIR:

“There is a head of steam within the MOD about the lack of progress on reconstruction. As the military see it, the CPA in general, and CPA(South) in particular, have failed to deliver. As a result, the Coalition is losing consent, the military are having to take on tasks which should be undertaken by civilians, and in the process the military are becoming over-stretched and vulnerable.”<sup>365</sup>

**659.** Mr Crompton offered four conclusions:

- We need to maintain pressure on DFID to deliver quick results. Their approach so far has been too theological ...
- Fixing these problems will require more staff (not less), particularly in the South. Hilary Synnott ... has just requested an additional 34 secondees to work on reconstruction issues. He should get many of these.
- Concerns about security argue against putting in more staff, but holding staff back ... will only compound the problem. The immediate solution is to strengthen security measures in CPA(South) ...
- All of this is going to cost a lot of money. I am not sure we will be able to do all we need to do within current budgets ... The Treasury may have to look again at the sums they are providing.”

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<sup>363</sup> Briefing DFID, 22 August 2003, ‘Information Note: Iraq: Critical Infrastructure in the South’.

<sup>364</sup> Minutes, 27 August 2003 Chiefs of Staff meeting.

<sup>365</sup> [Minute Crompton to PS/Straw, 28 August 2003, ‘Ad Hoc Ministerial’](#).

**660.** Sir Hilary Synnott told the Inquiry that he requested 37 additional staff (“not generalists but experts”) and 20 armoured vehicles.<sup>366</sup>

**661.** The Annotated Agenda for the 28 August meeting of the AHMGIR reported that the situation in southern Iraq remained “volatile”.<sup>367</sup> There was no evidence of a “significant change in local consent to the UK-led military presence, but the time available before dissatisfaction with the pace of CPA delivery of services overflows is shrinking”.

**662.** Ministers agreed that, “subject to security concerns”:

- Officials should consider and implement measures to improve the power situation in south-eastern Iraq.
- Ministers should be advised on the impact on reconstruction of the withdrawal of international staff and measures to mitigate the impact.
- Sir Hilary Synnott should be given “such assistance and staff as he deemed necessary to improve the workings of CPA(South)”.<sup>368</sup>

**663.** Ministers were advised on 29 August that the MOD had commissioned and now received an action plan for immediate improvements to the power sector in the South.<sup>369</sup> DFID expected to meet the cost (estimated at US\$30m), although that might exhaust their budget for Iraq for the year.

**664.** On the same day, Sir Nigel Sheinwald, Sir David Manning’s successor as the Prime Minister’s Foreign Policy Adviser, gave Mr Blair his view of immediate priorities for Iraq.<sup>370</sup> They included:

- another surge in UK resources, both military (the MOD was undertaking a review which was likely to lead to a proposal to increase UK troop numbers) and for reconstruction (though UK numbers were dwarfed by the size of Ambassador Bremer’s request to Congress<sup>371</sup>);
- improving utilities, most immediately electricity generation in the South;
- improving CPA media handling: a CPA media director (Mr Gary Thatcher, who had previously worked on *The Chicago Tribune*<sup>372</sup>) would arrive, “at last”, that day; and
- a new resolution “worth getting – to spread the military and reconstruction load”.

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<sup>366</sup> Public hearing, 9 December 2009, page 15.

<sup>367</sup> Annotated Agenda, 28 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>368</sup> Minutes, 28 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>369</sup> Paper Cabinet Office, 29 August 2003, ‘Iraq: Update 29 August 2003’.

<sup>370</sup> [Minute Sheinwald to Prime Minister, 29 August 2003, ‘Iraq’.](#)

<sup>371</sup> The US Administration submitted a request for US\$20.3bn for reconstruction in Iraq to Congress on 6 September.

<sup>372</sup> Annotated Agenda, 7 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

**665.** Mr Blair wrote on Sir Nigel's advice:

"This isn't really working at present. I will have to reflect on how we progress ... I need a meeting next week."<sup>373</sup>

**666.** On 1 September, Sir Hilary sent two telegrams from Basra, in response to a request from No.10 for an immediate report, in advance of the meeting requested by Mr Blair, on what he needed.

**667.** In the first telegram, Sir Hilary assessed that:

"The main immediate need is a vastly increased effort, well beyond the present capabilities of CPA(South) or MND(SE), to provide visible improvements in the provision of power, water and fuel in a short timescale."<sup>374</sup>

**668.** Under his direction, CPA(South) and MND(SE) had developed an Emergency Plan for Essential Services in Southern Iraq (the Essential Services Plan), costed at US\$127m. This would be discussed with DFID officials visiting Iraq and Mr Bearpark, and then submitted to the AHMGIR for approval. However:

"More generally, the scale and nature of the problem is well beyond CPA(South)'s present capabilities, if we are to truly act as an 'Authority' and provide direction to others. I have bid for more staff and ancillary back-up and will be bidding for more ..."

**669.** Sir Hilary reported that CPA(Baghdad) had "responded magnificently" to his request to bring forward the move to safer and larger premises from mid-November to mid-October but, until then, CPA(South) was unsafe and overcrowded, despite DFID holding back staff from returning after their breaks and the withdrawal of the Japanese.

**670.** Sir Hilary also reported that he had insufficient military protection vehicles to carry out essential tasks, and that MND(SE) was proving "most unwilling to the point of refusal, to dedicate more of their forces for this purpose".

**671.** Sir Hilary's comments on the provision of secure accommodation and transport for CPA(South) personnel are considered in Section 15.1.

**672.** Sir Hilary's second telegram contained a draft covering submission for the Essential Services Plan.<sup>375</sup> Sir Hilary advised that the Plan was based on work undertaken by MND(SE) but had been "meshed with" a wider CPA(South) strategy for the medium and long term. It was "formally" for CPA(Baghdad) to own and resource the Plan "but that is not quite how things work in practice ... there is a certain expectation

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<sup>373</sup> [Manuscript comment Blair on Minute Sheinwald to Prime Minister, 29 August 2003, 'Iraq'](#).

<sup>374</sup> Telegram 9 CPA(South) to FCO London, 1 September 2003, 'Southern Iraq: What Needs to be Done'.

<sup>375</sup> Telegram 10 CPA(South) to FCO London, 1 September 2003, 'An Emergency Plan for Essential Services in Southern Iraq'.

that the regions should take a lead to sort out their own problems”. Sir Hilary stated that this was particularly true since his arrival.

**673.** Sir Hilary therefore requested:

- funding for the Essential Services Plan;
- immediate mobilisation of UK personnel to implement the Plan;
- “establishment of extraordinary financial and contractual arrangements to allow exceptionally rapid disbursement and effects”;
- the mobilisation of industry, in the UK and elsewhere, to participate in the Plan;
- creation of a high-level task force in Whitehall “to make this happen”; and
- “a start now”.

**674.** Mr Richmond offered a view from Baghdad on 2 September.<sup>376</sup> He advised that, after a slow start, the CPA recognised the scale and urgency of the infrastructure problem. Ambassador Bremer had decided the answer was “simple: a massive injection of funds to kick start the renewal of Iraq’s infrastructure”, and had bid to the US Congress for up to US\$18bn for that purpose. Whether or not Congress approved that funding was likely to have a decisive impact on Iraq’s future.

**675.** Mr Richmond commented that, while the UK could not match US spending power, it would have to commit more financial and human resources, including:

- more money for essential services, especially in the South; and
- providing proper support and funding for the new UK staff in Iraq. Mr Richmond recommended that the newly-appointed Heads of the UK-led Governorate Teams should each be given £1m, to spend at their discretion.

**676.** The meeting that Mr Blair had requested in his note to Sir Nigel Sheinwald took place on 2 September.<sup>377</sup> Mr Straw, Mr Hoon, Mr Benn, Gen Walker, Sir Richard Dearlove (C), Mr John Scarlett (the Chairman of the JIC), Sir Jeremy Greenstock (the Prime Minister’s Special Representative on Iraq), Mr Sawers and No.10 officials attended.

**677.** At the meeting, Mr Blair said that he wanted action on Iraq taken forward “with a heightened sense of urgency”. He asked for advice on eight issues, on the basis of which he would prepare a note for President Bush before a telephone call on 5 September, including:

- Infrastructure in the South. Mr Blair wanted “the maximum possible support given to Sir Hilary Synnott’s proposals for immediate infrastructure projects in the CPA(South) area, with appropriate military cover”.

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<sup>376</sup> [Telegram 147 IraqRep to FCO London, 2 September 2003, ‘Iraq: Assessment and Recommendations’.](#)

<sup>377</sup> [Letter Cannon to Adams, 2 September 2003, ‘Iraq: Briefing for Prime Minister’.](#)

- CPA finances. What were the obstacles to funding? If there were delays, the UK should be prepared to finance new operations in the South itself, in advance of CPA funding.
- Oil and electricity. How could progress be accelerated, and how could UK industry be more involved?

**678.** In August, the UK reviewed its force levels in Iraq in the light of the deteriorating security situation (see Section 9.2).

**679.** Mr Hoon's Private Secretary wrote to Mr Rycroft on 4 September to report that:

"... in the light of the changing security situation in the South East of Iraq, and in view of likely next steps by the CPA, the Defence Secretary had concluded that there is an immediate requirement to deploy a further two infantry battalions and certain specialist capabilities to Iraq. Furthermore, we intend to identify and put on reduced notice to move a Brigade HQ, Infantry battalion and engineer capability as a contingency to support the implementation of the CPA(S) plan for emergency infrastructure work due to be delivered by Sir Hilary ..." <sup>378</sup>

**680.** The Essential Services Plan was submitted to the AHMGIR on 4 September, with an implementation plan promised for the following week. <sup>379</sup>

**681.** The Plan stated that CPA(South)'s intent was to improve essential services over the short, medium and long term as part of the "overall CPA reconstruction strategy". <sup>380</sup> However, "the imperative of securing rapid and visible improvements ... and forestalling erosion of Iraqi consent demands the urgent implementation of a short-term emergency plan".

**682.** The Plan aimed to:

- increase power supply, including by improving management, repairing transmission and distribution systems, providing generators, and providing spares and equipment;
- increase fuel supply, including by improving and constructing new fuel distribution and storage facilities, and improving gas distribution facilities; and
- increase water supply, including by improving maintenance and refurbishing and improving power supply to key water treatment plants.

**683.** The Plan was costed at US\$127m, comprising US\$90.5m for work to improve the power supply, US\$12m for fuel supply, US\$23m for water supply and US\$1.25m for general programme support. Funds were to be provided by the CPA, DFID or other sources.

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<sup>378</sup> [Letter Williams to Rycroft, 4 September 2003, 'Iraq: UK Forces and Resources Review'](#).

<sup>379</sup> Annotated Agenda, 4 September 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>380</sup> [Paper \[unattributed\], 2 September 2003, 'Annex B: Strategy for the Essential Services in Southern Iraq'](#).

**684.** To ensure a co-ordinated approach, CPA(South) would chair an “Essential Services Steering Group” made up of Iraqi Directors General, MND(SE), relevant UN agency Heads, NGOs and other relevant agencies. The Plan would be directed, at least initially, by the MND(SE) Chief Engineer on behalf of Sir Hilary Synnott, supported by the Mott MacDonald team.

**685.** The Plan stated that neither CPA(South) nor MND(SE) was staffed to manage the rehabilitation of essential services. “Staffing by generalists” had achieved “mixed results”; specialists were required to manage the work into the medium and long term.

**686.** At the AHMGIR meeting, Mr Benn announced that DFID had already approved £20m for the Essential Services Plan, and that a project team would go to Iraq by 12 September.<sup>381</sup> The UK should continue to seek money from the CPA, but must be prepared to act fast on its own if necessary.

**687.** The AHMGIR endorsed the Essential Services Plan and stated that it should be taken forward urgently.

**688.** Mr Benn wrote to Mr Blair later that day to confirm DFID’s commitment:

“You asked for immediate action to support Sir Hilary Synnott’s proposals for urgent infrastructure projects in the CPA(South) area. I have today approved funding of £20m for consulting services, equipment, spare parts and rehabilitation works ...

“It is expected to benefit over 5m people. The project will deliver over the next six months but with tangible benefits due within weeks.”<sup>382</sup>

**689.** The balance of funding for the Plan would need to come from the CPA:

“We have held back from committing to meet the full cost, to avoid giving the impression to the CPA that HMG [Her Majesty’s Government] wants to take on full responsibility for the South of the country including the future funding of all infrastructure. Such a commitment would be financially and logistically enormous, and well beyond DFID’s budget. We need to keep pressing Bremer to make more effective use of CPA resources, and in particular to transfer these funds and delegate responsibility to Sir Hilary Synnott now ...

“I hope this can be on your list of points to raise with President Bush.”

**690.** Mr Crompton visited Basra and Baghdad from 31 August to 3 September.<sup>383</sup> He reported to Mr Chaplin on 5 September that “the Coalition as a whole is only just beginning to come to terms with the scale of the task we have taken on”. The “general feeling” was that the Coalition needed to “throw massive resources at the problem now, with a focus on accelerating the security work and essential services side”. The US were

<sup>381</sup> Minutes, 4 September 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>382</sup> Letter Benn to Blair, 4 September 2003, ‘Iraq: Restoring Essential Services in the South’.

<sup>383</sup> [Minute Crompton to Chaplin, 5 September 2003, ‘Visit to Iraq: 31 August to 3 September’.](#)

talking in terms of tens of billions of dollars; the UK needed to be thinking in terms of much larger figures than it had to date, “hundreds of millions of pounds, if not more, plus a significant increase in staffing in the South and Governorates”.

**691.** UK staffing in CPA(Baghdad) was “about right”, but CPA(South) and the other CPA regions were “woefully under-staffed”. The UK would have to staff CPA(South) itself. The Government should try to meet all of Sir Hilary’s requests for additional staff.

**692.** Sir Hilary Synnott described the genesis of the Essential Services Plan in his memoir.<sup>384</sup> In early August, the UK military, spurred by security concerns and “deeply unimpressed” by the available civilian capability, had contracted Mott MacDonald to design a package of quick-impact, carefully targeted infrastructure projects, without consultation with CPA(South) or other partners. Sir Hilary commented that, while understandable, “the furtive manner in which the [military’s] plan was conceived amounted to a challenge to the civilian role in the South”.

**693.** Once the military’s plan was completed, it could no longer be kept hidden. Sir Hilary immediately realised that funding would have to come from CPA(Baghdad) or London, and that they would provide funding only if the package was perceived to be compatible with existing plans. He therefore convened a meeting between MND(SE) and CPA(South) to develop a joint Essential Services Plan.

**694.** Sir Hilary Synnott also realised that the CPA’s contracting and accounting procedures were unlikely to produce the funds within the necessary timescale and that CPA(Baghdad) might balk at providing additional funding for CPA(South), which it regarded as a “side-show”. DFID would not normally provide such a large amount of money. Sir Hilary therefore proposed that DFID should “kick-start” the project with a contribution of £20m, and then the UK should press the CPA to provide the balance. However, “if Baghdad proved obdurate, we could shame DFID into providing it”.

**695.** In his evidence to the Inquiry, Sir Hilary said that the Essential Services Plan was informed by his previous experience of reconstruction:

“When I went round Baghdad in the early days ... the view I got from USAID and others was that this place is broken ... and we have let out contracts to big American firms to put it all right. My heart sank at that point because ... I knew how long big projects took to get going, and I was also increasingly aware of the unpermissive security environment. That reinforced me in my view that we should be going for more of an emergency plan rather than big contracts, and I think, indeed, history shows that virtually none of the big contracts ever came to fruition.”<sup>385</sup>

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<sup>384</sup> Synnott H. *Bad Days in Basra: My Turbulent Time as Britain’s Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

<sup>385</sup> Public hearing, 9 December 2009, page 29.

**696.** In early September, Ambassador Bremer published a “Seven Step Plan” for the restoration of Iraqi sovereignty (see Section 9.2).<sup>386</sup> The Plan did not include a timescale, although to most observers it appeared to mean at least a two-year Occupation.

**697.** On 5 September, Sir Nigel Sheinwald sent Dr Rice a Note from Mr Blair for President Bush ahead of their video conference later that day.<sup>387</sup>

**698.** In the Note, Mr Blair proposed doubling the number of Iraqi police and speeding up the process of letting reconstruction contracts. In the South, he had “authorised” the CPA to “just spend the money and recoup later from CPA(Centre)”. Mr Blair expressed support for Ambassador Bremer, and queried whether he had all the administrative and technical support he needed.

**699.** On the media, Mr Blair wrote:

“Media: My obsession. I understand that Gary Thatcher is making a big difference. But there are five terrestrial channels to fill ... apparently, there is a fear that bringing in outside i.e. US/UK networks would be a problem for the Governing Council. That’s a pity, if true. Because the obvious solution is for us ... to task one of the big companies to sort it out. We need this fast. It is essential to keep building Iraqi consent and understanding.”<sup>388</sup>

**700.** Mr Blair concluded:

“So my basic point is: the problem is not complex to identify: it is security. The best solution is not us or at least us alone but the Iraqis. It is speed in building their capacity – security, intelligence, infrastructure, media – that we need.”

**701.** Mr Cannon reported to Mr Straw’s Private Office on 5 September that, during the video conference, Mr Blair had recommended to President Bush that “a new impetus should be given to infrastructure reconstruction, both short-term and longer-term projects”, and had expressed concern that there were problems in transferring funds for infrastructure projects from CPA(Baghdad) to CPA(South).<sup>389</sup> Mr Blair had also asked whether Ambassador Bremer needed more administrative/technical support, including to reinforce the civil effort in the Provinces.

**702.** Mr Cannon also reported that Dr Rice and Sir Nigel would draw up a list of concrete measures that could be taken to improve the situation.

**703.** Sir Nigel and Dr Rice discussed those measures later that day, and on 11 September Sir Nigel sent Dr Rice a “UK/US Action Plan” which sought to “define

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<sup>386</sup> Dobbins J, Jones SG, Runkle B & Mohandas S. *Occupying Iraq: A History of the Coalition Provisional Authority*. RAND Corporation, 2009.

<sup>387</sup> Letter Sheinwald to Rice, 5 September 2003, [untitled], attaching Note [Blair to Bush], [untitled].

<sup>388</sup> Letter Sheinwald to Rice, 5 September 2003, [untitled], attaching Note [Blair to Bush], [untitled].

<sup>389</sup> Letter Cannon to Adams, 5 September 2003, ‘Iraq: Prime Minister’s Video-Conference with Bush, 5 September’.

our objectives and specify ongoing and future actions”.<sup>390</sup> It set out shared (US and UK) objectives and UK actions on security, intelligence, infrastructure, media and CPA personnel.

**704.** On infrastructure, the objective was a radical and rapid improvement in basic service provision (particularly water, electricity and fuel) to maintain Iraqi consent. The UK had contributed US\$30m to the US\$127m Essential Services Plan; the balance would come from the CPA. No other UK actions were identified.

**705.** On the media, the objective was to counter distorted reporting by Al Jazeera and other satellite channels. The UK would provide support to the Iraqi Media Network, the CPA, and for the longer-term development of indigenous Iraqi media.

**706.** On CPA personnel, the objective was to provide more specialist support for the CPA in Baghdad and the provinces. The UK was recruiting 37 specialists for CPA(South) and would provide more “as requested”, had selected four individuals to head CPA Governorate Teams, and would provide additional information and SSR specialists for CPA(Baghdad).

**707.** Sir Nigel and Dr Rice went through the Action Plan during Sir Nigel’s visit to Washington from 11 to 12 September.<sup>391</sup> Sir Nigel reported to Mr Blair:

“We [US and UK] share **objectives**; and there now appear to be detailed **plans** under development by the CPA in all the priority areas.”

**708.** Sir Nigel and Dr Rice agreed that there would be regular video conferences between London, Washington and Baghdad “to ensure we are all working from the same script”.

## Pressure to provide additional funding for reconstruction

**709.** *Hard Lessons* described how, in July and August 2003, the CPA had developed a request for additional funding for reconstruction prompted by the projected US\$23bn financing gap in Iraq’s draft 2004 budget.<sup>392</sup> Ambassador Bremer sent a request for US\$20.3bn to Washington in early August; the request was formally submitted to Congress on 6 September.

**710.** The CPA advised Congress that Iraq required between US\$50bn and US\$75bn for reconstruction; it planned to present a “rich package of projects” to the forthcoming Madrid Donors Conference to attract funding from the international community.

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<sup>390</sup> [Letter Sheinwald to Rice, 11 September 2003, ‘Iraq’ attaching Note 10 Downing Street, 10 September 2003, ‘Iraq: UK/US Action Plan 10 September’.](#)

<sup>391</sup> Minute Sheinwald to Prime Minister, 14 September 2003, ‘Visit to Washington’.

<sup>392</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

**711.** Treasury officials advised Mr Brown on 5 September that pressure was building for significant, additional UK contributions to reconstruction and security in Iraq, both from international partners and from within Whitehall.<sup>393</sup> That pressure was generated by emerging reports on the substantial size of Iraq’s financing gap for 2004 (now estimated at between US\$1bn and, according to new figures from the CPA, US\$20bn) and Mr Blair’s emphasis on the need to deliver tangible and rapid progress through both additional military resources and reconstruction.

**712.** Treasury officials advised that DFID were developing a case for a substantial UK contribution to meeting the financing gap, which could be announced at the forthcoming Madrid Donors Conference. The US had approached the FCO to ascertain the UK’s position on additional financing for reconstruction, and discussions were beginning between international development ministries.

**713.** Treasury officials commented:

“There is a growing and costly perception in Whitehall (and potentially parts of the CPA and the US Administration) that if the UK wants to pull its weight, it should cover 10% of all costs ... In purely fiscal terms we cannot afford a contribution of this size without a very substantial re-prioritisation of existing spending allocations ...

“ ... [Sir] Jeremy Greenstock, UK Special Representative in Iraq [sic], has hinted that if we want to influence the outcome in Iraq and in particular the decision-making process at the centre of the CPA, we have to buy our way in. We refute this. Our military contribution was crucial to the success of the initial operation ... and our ability to influence through political leverage should not be diminished significantly.

“The main cause of agitation in the South, and in turn pressure on the UK to increase troop levels and to contribute additional resources, is the fact that resources are not arriving quick enough from CPA(Centre) to CPA(South). There is a danger that this is because the US controls CPA(Centre) and are allocating resources to their priority areas and are squeezing the areas where they perceive the UK to lead. This backs up the view that we do not have enough influence in CPA(Centre).”

**714.** Treasury officials also advised that they were increasingly concerned over the lack of a “comprehensive, long-term strategy” for Iraq, which led to continued ad hoc spending. DFID’s recent decision to provide £20m to fund the Essential Services Plan was an example of this. The decision left the UK exposed to providing further funding if CPA resources remained inaccessible and/or costs escalated. The UK should continue to push for CPA(Baghdad) to mobilise resources for use in the South rather than taking on more of the burden itself.

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<sup>393</sup> Minute Treasury [junior officials] to Chancellor, 5 September 2003, ‘Iraq: Financing Needs and Implications for UK’.

**715.** Mr Chaplin advised Sir Michael Jay on 9 September that the ideal way to meet Ministers' demands for quicker results in Iraq would be to put the new DFID Iraq Directorate into an FCO-based structure.<sup>394</sup> There was, however, very little chance of DFID agreeing to that. The "next best thing" would be an enhanced FCO unit and strengthened liaison with other Whitehall departments. The FCO would have to "rely on the Sheinwald group [the Iraq Strategy Group] to crack the whip over DFID when necessary".

**716.** Later that day, Mr Straw approved the creation of a new FCO Iraq Directorate as the inter-departmental body responsible for co-ordinating the growing volume of Iraq-related work across Whitehall. The Directorate is described in more detail later in this Section.

**717.** Baroness Amos wrote to Mr Boateng on 10 September to request £6.5m from the Reserve to cover immediate further needs in Iraq, and that a further £33.5m should be "ear-marked" for anticipated requirements later in the financial year.<sup>395</sup> Baroness Amos stated that DFID's budget for Iraq for 2003/04 was now fully committed. Of the £33.5m, £20m could be required for a further contribution to the Essential Services Plan if US funding proved insufficient.

**718.** Baroness Amos wrote to Mr Blair the following day to advise that DFID's immediate operational priorities were to ensure that the Essential Services Plan was fully funded and to help the UN return to Iraq.<sup>396</sup> On the former, Baroness Amos advised:

"... our overall approach has been predicated on CPA delivering more than it has, and we have had negligible influence on them, or the Pentagon, to try and turn it around. Immediate measures are now needed to maintain the Iraqi population's consent."

**719.** The Essential Services Plan would help to improve essential services, but solving the underlying problems in infrastructure would require billions of dollars and an Iraqi Government to determine policy. Systemic problems within the CPA continued to delay the transfer of promised CPA resources to the South. Baroness Amos concluded:

"If CPA HQ and [the] US Government fail to get its act together quickly, then we can only plug the gap if my earlier Reserve claim ... is approved."

**720.** Baroness Amos also advised that the UK's objectives for the forthcoming Madrid Donors Conference in October were to get the Iraqi citizens in the driving seat, and to secure a "credible outcome on pledges", which required a credible Iraqi budget.

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<sup>394</sup> Minute Chaplin to PUS [FCO], 9 September 2003, 'Iraq: Restructuring IPU'.

<sup>395</sup> Letter Amos to Boateng, 10 September 2003, 'Iraq Reconstruction Funding: Reserve Claim'.

<sup>396</sup> [Telegram 1 DFID to IraqRep, 11 September 2003, 'Iraq Reconstruction: Cabinet Discussion on 11 September'](#).

**721.** Looking further ahead, Baroness Amos advised that DFID’s medium-term priorities were “self-evident”: robust macro-economic policy planning and budget management; reform of the public service; encouragement of civil society; and facilitation of private investment. Specific activities would be informed by sectoral assessments being undertaken by the World Bank, the IMF and UN agencies. As a leading member of the Coalition, the UK would be expected to play a substantial part in filling Iraq’s financing gap.

**722.** On 16 September, Mr Straw, Mr Hoon and Baroness Amos agreed that officials should review the UK’s approach to planning and preparation for post-conflict situations.<sup>397</sup> That work led to the establishment of the Post-Conflict Reconstruction Unit (PCRU) at the end of 2004. Section 10.3 describes the development of the UK’s approach to planning and preparation for post-conflict reconstruction and the emergence of the broader concept of stabilisation.

**723.** Sir Hilary Synnott reported to the IPU on 17 September that, setting aside difficulties securing CPA funding for the Essential Services Plan, sources of funding for CPA(South), including the US Commanders Emergency Response Program (CERPs), were “starting to be unblocked” in Baghdad.<sup>398</sup> Progress was largely because of better communications between Baghdad and Basra but CPA(South) had also “radically streamlined” its procedures.

**724.** The Annotated Agenda for the 18 September meeting of the AHMGIR reported that Mr Bearpark had confirmed that CPA(Baghdad) would provide the US\$97m required to fully fund the Essential Services Plan, although the exact source of those funds had not yet been identified.<sup>399</sup>

**725.** The Annotated Agenda also stated that the US had decided to establish a Program Management Office (PMO) to oversee CPA reconstruction funds. The decision was a response to the persistent problems in transferring funds from CPA(Baghdad) and CPA regional offices, however:

“Our initial response is sceptical: the PMO will manage predominantly US funds, which will require US contracting and procurement procedures to be followed. The prospect of developing Iraqi capacity, and of opening up contracts to include UK companies (in the interests of effectiveness and value for money) remains negligible. Nevertheless, without participating in some form in the PMO, we may lose a point of influence.”

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<sup>397</sup> [Minute \[unattributed\], 17 September 2003, ‘Meeting of the Secretaries of State for Foreign Affairs, Defence and International Development – 16 September 2003 at 2.15pm’.](#)

<sup>398</sup> Email Synnott to Crompton, 17 September 2003, ‘Funding for CPA(S): Looking Better’.

<sup>399</sup> Annotated Agenda, 18 September 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

**726.** The Annotated Agenda stated that if the US\$97m required to complete the Essential Services Plan were channelled through the PMO, that might delay or prevent disbursement.

**727.** At the AHMGIR meeting, FCO officials reported that the CPA had produced a coherent strategy for improving the quality of the Iraqi Media Network.<sup>400</sup> Much could be funded by the CPA, but the UK should provide “niche assistance, including expertise, where best we could”.

**728.** Gen Walker said that there needed to be visible action on the Essential Services Plan before Ramadan.

**729.** Baroness Amos reported that Mr Benn and Mr Chakrabarti were in Iraq attempting to ease CPA funding. If that funding was not secured within four weeks, the Treasury would need to be approached.

**730.** Ministers asked officials to consider the UK’s involvement in the PMO further.

**731.** Ministers also agreed that officials should produce costed proposals for UK support on the media as soon as possible for discussion with the Treasury.

**732.** General Mike Jackson, Chief of the General Staff, visited Iraq from 12 to 15 September.<sup>401</sup> He reported to Gen Walker on 17 September:

“He [Maj Gen Lamb, GOC MND(SE)] does not require a third additional battalion or additional RE [Royal Engineers] squadron at the moment and is confident that he can meet any potential tasks that arise from the Essential Services Plan. There is therefore no requirement for an additional brigade HQ at this stage. This may change and we need to remain responsive to the needs of the GOC.”

**733.** Sir Hilary wrote in his memoir that he raised the need for additional support from the UK military with Gen Jackson during his visit:

“I explained that I had noted that the Army Headquarters judged that, despite the deteriorating security, their position was sustainable with their existing troop levels. In contrast, my organisation’s position was not ... If we were to travel to meet Iraqis and visit the other provinces ... our staff now needed to be escorted by military vehicles ...

“From then on, we had a steady and reliable system of escorts. They were inevitably never as much as we needed, so we had to cut back on our visits; but ... we sustained a reasonable level of activity.”<sup>402</sup>

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<sup>400</sup> Minutes, 18 September 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>401</sup> Minute CGS to CDS, 17 September 2003, ‘CGS Visit to Op.TELIC 12-15 Sep 03’.

<sup>402</sup> Synnott H. *Bad Days in Basra: My Turbulent Time as Britain’s Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

**734.** Gen Jackson called on Baroness Amos on 18 September.

**735.** Baroness Amos' briefing for the meeting advised that, while the relationship between the military and DFID was "strengthening", there had been a number of misunderstandings, many of which stemmed from the difference in approach between the Overseas Development Administration (ODA) and DFID:

"... the military could draw on ODA financing in support of UK political (and thus military) objectives. The International Development Act now ties DFID down to much more stringent conditions for funds disbursement ..."<sup>403</sup>

**736.** The briefing warned that Gen Jackson might draw unfavourable comparisons between the UK's reconstruction effort in Kosovo and Iraq:

"Without the CPA delivering ... There is a reasoned argument that HMG should have planned to support its military effort with a civilian 'colonial' effort, and [Gen] Jackson may be of the view that DFID should have mounted a bilateral UK operation similar to Kosovo, carrying out immediate infrastructure work, repairing schools, hospitals and so on. Not only was this not the strategy adopted by HMG [Her Majesty's Government], but a similar DFID effort would not have been possible. Kosovo's size, population, level of local consent, and interim governance arrangements were entirely different. A wider 'colonial' role is neither DFID's role nor our comparative advantage."

**737.** During the meeting, Gen Jackson said that the International Development Act (IDA) had created "conceptual and procedural difficulties which worked against a centralised HMG effort".<sup>404</sup>

**738.** Baroness Amos responded that, while the IDA had changed the way that DFID worked, it was still able to work with the military effectively. There was a need to prepare and plan better for post-conflict reconstruction "particularly in the very fragile transition stage".

**739.** Baroness Amos continued:

"We had all been failed by the CPA ... HMG's decision to put so much faith in the CPA was compounded by our failure to understand the US way of doing things ... DFID's £20m infrastructure project in the South in expectation of a further and larger funding allocation for infrastructure from CPA(Baghdad) was moving in the right direction – but we could not be complacent and had to make contingency arrangements in case CPA funding did not come through."

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<sup>403</sup> Minute DFID [junior official] to PPS/Secretary of State [DFID], 16 September 2003, 'Meeting with General Sir Michael Jackson, Chief of the General Staff – Thursday 18 September'.

<sup>404</sup> Minute DFID [junior official] to PPS/Secretary of State [DFID], 23 September 2003, 'Meeting Note: General Sir Michael Jackson CGS'.

**740.** Mr Benn and Mr Chakrabarti visited Iraq from 17 to 19 September.<sup>405</sup> On his return, Mr Benn wrote to Mr Blair:

“Security remains *the* concern. Provided we get this right alongside the politics, reconstructing Iraq is possible ... The Iraqis need to be helped to take charge. We need to support them ... and to persuade the Americans (who hold very fixed views) that this is both desirable and feasible.

“Improving life for ordinary Iraqis is the main priority. Electricity, water and jobs will maintain consent and therefore security. It is in the South that the UK can, and must, deliver. Expectations are high. There is progress now on the Essential Services Project ... and we are working on the right issues in the very short term – infrastructure, policing, and improving information to Iraqis ... In the medium term we should focus our support on helping key Iraqi ministries rather than CPA(Baghdad). Long term, we need to think about how we organise ourselves for this kind of operation.

“We have to recognise that our influence is limited with the CPA and Bremer, although the UK presence there, and in particular Jeremy Greenstock’s role in Baghdad, is vital in staying alongside both. Therefore it’s what we can do in the South that should occupy our practical, as opposed to our diplomatic, efforts.

“We are still not getting our achievements across back in the UK ...

“We must now turn our attention to the Madrid Donors Conference. We made the point forcefully to Bremer, and encouragingly to the Iraqis, that the Governing Council and the Minister of Finance should be on the top table ... We will need to lobby other donors hard, and have a credible pledge to make ourselves ...

“One major concern is the continuing problem with setting up the Independent Advisory and Monitoring Board for the Development Fund for Iraq (DFI). Bremer seems unconcerned, but it is going to make it very hard to get countries to put money in if the international guardian of the DFI can’t start work. It’s embarrassing, and someone will have to tell Bremer to sort it out, because he won’t do so on his own. In the light of the Conference, and our own pledge, we can then consider the next stage of the UK reconstruction effort.

“As we reflect on the Iraq experience, we do need to think about how HMG is geared up to respond to the reconstruction phase of such operations. We are beginning to do some thinking on this, but we need to learn lessons for the future.”

**741.** Sir Hilary Synnott reported from Basra on 22 September that, while in Basra, Mr Benn and Mr Chakrabarti had agreed “extraordinary procedures” for the disbursement of DFID’s £20m contribution to the Essential Services Plan, which meant

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<sup>405</sup> [Letter Benn to Blair, 20 September 2003, ‘My Visit to Iraq: 17-19 September’.](#)

that DFID's funds should be available that day.<sup>406</sup> Implementation of the Plan would start at once. Sir Hilary reported:

“In front of the Minister [Mr Benn], Gen Lamb instructed his staff that the pins were to be removed from the DFID doll.”

**742.** Two days later, in the context of an update of developments in Baghdad, Sir Jeremy Greenstock, the Prime Minister's Special Representative on Iraq, reported:

“London will hate me for saying this, but it is something keenly felt by the best senior people in our military ... the UK has not yet put the intensity of resources into the civilian side of our operation, in terms of both personnel and project money, to convince the Americans that our analysis ... has to be listened to. If we watch our housekeeping too carefully in this respect, we may be forced down the wrong road ... I shall have to come back to this quite soon.”<sup>407</sup>

**743.** A Treasury official provided advice to Mr Boateng on 18 September on how the Treasury intended to deal with the expected surge in Iraq-related claims on the Reserve.<sup>408</sup>

**744.** Departments had seen Mr Blair's call for a step-change in the UK effort in Iraq (on 3 June) as “a legitimate invitation” to bid for more resources. Departments were developing or considering seven bids. The largest of those was a bid being prepared by DFID for around £250m, as the UK's additional contribution to Iraq's reconstruction. The UK would need to make a pledge at the forthcoming Madrid Donors Conference.

**745.** The official advised that it was vitally important to maintain pressure on departments, both at Ministerial and official level, not to submit claims in the first place. The Treasury would also continue to push for greater co-ordination between departments in funding Iraq programmes.

**746.** Treasury officials had concluded that the best course of action in the short-term would be to continue to scrutinise claims on a case-by-case basis, in terms of value-for-money, impact, robustness of the costing, and robustness of the risk management. Departments would also have to provide “clear evidence” on the extent to which they had reprioritised their existing resources to accommodate Iraq.

**747.** The availability of CPA funding was key. Some officials in CPA(South) had stated that it was easier to secure funding from London than from CPA(Baghdad). The Treasury should therefore continue to push for CPA(Baghdad) to fund initiatives in the South, rather than providing a significant increase in UK funding, which could create

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<sup>406</sup> Telegram 26 CPA(South) to FCO London, 22 September 2003, ‘South Iraq: Visit of Hilary Benn: Knots Untied’.

<sup>407</sup> Teleletter Greenstock to Sheinwald, 24 September 2003, [untitled].

<sup>408</sup> [Minute Treasury \[junior official\] to Chief Secretary, 18 September 2003, ‘Iraq Funding FY 2003-04: Dealing with Reserve Claims’.](#)

“expenditure overlaps” and alleviate the pressure on CPA(Baghdad) to resolve the problem of transferring resources to the regions.

**748.** Mr Boateng replied to Baroness Amos’ request for £40m from the Reserve on 25 September.<sup>409</sup> He agreed to provide an additional £6.5m from the Reserve to cover immediate further needs in Iraq, but rejected the request to earmark £33.5m for DFID’s anticipated future needs, citing “recent reports that ... [US] sources of funding are now starting to be unblocked”.

**749.** In his evidence to the Inquiry, Sir Suma Chakrabarti suggested that the exchange had not occurred in isolation:

“We had discussions [with] the Treasury but it was quite obvious to us that they weren’t going to give any more than they already had ... They had put some money in upfront [in late March 2003, for humanitarian assistance], but, after that, they said it is time to reprioritise.”<sup>410</sup>

**750.** Sir Nicholas Macpherson, Director General in charge of Public Expenditure from 2001 to 2005 and then Permanent Secretary at the Treasury, told the Inquiry that, although it was “totally open” to Baroness Amos to challenge that response, she did not.<sup>411</sup> He pointed out that the US\$100m announced by Mr Brown in his 9 April budget statement was never fully claimed by departments.

**751.** In a video conference with President Bush on 16 September, Mr Blair commented that Mr Thatcher had now set out a “shopping list” for the Iraqi Media Network, costed at US\$40m.<sup>412</sup> The question of funding would be pursued with the CPA. The record of the video conference was sent to the FCO.

**752.** Mr Straw wrote to Mr Boateng on 6 October, to bid for £13.9m from the Reserve as the UK’s contribution to improving the content and professionalism of the Iraqi Media Network.<sup>413</sup>

**753.** Mr Boateng replied to Mr Straw on 16 October, rejecting the FCO’s bid on the grounds that he was not satisfied the proposal would deliver value for money and that the FCO had not fully exploited existing resources.<sup>414</sup>

**754.** Mr Boateng’s decision on funding for the Iraqi Media Network was relayed to the Iraq Senior Officials Group (ISOG) the same day.<sup>415</sup> Sir Jeremy Greenstock, visiting

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<sup>409</sup> Letter Boateng to Amos, 25 September 2003, ‘Iraq: Reconstruction Funding: Reserve Claim’.

<sup>410</sup> Public hearing, 22 January 2010, page 39.

<sup>411</sup> Public hearing, 22 January 2010, page 22.

<sup>412</sup> Letter Cannon to Adams, 16 September 2003, ‘Iraq: Prime Minister’s Video Conference with Bush, 16 September 2003’.

<sup>413</sup> Letter Straw to Boateng, 6 October 2003, ‘Reconstructing the Iraqi Media Network: Claim on the Reserve’.

<sup>414</sup> [Letter Boateng to Straw, 16 October 2003, ‘Iraq Reserve Claim: Reconstructing the Media Network’](#).

<sup>415</sup> Minute Dodd to Sheinwald, 20 October 2003, ‘Iraq: Senior Officials Group’.

from Baghdad, said that it would be difficult for him to return to the CPA without any UK funding, and that more generally “the absence of financial flexibility was making our work harder in Baghdad”.

## Staffing the CPA and new structures in London

**755.** The FCO sent an update on UK staffing in the CPA to Sir Nigel Sheinwald on 9 September.<sup>416</sup> Staffing in CPA(Baghdad) was “about right”, at 60 secondees. A major rotation of staff over the next two months would be an opportunity to increase the UK’s focus on “Ministerially-agreed priorities of Governance, Security Sector Reform, Reconstruction and the Economic/Oil Ministries”. There might also be a requirement to place a few additional staff in the CPA’s Information Directorate.

**756.** The FCO’s priority was staffing CPA(South) and the Governorate Teams. The 37 specialists for CPA (South) requested by Sir Hilary Synnott would be sourced through a DFID consultancy contract. The aim was to have them ready to deploy by mid-October.

**757.** Heads had been selected for the four UK-led Governorate Teams (Basra and Dhi Qar in the south, Wasit in central Iraq, and Kirkuk in the north). The first, Mr John Bourne, had deployed to Baghdad for a familiarisation briefing before taking up post in Dhi Qar (Nasiriyah). The other three would follow later in the month. The FCO had planned to fill just four slots in each team, but it was clear that “the CPA bank of staff is dry and that we should plan on filling our Governorates ourselves”. The objective was to have all staff in place by the end of September.

**758.** The remaining three Governorate Co-ordinators deployed to Iraq by the UK were:

- Mr Henry Hogger (Basra), deployed on 24 September;
- Mr Mark Etherington (Wasit), deployed on 29 September;
- Mr Paul Harvey (Kirkuk), deployed on 29 October.<sup>417</sup>

**759.** The Inquiry has not seen terms of reference for the UK’s four Governorate Co-ordinators, but appointment letters sent to seven others by Ambassador Bremer on 25 September and published by the DoD, defined their role and lines of command within the CPA:

“You are the CPA’s principal representative to the local governments in [name of governorate]. You will lead a Governorate Team (GT) comprised of a CPA staff element, a military Governorate Support Team, a contracted Local Governance Team, and Iraqi advisors.

“The GT will provide local governance; identify, train, and mentor local Iraqi leaders for roles within future Iraqi government; monitor local contracts and provide

<sup>416</sup> Letter Adams to Sheinwald, 9 September 2003, ‘Staffing for CPA Iraq’.

<sup>417</sup> Contact list, 12 January 2004, ‘UK Personnel Deployed (As at 30 Dec 03)’.

program management; coordinate with Coalition military and non-governmental organizations; and advise local government ministry officials ...

“You will report to me through the [CPA] Director of Operations and Infrastructure for operational matters and through the [CPA] Director of Governance for political issues. You may draw on the Regional Coordinators and CPA staffs as needed for technical program and support.”<sup>418</sup>

**760.** On 1 October, Sir Jeremy Greenstock commented to London that those lines of command were “complex”.<sup>419</sup> He also confirmed that his office had agreed with CPA officials that the UK would deploy personnel into the CPA’s GTs only when Sir Jeremy, the FCO and DFID were satisfied that appropriate security measures were in place. In practice, that meant that, until additional security measures were in place, all UK staff would be deployed to Wasit, Tamim and the four Governorates in CPA(South).

**761.** In a briefing note to all staff on the role and purpose of CPA(South), dated 12 November, Sir Hilary Synnott described the relationship between the Governorate Teams, Baghdad and CPA(South) as “complicated”, though he saw “no reason why they should not become workable and mutually advantageous”.<sup>420</sup> He added that “difficulties in the relationship between the Governorate Teams and the regional centre pale into insignificance beside those in mastering what is going on in Baghdad”.

**762.** The UK Government has not been able to provide the Inquiry with precise figures for UK personnel deployed to the GTs. A contact list for UK personnel in Iraq on 30 December 2003 showed 48 UK personnel (including close protection teams) deployed to GTs across Iraq, 36 of them in the four southern governorates of Basra, Dhi Qar, Maysan and Muthanna, the others to Wasit and Kirkuk.<sup>421</sup> Figures for each Team were:

- Basra 22 (including a close protection team);
- Dhi Qar 4;
- Maysan 10 (including a close protection team and Deputy Governorate Co-ordinator, Mr Rory Stewart, who served as acting Governorate Co-ordinator between September and November);<sup>422</sup>
- Muthanna 1;
- Wasit 4;

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<sup>418</sup> Minute Coalition Provisional Authority Baghdad, 25 September 2003, ‘Letters of Authorization for Governorate Coordinators’ attaching Letter Bremer, 25 September 2003, ‘Governorate Coordinator Appointment’.

<sup>419</sup> Telegram 191 IraqRep to FCO London, 1 October 2003, ‘UK Governorate Manning’.

<sup>420</sup> Paper Synnott, 12 November 2003, ‘CPA (South): Its Role and Purpose’, reproduced in Synnott H. *Bad Days in Basra: My Turbulent Time as Britain’s Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

<sup>421</sup> Paper [unattributed], 12 January 2004, ‘UK Personnel Deployed (As at 30 Dec 03)’.

<sup>422</sup> Stewart R. *Occupational Hazards*. Picador, 2006.

- Kirkuk 7 (including Ms Emma Sky, who had been the senior CPA civilian in Kirkuk since June).<sup>423</sup>

**763.** The RAND history of the CPA, *Occupying Iraq*, stated that it took six months to get CPA officials into Iraq's 18 governorates and that "the small staffs were often overwhelmed by the scale of their responsibilities".<sup>424</sup> Teams sent weekly reports to CPA(Baghdad), but "progress (or the lack thereof) at the provincial and local level depended largely on the initiative and improvisation of individual governorate coordinators and military commanders".

**764.** The new FCO Iraq Directorate, which Mr Straw had agreed the previous month, was established on 16 October.<sup>425</sup> It was headed by Mr John Buck, reporting to Mr John Sawers, the FCO Political Director. Mr Chaplin remained "closely involved in the political process and regional aspects" as FCO Director Middle East and North Africa.

**765.** The Directorate comprised three units:

- the Iraq Policy Unit (IPU), headed by Mr Crompton, covering the political process, UN issues, fiscal and monetary policy, human rights, bilateral affairs and travel advice;
- the Iraq Security Sector Unit (ISSU), headed initially by Mr Robert Chatterton Dickson, to be replaced from 29 October by Ms Kate Smith, covering politico-military affairs, liaison with the MOD, reconstruction and training of the Iraqi army and police forces and co-ordination of security assessments; and
- the Iraq Operations Unit (IOU), headed by Mr Philip Parham, covering civil reconstruction, liaison with DFID, media development and deployment of and support for UK personnel in the CPA.

**766.** On 27 October, Sir Hilary Synnott requested a further 44 staff for CPA(South) to cover "political reporting, governance issues and CPA(S) internal support", in addition to the 37 specialist staff that he had requested at the end of August.<sup>426</sup> Sir Hilary reported that DFID was arranging recruitment of the 37 specialists.

**767.** The 14 November meeting of the ISOG was advised that the first 10 to 15 specialists of the 37 requested by Sir Hilary at the end of August, would deploy that month.<sup>427</sup> The "bulk" would follow in December.

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<sup>423</sup> Public hearing Sky, 14 January 2011, pages 9-10.

<sup>424</sup> Dobbins J, Jones SG, Runkle B & Mohandas S. *Occupying Iraq: A History of the Coalition Provisional Authority*. RAND Corporation, 2009.

<sup>425</sup> Minute Buck to All Departments, 16 October 2003, 'Creation of Iraq Directorate'.

<sup>426</sup> [Telegram 38 Basra to FCO London, 27 October 2003, 'CPA\(South\): Staffing Requirements'](#).

<sup>427</sup> Minutes, 14 November 2003, Iraq Senior Officials Group meeting.

## First cross-Whitehall Strategy for Iraq

**768.** A draft 'UK Iraq Strategy' was circulated to members of the AHMGIR for comment on 26 September.<sup>428</sup>

**769.** The final version was issued to members of the AHMGIR by the Cabinet Office on 8 October after "those Private Offices who responded indicated their Ministers' endorsement".

**770.** Sir Nigel Sheinwald annotated his copy: "I don't see a need for PM [Mr Blair] to see this".<sup>429</sup>

**771.** The Strategy acknowledged the CPA Strategy published in July 2003 and stated that this was a longer-term UK Strategy for Iraq that was broadly consistent with the CPA Strategy, but which set the framework for specific UK activities towards a common objective.<sup>430</sup>

**772.** The Strategy identified the UK objective as:

"Iraq to become a stable, united and law-abiding state, within its present borders, co-operating within the international community, no longer posing a threat to its neighbours or to international security, abiding by all its international obligations and providing effective representative government, sustainable economic growth and rising living standards to its entire people."

**773.** The Strategy stated that:

- Successful reconstruction required the "widest possible" international support. Getting the UN and IFIs engaged would increase the chances of securing that support.
- The US had far greater resources than the UK, but UK influence over US policy was limited and the UK's approach would be "vulnerable to shifts in US thinking".
- The UK was active at a national level, but UK assets were concentrated in the South where the UK was most exposed to the consequences of failure.
- There were few quick fixes for essential services. Improvement would require multi-year projects "even beyond the scope of the CPA if it receives US\$20bn from Congress". Nevertheless, the UK needed to demonstrate some visible progress in improving living standards in order to maintain local consent. For the UK in CPA(South), that would require more funding and more skilled personnel.

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<sup>428</sup> [Minute Dodd to Sheinwald, 8 October 2003, 'UK Iraq Strategy' attaching Paper Cabinet Office, 7 October 2003, 'UK Iraq Strategy Paper'.](#)

<sup>429</sup> [Manuscript comment Sheinwald on Minute Dodd to Sheinwald, 8 October 2003, 'UK Iraq Strategy'.](#)

<sup>430</sup> [Paper Cabinet Office, 7 October 2003, 'UK Iraq Strategy Paper'.](#)

**774.** The Strategy stated that “to help planning”, Iraq’s recovery should be considered in three phases: stabilisation, to December 2003; recovery, to December 2004; and normalisation, from January 2005. The Strategy defined “UK objectives” for each phase in relation to security, the political process and reconstruction.

**775.** The UK’s over-arching reconstruction objective for the stabilisation phase (to December 2003) was that Iraq would reach pre-conflict levels of “development and order”.

**776.** The objective for the recovery phase, to December 2004, was that Iraq would exceed pre-conflict levels of development and order, and plans would be being implemented to develop Iraq’s own capacity to lead economic and physical reconstruction.

**777.** The objective for the normalisation phase, from January 2005, was that Iraq would be “largely self-supporting”, providing its own public services and with a growing market-based economy.

**778.** The Strategy acknowledged that this scenario was “ambitious”. Risks to progress included resistance to the Coalition and slow progress on the political process and reconstruction. A protracted occupation would be costly, increase anti-Western sentiment across the region and provide further reason for terrorist attacks in US and UK interests.

**779.** The UK would continue to be active in a number of areas but would, as Ministers had directed, focus its engagement on economic management, SSR and oil. An Action Plan covering the stabilisation phase was being developed.

**780.** On resources, the Strategy stated that the UK military occupation force would cost around £1bn in 2003/04 (and less in future years). The DFID programme for 2003/04 was £201m and was fully committed. Of the £60m provided by the Treasury in April, the FCO had been allocated £21m to cover CPA staff and security costs, and DFID had bid for the remaining £40m.<sup>431</sup>

**781.** Looking ahead, the Strategy stated that departments’ bids for funding for Iraq for 2004/05 would be subject to negotiation with the Treasury. An “appropriate” level of UK contribution to reconstruction and development was being considered in the light of Iraq’s needs, Iraqi and international contributions, and the UK’s resource position.

**782.** Sir Suma Chakrabarti told the Inquiry that the UK Strategy was:

“Very important, but quite high-flown sort of stuff and not really linked to operational detail.”<sup>432</sup>

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<sup>431</sup> The Treasury had agreed on 25 September to provide DFID with an additional £6.5m from the Reserve, but rejected its request to earmark £33.5m for anticipated future needs.

<sup>432</sup> Public hearing, 22 January 2010, page 4.

**783.** Sir Suma added that, as the UK Strategy did not satisfy DFID’s need for operational detail, DFID produced its own strategy (the Interim Country Assistance Plan) at the beginning of 2004.

### **Lobbying for a level playing field for UK businesses**

**784.** The UK Government continued to lobby the US and the CPA for a level playing field for UK companies bidding for CPA contracts in Iraq (see Section 10.3).

**785.** Trade Partners UK (TPUK), the division of British Trade International (BTI) responsible for promoting UK exports, produced an update on commercial issues on Iraq for Mr Blair on 10 October.<sup>433</sup>

**786.** TPUK advised that their strategy was:

“... to position UK firms as best we can through the provision of information about contacts, procurements issues, etc, and to press the US authorities (and the CPA) to ensure a level playing field on which UK companies can compete.”

**787.** In response, the US had made it clear that, while it welcomed the participation of UK companies, there was “no ‘special deal’”.

**788.** The update concluded that UK firms were doing “quite well” given that most of the work so far had been US-funded.

**789.** UK Government lobbying on behalf of UK business intensified in early 2004, in anticipation of the contracts that would flow from the additional funding for reconstruction requested by the CPA and against a background of growing press and Parliamentary criticism that UK companies were at a disadvantage in bidding for US-funded contracts.

### **Madrid Donors Conference, 23 and 24 October 2003**

**790.** The Annotated Agenda for the 2 October meeting of the AHMGIR stated that the UK’s primary objective for the Madrid Donors Conference, which would be held on 23 and 24 October, was to broaden international support for reconstruction in Iraq and secure the necessary funding for it.<sup>434</sup> The Conference should also:

- demonstrate international support for Iraqi proposals for political and economic progress;
- recognise the Governing Council and Ministers as the principal interlocutors for donors;
- endorse the Iraqi budget for 2004 and the priorities identified by the IFI/UN needs assessments;

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<sup>433</sup> [Letter Zimmer to Rycroft, 10 October 2003, ‘Iraq: Update on Commercial Issues’ attaching Paper TPUK, 10 October 2003, ‘Iraq: Update on Commercial Issues’.](#)

<sup>434</sup> Annotated Agenda, 2 October 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

- agree finance for Iraq's reconstruction, preferably using the Multi-Donor Trust Fund; and
- note the Paris Club process for addressing Iraq's external debt problems.

**791.** The Annotated Agenda stated that many donors felt excluded from the Madrid process, "disaffected by the lack of a clear political process and disinclined to pledge before it is sorted out". There were a number of issues to resolve before UK objectives could be achieved:

- clarity on financing needs;
- a clear timetable to Iraqi sovereignty;
- a clear financing mechanism;
- agreement on the role of the IAMB;
- engaging IFIs and "quality donors" to ensure reconstruction was effective;
- a more inclusive approach to managing the Conference; and
- a credible UK pledge to leverage others.

**792.** If the Conference did not deliver the necessary international support, the US might need to fund "the major requirements for 2004 with limited help from Coalition partners, including the UK".

**793.** The AHMGIR agreed that Ministers and Mr Blair should lobby their counterparts on the lines proposed.<sup>435</sup>

**794.** The AHMGIR also agreed that the CPA should be funding projects in CPA(South). UK funding was small compared with US funding, and the Reserve was already under pressure.

**795.** The UN and World Bank presented the main findings of their Joint Needs Assessment (JNA) to the Conference's Core Group (the United Arab Emirates, the US, the EU and Japan) on the same day.<sup>436</sup> The JNA estimated that Iraq's "overall stock of reconstruction needs" over the period 2004 to 2007 was US\$36bn. In addition, the CPA had estimated that US\$20bn was needed in critical sectors not covered by the JNA, including security and oil. Iraqi oil and tax revenues and private sector financing would reduce the need for external financing.

**796.** Baroness Amos wrote to Mr Boateng on 3 October, to propose that DFID could provide up to £130m from its core budget for financial years 2004/05 and 2005/06, as part of a UK pledge at Madrid.<sup>437</sup> That figure included £70m from DFID's contingency reserve, £50m from funds reallocated from other middle-income countries, and the existing planned provision for Iraq.

<sup>435</sup> Minutes, 2 October 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>436</sup> UN, Press Release, 2 October 2003, *UN/World Bank Present Iraq Reconstruction Needs To Core Group*.

<sup>437</sup> Letter Amos to Boateng, 3 October 2003, 'Iraq Financing'.

**797.** Baroness Amos advised that this contribution reflected Iraq's needs and DFID's commitments, including its commitment to increase the proportion of bilateral spend allocated to low-income countries to 90 percent by 2005/06 and to establish a £1bn assistance programme for Africa by 2005/06.

**798.** Baroness Amos also advised that a "significant" amount of the pledge should be allocated to the Multi-Donor Trust Fund, which would focus on the social sectors and encourage similar contributions from other donors.

**799.** A Treasury official advised Mr Brown later that day that DFID could probably find £390m from its existing resources, and the Global Conflict Prevention Pool (GCPP) a further £30m, giving a UK pledge of £420m for 2004/05 and 2005/06.<sup>438</sup> She recommended that the Treasury push DFID hard to find more from its existing resources.

**800.** No.10 responded to Baroness Amos's letter to Mr Boateng on 4 October.<sup>439</sup> Mr Rycroft said that Mr Blair:

"... would like the UK to play a leading role within the international community in this area. So he thinks that the UK pledge should be significantly larger than Departments appear to be contemplating, in the order of £500m. This will need to include genuinely new money, not the result of creative accounting."

**801.** The JNA was published on 9 October.<sup>440</sup>

**802.** The FCO reported the following day that the Core Group had agreed three objectives for the Conference:

- to endorse the priorities for reconstruction in Iraq;
- to provide a forum for donors to make pledges of assistance; and
- to agree a multilateral framework for assistance, including a Multi-Donor Trust Fund administered by the UN and World Bank, separated from but co-ordinated with the DFI.<sup>441</sup>

**803.** The 9 October meeting of the Defence and Overseas Policy (DOP) Sub-Committee of the Cabinet agreed that the UK should pledge US\$900m at the Conference.<sup>442</sup>

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<sup>438</sup> Minute Treasury [junior official] to Chancellor, 3 October 2003, 'Iraq: UK Contribution at Madrid Donors Conference'.

<sup>439</sup> Letter Rycroft to Malik, 4 October 2003, 'Iraq: Madrid Donors Conference'.

<sup>440</sup> UN/World Bank, Press Release, 9 October 2003, *Iraq: United Nations, World Bank Publish Needs Assessment*.

<sup>441</sup> Telegram 55 FCO London to Brussels, 3 October 2003, 'Iraq: Madrid Donors Conference'.

<sup>442</sup> Minutes, 9 October 2003, DOP meeting.

**804.** Treasury officials sent an analysis of “how we think this figure [US\$900m] can be achieved from within existing resources” to Mr Brown after the DOP meeting.<sup>443</sup> Their analysis (which totalled £544m, some US\$908m) comprised:

- £201m already committed by DFID to Iraq for 2003/04;
- £115m from DFID’s contingency reserve (Departmental Unallocated Provision (DUP)) for 2004/05 and 2005/06;
- £12m from DFID’s Iraq programme for 2004/05 and 2005/06;
- £50m from DFID’s other programmes in middle-income countries for 2004/05 and 2005/06;
- £30m from the GCPP, comprising the existing £15m allocation for Iraq for 2003/04 and 2004/05 and a further £15m in planned allocations for 2004/05 and 2005/06;
- £7.5m from the FCO’s Global Opportunities Fund, representing possible future allocations for 2004/05 and 2005/06;
- £30m from MOD allocations for Quick Impact Projects (QIPs), comprising the existing £20m allocation for 2003/04 and the estimated future allocation of £10m for 2004/05;
- £60m announced in the 9 April 2003 Budget statement for humanitarian and reconstruction activities in Iraq; and
- £38.5m as the UK’s assessed share of European Commission aid to Iraq in 2003/04 and 2004/05.

**805.** Mr Blair and other Ministers lobbied donors, including the US, the IMF, the World Bank, and European and regional partners in the run-up to the Madrid Conference.<sup>444</sup>

**806.** The Annotated Agenda for the 16 October meeting of the AHMGIR reported that the European Commission would pledge €200m (including the UK’s assessed share of £38.5m); apart from the UK, no EU Member State had yet declared a pledge.<sup>445</sup> Germany and France had “stonewalled” when lobbied by Mr Straw, but the UK expected significant pledges from Italy (as a Coalition partner) and Spain (as Conference hosts). Officials recommended that the UK focus its lobbying on Italy, Spain, Germany and the Gulf states, all of which might contribute substantially.

**807.** The Annotated Agenda also reported that IFIs and the CPA had agreed terms of reference for the IAMB, which should help preparations for Madrid.

**808.** In discussion, Ministers described the European Commission pledge as “shameful” and agreed that they, Mr Blair and officials should intensify their lobbying efforts.<sup>446</sup>

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<sup>443</sup> Minute Treasury [junior officials] to Chancellor, 9 October 2003, ‘Iraq: Agreeing UK Contribution at Madrid Donors Conference’.

<sup>444</sup> Minute Cabinet Office [junior official] to Sheinwald, 13 October 2003, ‘Iraq: Senior Officials Group’.

<sup>445</sup> Annotated Agenda, 16 October 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>446</sup> Minutes, 16 October 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

**809.** The UN Security Council adopted resolution 1511 on 16 October (see Section 9.2).<sup>447</sup> The resolution urged Member States and international and regional organisations to support Iraq's reconstruction, including by making substantial pledges at the Madrid Donors Conference.

**810.** The IAMB was formally established on 24 October.<sup>448</sup> It would not hold its first meeting until early December.

**811.** Representatives from 73 countries, 20 international organisations and 13 non-governmental organisations and associations attended the Madrid Donors Conference on 23 and 24 October.<sup>449</sup>

**812.** Donors pledged a total of between US\$32.2bn and US\$35.9bn, including:

- The US, the largest contributor, pledged US\$18.649bn.<sup>450</sup>
- Japan pledged US\$4.914bn, US\$1.414bn on grant terms and up to US\$3.5bn on concessional loan terms, with the amount dependent on security, political progress and progress on reconstruction and resolution of Iraq's debt issue.
- The World Bank pledged between US\$3bn and US\$5bn.
- The IMF pledged between US\$2.55bn and US\$4.25bn.
- Saudi Arabia and Kuwait each pledged US\$500m; the UK US\$452m, Italy US\$236m, the European Commission US\$235m, Spain US\$220m, the United Arab Emirates US\$215m and South Korea US\$200m.
- A number of countries, including Germany, offered assistance in kind.
- France did not make a pledge.<sup>451</sup>

**813.** The recorded UK pledge of US\$452m excluded the UK's allocations for humanitarian assistance, amounts that had previously been pledged, and the UK's attributed share of European Commission development expenditure.

**814.** The Conference noted that an International Reconstruction Fund Facility for Iraq (IRFFI) was being established, to help co-ordinate and channel funding from the international community.<sup>452</sup> The IRFFI would be administered by the World Bank and UN in close co-ordination with the Iraqi authorities.

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<sup>447</sup> UN Security Council Resolution 1511 (2003).

<sup>448</sup> IAMB for Iraq, Press Release, 24 October 2003, *Establishment of International Advisory and Monitoring Board*.

<sup>449</sup> International Reconstruction Fund Facility for Iraq, [undated], *Conclusions by the Chair International Donors Conference for the Reconstruction of Iraq Madrid, 23-24 October 2003*.

<sup>450</sup> The US pledged US\$20.3bn at the Conference subject to Congressional approval. The pledge was subsequently revised to US\$18.649bn.

<sup>451</sup> International Reconstruction Fund Facility for Iraq, [undated], *International Donors' Conference for Iraq Madrid, 23-24 October 2003: Summary Table by Donor*.

<sup>452</sup> International Reconstruction Fund Facility for Iraq, [undated], *Conclusions by the Chair International Donors Conference for the Reconstruction of Iraq Madrid, 23-24 October 2003*.

**815.** The Inquiry considers and refers to the IRFFI in terms of its two component parts – the World Bank Trust Fund and the UN Trust Fund.

**816.** The Annotated Agenda for the 6 November meeting of the AHMGIR reported that the Conference had been “more successful than first imagined”, not least because of the “political commitment” shown by the international community.<sup>453</sup> The JNA and increased certainty over the scale of resources available for reconstruction would enable DFID to begin drafting a Country Assistance Plan.

**817.** Sir Nicholas Macpherson told the Inquiry that the Conference was “probably the key milestone in financing the reconstruction effort” and had “galvanised international support for reconstruction”.<sup>454</sup>

**818.** Mr Jim Drummond, DFID Director Iraq from September 2003 to December 2004,<sup>455</sup> identified the Conference as one of DFID’s successes in the CPA period:

“I think we [DFID] had helped to galvanise the international donor community to contribute in Madrid. I think that was quite a success. Delivering after Madrid became more of a challenge because of security, but in terms of bringing the international community back together after what had been a fairly controversial phase, then Madrid was a good point.”<sup>456</sup>

**819.** Mr Drummond also told the Inquiry that the proportion of the Madrid pledges to reach Iraq “varied quite a lot from country to country. With a lot of countries finding it – because they didn’t have the capacity to spend – difficult to deliver.”<sup>457</sup>

## Priorities for the last six months of Occupation

**820.** Section 9.2 describes:

- the growing insurgency from October 2003 in Baghdad and the Sunni Triangle; and
- the increasing US and UK concerns that Ambassador Bremer’s Seven Step Plan for the restoration of Iraqi sovereignty would not lead to credible elections on the basis of a legitimate constitution sufficiently quickly to retain the consent of the Iraqi people.

**821.** Baroness Amos was appointed Leader of the House of Lords on 6 October. Mr Benn succeeded her as International Development Secretary.

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<sup>453</sup> Annotated Agenda, 6 November 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>454</sup> Statement, 15 January 2010, page 4.

<sup>455</sup> Mr Drummond had previously been Assistant Head of OD Sec in the Cabinet Office.

<sup>456</sup> Public hearing, 17 December 2009, page 31.

<sup>457</sup> Public hearing, 17 December 2009, pages 33-34.

**822.** Sir Jeremy Greenstock reported to Mr Blair on 15 October that, in contrast to Baghdad and the Sunni Triangle:

“... a virtuous circle seemed to be building up in the South, with locals supporting the reconstruction process and turning in to the Coalition outsiders who disrupted it.”<sup>458</sup>

**823.** Sir Jeremy advised that, despite the success of British efforts in the South, the success or failure of the Coalition project would be decided in Baghdad. It was vital that the UK took a strong policy interest there. Limited UK funding (which Sir Jeremy estimated at two percent of the US contribution) curtailed UK influence.

**824.** Sir Jeremy reported on 24 October that Gen Sanchez had ordered a “comprehensive review of security to try to regain operational momentum”.<sup>459</sup> Sir Jeremy commented that the review represented “a clear move from stabilisation towards counter-insurgency operations”.

**825.** On 26 October, the al-Rashid Hotel in the Green Zone of Baghdad, used as a Coalition military base, was hit by a number of rockets.<sup>460</sup> The attack killed a US soldier and injured 15 other people, including a UK Treasury secondee to the CPA.

**826.** Mr Bearpark told the Inquiry that he viewed the attack as a turning point:

“We [the CPA] were very, very clearly on an upward slope until then ... We believed that the CPA was getting better at what it was meant to do and we were all optimistic ... From [that point] onwards, then the graph just went sharply down.”<sup>461</sup>

**827.** Sir Nicholas Macpherson told the Inquiry that the attack prompted the withdrawal of all Treasury officials from Iraq.<sup>462</sup> Some would return in January 2004, once secure accommodation had been provided.

**828.** A 5 November JIC assessment advised that, by attacking a wider set of targets, extremists aimed to undermine the Coalition’s political objectives.<sup>463</sup> Those targets included international organisations:

“Many NGOs have already withdrawn from Iraq and the International Committee of the Red Cross (ICRC), like the UN, intends to pull out most international staff. Medecins Sans Frontieres has already decided to do so and others may follow.”

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<sup>458</sup> [Letter Cannon to Owen, 16 October 2003, ‘Iraq: Sir Jeremy Greenstock’s Call on the Prime Minister’.](#)

<sup>459</sup> Telegram 230 IraqRep to FCO London, 24 October 2003, ‘Iraq: Security Update’.

<sup>460</sup> *BBC News*, 26 October 2003, *US shocked at Iraq hotel attack*; Annotated Agenda, 6 November 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>461</sup> Public hearing, 6 July 2010, pages 43-44.

<sup>462</sup> Statement, 15 January 2010, page 6.

<sup>463</sup> [JIC Assessment, 5 November 2003, ‘Iraq Security’.](#)

**829.** When Mr Blair spoke to President Bush by video conference on 6 November, he commented that the question was “how quickly could we move to elections”.<sup>464</sup> Mr Blair thought the quicker the better, “but both the Iraqis and we needed to be able to handle it”.

**830.** Mr Blair commented that “with progress on infrastructure etc, we were now down to a specific problem of how to deal with a small group of terrorists”. Mr Blair suggested that some Sunni were “desperate to be on our side” and that infrastructure projects that would benefit the Sunni community should be completed.

**831.** Mr Richmond attended a meeting with Ambassador Bremer, General John Abizaid, Commander US Central Command (CENTCOM), and Gen Sanchez to discuss “Sunni strategy” the following day.<sup>465</sup>

**832.** At Ambassador Bremer’s request, Mr Richmond summarised the CPA’s work so far. Sunnis felt economically and politically excluded. The CPA was seeking to address this by allocating more money for job creation and quick impact projects, and by stepping up recruitment efforts for the Iraqi Civil Defence Corps (ICDC), police and army in Sunni communities. There were “no quick fixes”. The CPA had to reassure Sunni communities that their interests would be safeguarded, but that was difficult without clarity on the political and constitutional process.

**833.** Gen Abizaid agreed that there needed to be a long-term strategy, but said that he was more concerned with “the next few weeks – how to prevent the insurgency from growing”. He had met Sunni leaders in Mosul, and had come away with a clear message: “jobs and money”. There also needed to be more flexibility on de-Ba’athification.

**834.** Gen Abizaid went on to outline the “tough” military plans to tackle the insurgency, including in Fallujah. Mr Richmond warned that any military action had to be carefully targeted; “a carrot and stick approach had to leave room for the carrot”.

**835.** The AHMGIR agreed on 6 November that officials should continue to oppose the CPA’s privatisation policy.<sup>466</sup>

### Challenging the CPA’s privatisation plans

In mid-October, the CPA shared with the UK an early draft of an Order on Iraqi Ownership Transformation, which covered the privatisation of Iraqi State-Owned Enterprises (SOEs).<sup>467</sup> The Inquiry has not seen a copy of that draft.

<sup>464</sup> Letter Rycroft to Adams, 6 November 2003, ‘Iraq: Prime Minister’s Conversation with President Bush, 6 November’.

<sup>465</sup> Telegram 258 IraqRep to FCO London, 9 November 2003, ‘Iraq: Sunni Strategy Meeting with Bremer and Abizaid’.

<sup>466</sup> Minutes, 6 November 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>467</sup> Telegram 108 FCO London to IraqRep, 24 October 2003, ‘Iraq: Privatisation Order’.

Mr Huw Llewellyn, an FCO Legal Counsellor, advised the IPU on 22 October that he did not consider that there was a basis either under occupation law or resolution 1483 for the proposed Order.<sup>468</sup>

On 24 October, the IPU instructed UK officials in Baghdad and Washington to raise the UK's concerns on the draft Order with US interlocutors.<sup>469</sup> The IPU advised that privatisation was "the most fundamental economic policy difference we have with the US". The UK shared the US interest in building the Iraqi private sector, "but not to the extent of supporting privatisation of Iraqi state assets by the CPA". US enthusiasm for privatisation was not shared in Iraq. The UK believed:

- There were significant risks in privatising SOEs before a functioning private sector had been established. SOEs were unlikely to flourish, the Iraqi Government was unlikely to secure a good return, and unemployment could increase.
- Economic reform on the scale proposed had to be led by a representative Iraqi Government.

The UK also had significant legal concerns about the legitimacy of the draft Order and the CPA's authority to transfer ownership of Iraq state assets.

Sir Jeremy Greenstock, the Prime Minister's Special Representative on Iraq, called on Mr Tom Foley, CPA Director for Private Sector Development, on 29 October to pass on the UK's concerns.<sup>470</sup> Sir Jeremy reported to the FCO that Mr Foley had repeated that all privatisations would take place under a sovereign Iraqi Government. Sir Jeremy commented that Mr Foley's assurances contrasted with "other analysis" that UK officials had seen.

**836.** On 6 November, Congress approved the CPA's request for additional funds, allocating US\$18.4bn to the Iraq Relief and Reconstruction Fund (IRRF2).<sup>471</sup> The funds were available for two years. Congress had allocated US\$2.4bn to the Iraq Relief and Reconstruction Fund (IRRF1) in April 2003.

**837.** *Hard Lessons* recorded that Congress imposed greater controls on IRRF2 that it had on IRRF1.<sup>472</sup> Those included a requirement to provide, by 5 January 2004, a complete list of proposed projects. *Hard Lessons* highlighted the scale of the task facing the CPA:

"The CPA now had less than two months to compile a list of projects, develop a spend plan, and build an office [the PMO] to manage ... the largest foreign reconstruction program ... in US history."

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<sup>468</sup> Minute Llewellyn to Crompton, 22 October 2003, 'CPA Draft Order on Iraqi Ownership Transformation (Privatisation)'.  
<sup>469</sup> Telegram 108 FCO London to IraqRep, 24 October 2003, 'Iraq: Privatisation Order'.  
<sup>470</sup> Telegram 239 IraqRep to FCO London, 30 October 2003, 'FCO Telo 108 to IraqRep'.  
<sup>471</sup> Emergency Wartime Supplemental Appropriations Act, 2003.  
<sup>472</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

**838.** By 6 November, the PMO consisted of a Director, Rear Admiral (retired) David Nash, two US Government employees and 13 contractors. Of the 100 US Government employees that Adm Nash requested, only eight arrived by January 2004.

**839.** Sir Nigel Sheinwald visited Iraq from 7 to 9 November.<sup>473</sup> He reported to Mr Blair on his return, describing two major problems in the political arena:

- the failure of the Governing Council to “get a grip” and “develop a political profile”; and
- continued CPA civilian weaknesses; strategic communications in particular remained a serious problem.

**840.** Sir Nigel also advised that he had “put down some markers” with Ambassador Bremer on the pace of privatisation, which Ambassador Bremer had accepted.

**841.** Sir Nigel separately reported that Ambassador Bremer had told him that he did not envisage any “major” privatisations under the CPA.<sup>474</sup>

## Responding to the new, shorter timetable for the transfer of sovereignty

**842.** A DFID team visited Iraq at the end of October to draw up plans for short-term support for public administration and the Governing Council.<sup>475</sup>

**843.** On 15 November, the Governing Council unveiled a timetable for the transfer of power to a transitional administration by 30 June 2004, at which point the CPA would be dissolved (see Section 9.2).<sup>476</sup>

**844.** The decision to transfer sovereignty to an Iraqi government earlier than had been expected had significant implications for the reconstruction effort. The UK identified the importance of reconstruction and in particular job creation programmes, in supporting reconciliation and the political transition process.

**845.** *Hard Lessons* described the effect of the new timetable on the CPA’s reconstruction effort:

“Reconstruction plans that had just been devised on a two-year timetable now had to shift, and the rush began to prepare Iraq’s Government to stand on its own in seven months.”<sup>477</sup>

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<sup>473</sup> [Minute Sheinwald to Prime Minister, 10 November 2003, ‘Visit to Iraq’.](#)

<sup>474</sup> Minute Cannon to Owen, 12 November 2003, ‘Iraq: Economic Issues: Sir Nigel Sheinwald’s Visit to Baghdad’.

<sup>475</sup> Letter Malik to Rycroft, 20 October 2003, ‘Iraq: Public Administration’.

<sup>476</sup> Minute Figgures to CDS, 16 November 2003, ‘SBMR(IRAQ) Report 047 of 16 November 2003’.

<sup>477</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

**846.** The two-year timetable was a reference to the period covered by IRRF2, which Congress had approved just over a week earlier.

**847.** Sir Hilary Synnott told the Inquiry that the whole idea of an early transfer to a transitional Iraqi Government came as a surprise to him:

“In the middle of November, much to our surprise, and in many – well, in some senses disappointment, it was decided that the CPA should wind up at the end of June, and I was due to leave ... [at] the end of January. It became clear to me a couple of months before that that the entire focus of Baghdad’s attention had shifted from trying to make something work into, ‘What are we going to do to run down?’”<sup>478</sup>

**848.** Mr Etherington described the effect of the decision in Wasit:

“The November 15 agreement abruptly turned [our] plans upside down. It arrived without warning ...

“... We understood the political reasons behind it all, but my overwhelming feeling at the time was of professional shame. Gone were our projections about training and capacity-building, our carefully thought-through project work, and our plans to nurture each of the Councils and steadily reform the branch ministries. We would run out of time ...”<sup>479</sup>

**849.** Mr Bearpark told the Inquiry:

“... most decisions were being made by default, what was possible and what wasn’t possible. But to the extent that decisions were being taken, my view was that they didn’t look particularly stupid and that some of the sillier parts of these strategic visions were just being quietly forgotten about ...

“I don’t think that the truncated timetable was an issue. I think the real issue was just that, by then, security was spiralling out of control ... The only aspect where the truncation had an impact ... was that it reopened the battle between the Department of Defense and the State Department, and ... the final three months of the CPA’s existence were just one permanent battleground as to who would handle the [US\$]18.4bn, and in what way, after the CPA was abolished.”<sup>480</sup>

**850.** Ambassador Bremer wrote in his memoir that he had discussed the implications of the new timetable for reconstruction with senior CPA staff on 16 November, the day after the announcement.<sup>481</sup> He had asked each CPA Senior Adviser to identify the most urgent tasks which had to be completed before the transfer of sovereignty, and advised them

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<sup>478</sup> Public hearing, 9 December 2009, page 47.

<sup>479</sup> Etherington M. *Revolt of the Tigris: The Al Sadr Uprising and the Governing of Iraq*. Hurst & Company, 2006.

<sup>480</sup> Public hearing, 6 July 2010, pages 86-87.

<sup>481</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

that the CPA would have to “move fast if ... projects were to have a useful impact in the short time left”.

**851.** Ambassador Bremer also wrote that, in a separate meeting on the same day, he had advised colleagues that the transfer of sovereignty meant that the CPA’s work to phase out subsidies would need to slow down.

**852.** Maj Gen Andrew Figgures, Senior British Military Representative, Iraq, considered the effect of the decision in his 16 November weekly report to Gen Walker:

“From a planning perspective, the acceleration of the political process has shifted the logic here from a position whereby the political process was dictated by achieving the necessary conditions (security, economy etc) to enable sovereignty transfer, to one where we will now be fighting to achieve the right conditions according to a political timetable. All lines of operation (CPA and CJTF7) will now require revision.”<sup>482</sup>

**853.** Mr Jim Drummond, DFID Director Iraq, visited Iraq from 16 to 20 November.<sup>483</sup> He reported to Mr Chakrabarti that there were opportunities for DFID to help with budget management, the Public Distribution System (the successor to the OFF programme), statistics, the political process, donor co-ordination and public administration. On public administration, Mr Drummond advised:

“All agree on the need to build the capacity of central Government. CPA advisers praise the competence and qualifications of individual Ministry staff, but there is a culture of central direction, outdated paper-based processes, and de-Ba’athification has left inexperienced staff in senior positions.

“With the 30 June deadline looming, Bremer wants to professionalise the Civil Service fast. He is keen to have UK help.”

**854.** Mr Drummond also reported that progress was being made with resolving the outstanding procedural issues on the World Bank and UN Trust Funds, and that he would discuss with the World Bank and UN “the prospects for spending, which will depend on [Iraqi] ministries’ capacity to put forward fundable proposals”.

### The closure of the Oil-for-Food (OFF) programme

The OFF programme closed on 21 November, in accordance with resolution 1483.<sup>484</sup>

Ministers were advised that responsibility for remaining activity had passed to the CPA and the Iraqi Ministry of Trade. It was not expected that there would be a threat to food supply.

<sup>482</sup> Minute Figgures to CDS, 16 November 2003, ‘SBMR(IRAQ) report 047 of 16 November 2003’.

<sup>483</sup> Letter Drummond to Chakrabarti, 24 November 2003, ‘Visit to Iraq’.

<sup>484</sup> Annotated Agenda, 27 November 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

**855.** Sir Hilary Synnott told the 25 November Iraq Strategy Group (ISG) that the compression of the political timetable “made other parts of the process, including consultation, capacity building and infrastructure development, more difficult”.<sup>485</sup> He also advised that increased consent in the South could not be taken for granted.

**856.** President Bush visited the UK from 18 to 22 November.<sup>486</sup>

**857.** Before the visit, Mr Rycroft gave Mr Blair a copy of a paper by Sir Jeremy Greenstock entitled ‘Iraq: Security’, for discussion with President Bush (see Section 9.2).<sup>487</sup>

**858.** In the paper, Sir Jeremy argued that security must be the Coalition’s highest priority until the transition.<sup>488</sup> He then set out a number of areas that needed to be addressed, including:

**“Sunni strategy**

- *Sunni outreach remains critical even while pursuing crackdown on FRE [Former Regime Elements] activities in these areas.* Civic and economic development projects must be a priority. And we must help the IGC to sell the new political process in the Sunni heartlands.

**Economics**

- Absolute priority must be given to job creation ...

**Managing the transition/drawdown**

- On civilian side, *must not adopt mindset that June represents a cut off point.* Will have to stay engaged to assist the Iraqi Transitional Government find its feet. Need to start thinking now about how this should best be done.”

**859.** Mr Blair gave President Bush a slightly revised version of the paper.<sup>489</sup>

**860.** On 19 November, the Cabinet Office informed Ministers that a combination of effective lobbying by the UK in Washington and with the CPA, and similarly strong reservations from the US Treasury, had led the CPA’s plans to privatise SOEs to be “taken off the policy agenda”.<sup>490</sup> The UK would press for similar proposals with the potential for social upheaval to be postponed beyond the formation of the transitional government.

**861.** Dr Rice told Sir Nigel Sheinwald on 21 November that the US was reviewing the CPA’s reconstruction projects and that some aspects of economic policy, including

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<sup>485</sup> Minute Fergusson to Sheinwald, 26 November 2003, ‘Iraq Strategy Group’.

<sup>486</sup> *BBC News*, 18 November 2003, *Bush arrives for state visit*.

<sup>487</sup> Minute Rycroft to Prime Minister, 18 November 2003, ‘Bush Visit – Private Talks’.

<sup>488</sup> Paper Greenstock, 18 November 2003, ‘Iraq: Security’.

<sup>489</sup> [Paper \[Greenstock\], 20 November 2003, ‘Iraq: Security’](#).

<sup>490</sup> Minute Dodd to Owen, 19 November 2003, ‘Iraq: Update for Ministers’ attaching Paper Cabinet Office, 19 November 2003, ‘Iraq: Update for Ministers’.

privatisation and monetising the food basket, would not be taken forward, to avoid handing the incoming transitional administration an unemployment problem.<sup>491</sup>

**862.** The Annotated Agenda for the 27 November meeting of the AHMGIR invited Ministers formally to reject the suggestion that the CPA should pursue radical economic reform.<sup>492</sup>

**863.** The AHMGIR agreed that the UK should advocate a CPA economic policy of capacity building and advice to Iraqi institutions rather than radical economic reform.<sup>493</sup>

**864.** The British Office in Baghdad offered an assessment of the state of Iraq's public administration on 4 December.<sup>494</sup> The "reconstruction" of Iraqi ministries appeared to be "progressing only slowly". Major problems included:

- Ministers' authority was unclear.
- Patchy de-Ba'athification had left many staff uncertain of their future and ministers uncertain of their staff's loyalty.
- Rationalisation of staffing and pay scales had been "slow to non-existent", leaving officials hanging around ministries with no real job.

**865.** The British Office in Baghdad commented that the new political timetable had only added to the uncertainty.

**866.** A second DFID team visited Iraq in early December, to develop longer-term programmes of support for public administration.<sup>495</sup>

**867.** Ambassador Bremer convened a "Commanders and Leaders" conference on 8 December, at which he instructed CPA staff "to come up with a minimum of US\$500m in 'quick-dispersing projects' that we could have under way by spring".<sup>496</sup> There was a political imperative in implementing projects as quickly as possible, so that the Iraqi people could see progress on the ground before the transfer of sovereignty.

**868.** Mr Etherington, who attended the conference, recorded in his memoir that Ambassador Bremer announced that the CPA would triple spending over the next three months to create jobs and cement political engagement.<sup>497</sup>

**869.** On 13 December, US forces captured former President Saddam Hussein.<sup>498</sup>

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<sup>491</sup> Letter Rycroft to Adams, 21 November 2003, 'Iraq: Meeting with Condi Rice, 21 November'.

<sup>492</sup> Annotated Agenda, 27 November 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>493</sup> Minutes, 27 November 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>494</sup> Telegram 187 Baghdad to FCO London, 4 December 2003, 'Iraq/Ministry Reconstruction'.

<sup>495</sup> Letter Drummond to Chakrabarti, 24 November 2003, 'Visit to Iraq'.

<sup>496</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>497</sup> Etherington M, *Revolt of the Tigris: The Al Sadr Uprising and the Governing of Iraq*. Hurst & Company, 2006.

<sup>498</sup> *BBC News*, 14 December 2003, *Bremer's statement in full*.

**870.** The Annotated Agenda for the 15 December meeting of the AHMGIR reported that signals from the CPA on the desired pace and scope of economic reform before transition were “mixed”.<sup>499</sup> Some in the CPA had seen the accelerated political timetable as a reason to accelerate the pace of economic reform. The UK believed that reform over the next six months should be limited, but that did not mean inaction. The Coalition should focus on:

- building Iraqi capacity including in the budgeting system;
- encouraging the IFIs to engage; and
- preparatory work on “removing barriers and stimulating growth”, including debt relief, fuel price liberalisation and SOE reform.

**871.** Ministers agreed that approach.<sup>500</sup>

**872.** *Hard Lessons* recorded that the CPA’s progress towards free-market reforms stalled in the face of “disagreement within the Coalition’s ranks”, concern in the IMF and opposition from Iraqis.<sup>501</sup>

**873.** In his statement to the Inquiry, Sir Nicholas Macpherson highlighted the role that Treasury secondees to the CPA had played in successfully challenging “some proposed [CPA] policies that were not thought to be the right course of action – notably negotiating a wind-down on the policy of mass privatisation of Iraqi state assets”.<sup>502</sup>

**874.** Ambassador Bremer hosted a Campaign Review meeting in Baghdad on 18 December attended by senior US and UK civilian and military representatives including Sir Jeremy Greenstock.

**875.** Ambassador Bremer opened the meeting by stating that the capture of Saddam Hussein provided a huge opportunity.<sup>503</sup> He outlined the military, political and reconstruction action that was needed to exploit it. On reconstruction, the CPA would spend US\$400m over the next six months – three times the amount for the previous six-month period. Some 40 to 50 percent of that would be directed to Sunni areas.

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<sup>499</sup> Annotated Agenda, 18 December 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>500</sup> Minutes, 18 December 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>501</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>502</sup> Statement, 15 January 2010, page 6.

<sup>503</sup> Minute MA1/DCDS(C) to D/DCDS(C), 19 December 2003, ‘Record of Iraq Strategy Review Meeting – Baghdad 18 Dec 03’.

**876.** The Annotated Agenda for the 18 December meeting of the AHMGIR stated that the CPA was taking forward ideas for a National Reconciliation Strategy.<sup>504</sup> Following the capture of Saddam Hussein, this was:

“... a determined effort by the CPA and the Iraqi Interim Administration to engage Sunni leaders, alongside establishment of targeted job creation schemes and more flexible implementation of the de-Ba’athification policy.”

**877.** Also on 18 December, Mr James T Baker III, former US Secretary of State, and President Bush’s personal envoy on Iraqi debt, called on Mr Blair as part of a series of meetings with major creditors.<sup>505</sup> Mr Baker told Mr Blair that the US objective was to get up to 80 percent debt reduction for Iraq, though that might be “overly optimistic”. He agreed with Mr Blair’s proposal that debt reduction should be handled through the Paris Club (rather than bilaterally).

**878.** Section 10.3 describes the UK’s efforts to secure generous debt relief for Iraq through the Paris Club, based on its analysis that debt relief would:

- increase Iraq’s ability to fund its own reconstruction (and hence reduce the pressure on the UK to contribute to reconstruction);
- provide a means of sharing the burden of financing Iraq’s recovery (as most of Iraq’s debt was owed to non-combatant countries including Russia and France); and
- clear the way for multilateral lending to Iraq.

**879.** DFID approved the £3m Emergency Public Administration Project (EPAP) in late December.<sup>506</sup> The project aimed to improve policy-making, public administration and public financial management by providing technical support to key institutions at the centre of the Iraqi Government, including the Prime Minister’s Office and the Council of Ministers Secretariat (comparable to the UK Cabinet Office).<sup>507</sup> Technical support was provided by consultants from Adam Smith International Ltd.

**880.** The EPAP was the first of three DFID projects during the period covered by the Inquiry which aimed to improve Iraqi public administration.

**881.** Sir Jeremy Greenstock issued two reports at the turn of the year, a review of 2003 and a look ahead at the challenges for the final six months of Occupation.

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<sup>504</sup> Annotated Agenda, 18 December 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>505</sup> Minute Cannon to Bowman, 18 December 2003, ‘Iraqi Debt: Call on the Prime Minister by James Baker’.

<sup>506</sup> Paper DFID, 4 November 2009, ‘Iraq – DFID Timeline and Financial Commitments: 2003-2009’.

<sup>507</sup> Project Completion Report DFID, September 2005, ‘Emergency Public Administration Project (EPAP)’.

**882.** His review of 2003 assessed that the post-conflict administration had started badly, but that Ambassador Bremer had “picked it up”.<sup>508</sup> While political violence pervaded everything, and reconciliation should have been pursued earlier:

“... in stimulating the supply of essential services, in improving community law and order, in organising the remarkable currency exchange and in generating economic activity which is livelier than the statistics or the media show, Bremer has returned many of the components of a semi-normal life to most Iraqis. The majority can at least perceive that the opportunity to create a new life, and a new Iraq, might be worth investing in.”

**883.** On the CPA’s media effort, Sir Jeremy assessed that:

“... the prize for CPA ineptness ... has to go to the Iraqi Media Network, now re-christened Al Iraqiya. With billions to spend and the world’s most powerful media industry to draw from, the CPA has ... produced a mouse, then another mouse and finally, at end-year, a mouse. Subservience to Washington’s ... requirements and sheer dysfunctionality seem to have been the causes.”

**884.** In his look ahead to the end of Occupation, Sir Jeremy wrote that the Coalition faced a significant challenge as it prepared to transfer sovereignty.<sup>509</sup> In addition to the “violent opposition” and the fragility of the political process, the principal hurdles included:

- the very slow flow of donor money, including US money, for reconstruction;
- essential utilities and services being below target, leading to a loss of support and consent for the Coalition; and
- an unemployment rate close to 50 percent.

**885.** Sir Jeremy concluded that the situation was “poised”. To come out well, the Coalition needed “one more heavy investment of effort” in three areas: military forces; donor funding; and civilian staffing.

### UK concern over the CPA’s media operation

Mr Blair’s concern over the performance of the CPA’s media operation reached its peak at the end of 2003.

Mr Blair and President Bush spoke by video conference on 4 December 2003.<sup>510</sup> Mr Blair suggested that “those responsible” for slow progress on the media should be given until January to improve things. If there was no improvement, an outside media figure should

<sup>508</sup> [Telegram 332 IraqRep to FCO London, 29 December 2003, ‘Post-Conflict Iraq: 2003 Review’.](#)

<sup>509</sup> [Telegram 337 IraqRep to FCO London, 1 January 2004, ‘Iraq: Six Final Months of Occupation’.](#)

<sup>510</sup> Letter Cannon to Adams, 4 December 2003, ‘Iraq: Prime Minister’s Video-Conference with President Bush, 4 December’.

be brought in to take charge. The US would give up and hand over to the UK if this was not fixed by February.

Sir Jeremy Greenstock reported on 4 January 2003 that the CPA was making “yet another fresh start” on its media office.<sup>511</sup> Given those changes, there was currently no place for a senior British secondee.

Mr Blair and President Bush discussed progress on the media on 6 January.<sup>512</sup> Dr Rice had now taken over responsibility for Iraqi media from Secretary Rumsfeld and there was a bridging strategy to take the media through the next couple of months, while building up media capacity in Baghdad. Mr Blair regretted the low media profile of Governing Council members and Ministers, which meant that the public received information through religious and tribal leaders.

The meeting of the ISOG on the same day concluded that given the US lead in the media sector there was little scope for UK involvement.<sup>513</sup> The US was resisting the secondment of senior UK staff.

**886.** Mr Blair visited Basra to meet Coalition troops and staff in CPA(South) on 4 January. In advance of the visit, CPA(South) advised that:

“News in the South generally good, on security, politics and economy. But no room for complacency on any of these and much remains to be done if we are to play our part in securing an effective transition.”<sup>514</sup>

**887.** CPA(South) reported that delays caused by the CPA’s complex contracting procedures made it harder to “secure the level of visibility” for CPA activity that the UK and Iraqis wanted. Local expectations were high and the UK, boosted by steadily increasing numbers of professional staff in CPA(South), would need to work hard to meet them.

**888.** Mr Blair met Ambassador Bremer in Basra.<sup>515</sup> Ambassador Bremer said that he had re-examined economic priorities and intended to focus on job creation and essential services, in particular electricity. The CPA already planned to deliver 6,000MW of capacity by June 2004; he wanted to deliver 7,000MW. He confirmed that he would not liberalise energy prices, monetarise the food ration (polls showed that 90 percent of the public were opposed) or privatise SOEs, other than some small-scale management buy-outs. Those would be hard decisions for the next Government to take.

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<sup>511</sup> Telegram 2 IraqRep to FCO London, 4 January 2004, ‘Iraq: Strategic Communications Office’.

<sup>512</sup> Letter Cannon to Adams, 6 January 2004, ‘Iraq: Prime Minister’s Video-Conference with President Bush, 6 January’.

<sup>513</sup> Letter Cabinet Office [junior official] to Sheinwald, 8 January 2004, ‘Iraq: Senior Officials Group’.

<sup>514</sup> Telegram 1 CPA Basra to FCO London, 2 January 2004, ‘Prime Minister’s Visit to Basra: Scenesetter’.

<sup>515</sup> Letter Cannon to Owen, 5 January 2004, ‘Iraq: Prime Minister’s Meeting with Bremer, 4 January’.

**889.** Ambassador Bremer also said that Mr Richmond had been put in charge of the operational aspects of the CPA's "Sunni strategy". That included up to US\$250m in project funding.

**890.** Mr Cannon's record of the meeting asked for a note for Mr Blair on how the political process would develop through the transition, how and when the UN could best be involved, and what civil and military structures the UK envisaged being in place after the June transition.

**891.** The Annotated Agenda for the 22 January meeting of the AHMGIR stated that the introduction of a single, more secure and more conveniently denominated currency had been completed on 15 January:

"The exchange has been a success for Coalition economic reconstruction, and for the UK. There was significant UK input at all stages, from policy-making, to logistics and the information campaign, which underpinned a smooth process."<sup>516</sup>

**892.** On 22 January, Mr Straw's Private Secretary sent a paper to Mr Rycroft on how the political process would develop through the transition.<sup>517</sup> No.10 had requested the paper on 5 January.

**893.** The paper, entitled 'Iraq: The Next Six Months', identified four key UK objectives:

- a smooth transition of executive power on 1 July to a sovereign Iraqi transitional Government ...
- a security agreement which allows Multinational Forces the freedom they need to operate ...
- UN Security Council endorsement of the above and an expanded UN role;
- an improving economy and infrastructure that will maximise the prospects of a successful transition."

**894.** The paper stated that the CPA's Sunni outreach programme was gaining momentum, underpinned by job creation.

**895.** The paper briefly considered civilian structures after the transition. Following the "Afghanistan model", the FCO envisaged a "small but growing" UN office to co-ordinate international assistance and "underpin/lead" the constitutional process. Officials were developing costed options for British representation after transition; they anticipated the need for a large British Embassy in Baghdad and a smaller British Embassy Office in Basra, both with "significant DFID elements".

**896.** On economic reconstruction, the paper stated that the new timetable for the transfer of sovereignty had led to programmes with the potential for political unrest ("mass privatisation, removal of subsidies on food and energy") being dropped. The

<sup>516</sup> Annotated Agenda, 22 January 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>517</sup> [Letter Owen to Rycroft, 22 January 2004, 'Iraq' attaching Paper. \[undated\], 'Iraq: The Next Six Months'.](#)

UK's priorities over the next six months were to keep the CPA focused on job creation schemes and to build capacity in Iraqi ministries and institutions. The Treasury and DFID were providing support on budget execution and financial management.

**897.** The paper concluded that the UK's work in all areas "must be supported by continued progress on reconstruction". DFID were producing a paper on the links between the political process and reconstruction over the next year.

**898.** Mr Blair annotated the paper: "This is excellent and seems the right strategy".<sup>518</sup>

**899.** Also on 22 January, Sir Hilary offered proposals from Basra on a "post-30 June strategy" to maintain the benefits and momentum of CPA(South)'s work.<sup>519</sup> In his view, the priority was to manage CPA(South)'s US\$212m programme of work to completion (it had never been intended to complete by 30 June), using broadly the same management structures and (predominately British) personnel. The US would need to be persuaded to continue to provide accommodation and security, and to agree to a single international "Co-ordinator" for the South, "ideally but not essentially British". The UK would need to continue to provide broadly the same level of staffing in the South.

**900.** A bilateral UK programme should complement rather than "diminish" that priority effort.

**901.** An early decision on how the UK intended to work in the South after transition would enable the UK to influence US planning. Sir Hilary warned that the US might be planning to take over CPA(South)'s existing programme of the work. The US would be unlikely to be able to find replacement staff quickly and would have no experience of operating in the South; there was therefore a risk that the "majority of effort" would fail. A clear UK proposal might head off any such planning.

**902.** Sir Hilary advised that he had discussed the options with Sir Michael Jay and Gen Jackson during their recent visits.

**903.** The DFID paper on the links between the political process and reconstruction was tabled at the 30 January meeting of the ISG.<sup>520</sup>

**904.** The paper, which drew on comments from Sir Hilary Synnott, Mr Bearpark, the FCO and the Treasury, identified three potential flashpoints:

- Unemployment. 90 percent of demonstrations were about jobs or salaries. Estimates of unemployment ranged from 20 to 50 percent. Structural problems

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<sup>518</sup> [Manuscript comment Blair on Paper, \[undated\], 'Iraq: The Next Six Months'](#).

<sup>519</sup> Telegram 9 CPA(South) to FCO London, 22 January 2004, 'South Iraq after 30 June'.

<sup>520</sup> [Letter Drummond to Dodd, 29 January 2004, 'Iraq: Reconstruction and the Political Process' attaching Paper DFID, 'Iraq: Reconstruction and the Political Process'; Minute Dodd to Sheinwald, 2 February 2004, 'Iraq Strategy Group'](#).

meant it would be difficult to increase employment significantly by the end of the year, but donors and the CPA should:

- a. maximise use of local labour, as already stipulated in US reconstruction contracts; DFID would aim to do the same;
  - b. provide finance for small business;
  - c. fund employment creation schemes; USAID programmes should be targeted at “higher risk” locations; DFID would consider options for the south with CPA (South) in February;
  - d. ensure pension payments were up to date.
- Disruption to the supply of cheap (subsidised) fuel.
  - Electricity supply. Demand was estimated at 5,700MW and rising rapidly, supply at about 4,000MW. It was likely the US would not meet its target of 6,000MW by June 2004. Outside the South there was little the UK could do to help. In the South, the Essential Services Plan would help to ensure demand was met. The priority should be to implement US-funded programmes and encourage Japanese investment in the power sector, recognising that little would be delivered by the middle of 2004. DFID would consider in February whether further UK investment was needed in the South.

**905.** The paper proposed that, in the run-up to transition, the UK should give priority to improving Iraqi economic policy making, preparing Iraqi ministries for the decisions they would need to make on subsidies and state-owned enterprises, and determining the structure that would succeed the CPA. It warned that the UK should be prepared for three or four months of Iraqi Government inaction after 30 June, which might produce rising levels of discontent.

**906.** The paper was endorsed by the ISG.<sup>521</sup>

## **DFID’s Interim Country Assistance Plan**

**907.** DFID circulated a first draft of its Interim Country Assistance Plan (I-CAP) for Iraq to members of ISOG for comment on 19 December 2003.<sup>522</sup>

**908.** A “final draft” was discussed at the 20 January 2004 meeting of ISOG, before being submitted to the 22 January meeting of the AHMGIR.<sup>523</sup> At the ISOG meeting, an FCO official expressed concern about the apparent exclusion of Kurdish areas from DFID’s plans.

**909.** ISOG agreed that, on the assumption that the AHMGIR agreed to the publication of the I-CAP, the FCO and the Cabinet Office would “help sanitise the paper”.

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<sup>521</sup> Minute Dodd to Sheinwald, 2 February 2004, ‘Iraq Strategy Group’.

<sup>522</sup> Letter Drummond to Bowen, 19 December 2004, ‘Iraq: DFID Country Assistance Plan’.

<sup>523</sup> Minute Dodd to Buck, 21 January 2004, ‘Iraq: Senior Officials Group’.

**910.** Before the AHMGIR meeting, Mr Drummond advised Mr Benn that discussion at ISOG had focused on concerns about benefits for communities outside the “Shia South” and cautiousness about DFID’s intention to publish the I-CAP.<sup>524</sup> MOD officials had endorsed the draft I-CAP “but for the wrong reasons”.

**911.** Mr Drummond suggested that at the AHMGIR meeting, Mr Benn should highlight the need for DFID to focus its effort:

“We have listened and as a result of consultation are willing to engage in oil sector governance to help ensure transparency in the use of oil revenues. But we will lose effectiveness if we spread ourselves too thinly. Our poverty agenda directs us to the South. Other communities can benefit through [the UN and World Bank Trust Funds] ... and the political and NGO funds.”

**912.** Mr Hoon’s briefing for the AHMGIR meeting recommended that he should endorse DFID’s draft I-CAP.<sup>525</sup> Because of DFID’s focus on poverty reduction, the draft I-CAP was heavily directed towards the South: “This is welcome in terms of the additional force protection benefits for UK military, although they [DFID] may not thank us for pointing this out.”

**913.** The draft I-CAP defined the UK’s “development goal” as “an inclusive, Iraqi led reconstruction process that brings sustained benefits to all citizens, particularly the poor and vulnerable”.<sup>526</sup> It set out three “strategic objectives”:

- to promote rapid, sustainable and equitable economic growth;
- to encourage effective and accountable governance; and
- to promote social and political cohesion and stability.

**914.** To achieve those objectives, DFID would work at three levels:

- internationally, to improve the effectiveness of aid, including by disbursing a “significant amount” through the UN and World Bank Trust Funds and encouraging others to do the same, and by helping multilateral organisations, including the IMF and World Bank, to engage;
- nationally, to support policies and reforms which benefited the poor, promoted economic reform, strengthened public administration capacity and justice, and promoted social cohesion and stability; and
- in southern Iraq, to help reduce poverty and restore the South’s links with the centre so that it could benefit from national programmes; this would include work on infrastructure and job creation, regional media and political participation.

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<sup>524</sup> Minute Drummond to Malik, 21 January 2004, ‘Iraq: Ministerial’.

<sup>525</sup> Minute [MOD junior official] to APS/Secretary of State [MOD], 21 January 2004, ‘Ad Hoc Ministerial Group on Iraq Rehabilitation: 22 January meeting’.

<sup>526</sup> [Paper DFID, \[undated\], ‘Iraq: Interim Country Assistance Plan’](#).

**915.** The draft I-CAP stated that the UK had pledged £544m at the Madrid Donors Conference. Channelling DFID resources through the World Bank and UN Trust Funds, which had proved effective in Afghanistan, should reduce administrative costs and promote donor co-ordination. The (unspecified) “remainder” of DFID’s funds would be used for bilateral programmes.

**916.** The I-CAP re-stated DFID guidance that progress against a CAP should be assessed annually, and that a CAP should be subject to a “major review” every three or four years. It also stated that, given the rapidly changing situation in Iraq, it would need a “substantial” review after one year.

**917.** The draft I-CAP did not offer an annual budget for DFID’s Iraq programme, for the three strategic objectives, or for the three levels of activity.

**918.** The I-CAP was published in February.<sup>527</sup> Three changes had been made from the final draft submitted to the 22 January meeting of the AHMGIR:

- Risks were recast as assumptions. For example, the risk that the security situation would not improve become an assumption that it would.
- The section on security included the statement that there were signs that security was improving.
- The section on lessons no longer included the caveat that DFID’s knowledge of Iraq was limited.

**919.** Sir Hilary Synnott’s posting as Head of CPA(South) ended at the end of January 2004. He was succeeded by Mr Patrick Nixon, former British Ambassador in Abu Dhabi.

**920.** Sir Hilary sent his valedictory telegram to the FCO on 26 January.<sup>528</sup> His comments on the political process and overall progress in Iraq are described in Section 9.2. Sir Hilary also reflected on the state of CPA(South) when he arrived in July 2003, and his efforts to secure additional staff and resources:

“The UK’s pre-planning fell short of making practical dispositions, and political direction of resources was complicated by deep differences at Cabinet level.

...

“We borrowed computers from the Americans and scrounged Kuwaiti mobiles from where we could. None were available through the FCO. DFID were generous with sat phones and laptops to their contracted staff ... London asked for frequent reporting. I sent it over an unclassified and temperamental Yahoo link ... All this was several months after the end of the conflict and remained like this for several months more ...

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<sup>527</sup> Department for International Development, *Iraq: Interim Country Assistance Plan*, February 2004.

<sup>528</sup> [Telegram 10 Basra to FCO London, 26 January 2004, ‘Basra Valedictory’](#).

“A bid for 37 additional and expert staff ... was endorsed by Ministers immediately ... but staff on the ground were saddened by the absence of replacements for staff whose contracts expired after three or six months, and because by early January, 18 of the 37 new staff had still not arrived.

“It was fortunate that both the Danish and Italian Governments chose the South in which to concentrate their contributions to the Coalition’s efforts. For some months we had more officials here from these countries – 13 each – than from the UK.”

**921.** Sir Hilary commented on his request for 37 additional staff in his evidence to the Inquiry:

“I was sent the record of the Ad Hoc Ministerial Committee [of 28 August] ... and it was recorded there that Synnott should be provided with everything he thought was necessary. That, to my mind, clearly came from Number 10 ... The difficulty, however, was turning that political imperative into reality.

“To me, there was a distinct absence of machinery to make things happen, the translation from policy to practice. Otherwise it became hope.”<sup>529</sup>

**922.** The deployment of UK civilian personnel is considered in more detail in Section 15.1.

**923.** Sir Hilary paid a farewell call on Mr Straw on 11 February.<sup>530</sup> Sir Hilary told Mr Straw that he had been frustrated at the length of time it had taken the FCO to deploy people and provide secure communications. The FCO’s response had compared unfavourably with that of other departments.

**924.** The FCO’s response to that criticism is described in Section 15.1.

**925.** Sir Hilary described progress on the Essential Services Plan (which had been agreed in September) in his memoir:

“The [Plan] become one of the highlights of the Coalition’s reconstruction activity in the South. Its concentration on small-scale projects rendered it doable and allowed for flexibility if obstacles should arise, which of course they did. It proved feasible to proceed with and protect small projects, even in a deteriorating security environment. And, since local people could readily see that they would benefit from the projects’ completion, they actively helped maintain security ...”<sup>531</sup>

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<sup>529</sup> Public hearing, 9 December 2009, pages 15 and 45.

<sup>530</sup> Minute Owen to PS/PUS [FCO], 12 February 2004, ‘FCO Response to Iraq’.

<sup>531</sup> Synnott H. *Bad Days in Basra: My Turbulent Time as Britain’s Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

**926.** Sir Hilary contrasted progress on the Essential Services Plan with progress on larger infrastructure projects:

“By January ... the deteriorating security environment and the prospect that the CPA would be wound up in less than six months had all but destroyed the momentum of the bigger, Baghdad-led projects.”

### **Lobbying for US reconstruction contracts**

UK Government lobbying on behalf of UK business intensified in early 2004, in anticipation of the US contracts that would be funded from the US\$18.4bn Iraq Relief and Reconstruction Fund (IRRF2) and against a background of growing press and Parliamentary criticism that UK companies were at a disadvantage in bidding for US-funded contracts. Section 10.3 describes the UK Government’s support for UK business in detail.

The 20 January 2004 meeting of the ISOG concluded that the UK needed a “proper campaign plan” involving Ministers and the British Embassy Washington, targeting the next tranche of US-funded contracts that would be awarded by the US Program Management Office (PMO) in March.<sup>532</sup>

UK Trade and Investment (UKTI) submitted a paper on UK access to US-funded reconstruction contracts to the 22 January meeting of the AHMGIR.<sup>533</sup> UKTI assessed that UK companies had good access to most US-funded contracts, but had achieved only limited success so far. The recent award of two US-funded oil contracts to US companies (bids with significant UK components had not been successful, despite lobbying by Ministers) suggested that the UK needed to take a “stronger and more active political line” in Washington to lobby for UK commercial interests.

Mr Mike O’Brien, FCO Parliamentary Under Secretary of State circulated a core script for a lobbying campaign targeting the US to Mr Straw, Ms Hewitt, Mr Boateng, Mr Benn and senior officials on 9 February.<sup>534</sup> The core script highlighted the strengths of UK industry and expressed the hope that UK companies would be given the opportunity to display those strengths in the reconstruction process.

In his covering note, Mr O’Brien stated that UK companies assessed that US procurement procedures were “essentially fair”, were not critical of the UK Government’s support, but were convinced that there was now a window of opportunity to press the US. Mr O’Brien stated that all Ministers needed to ensure that the US was “in no doubt about the political importance we attach to UK firms being seen to contribute actively to the reconstruction process”.

Mr Straw wrote to US Secretary of State Colin Powell on 17 February, expressing the UK’s disappointment that UK companies had not secured either of the oil infrastructure rehabilitation contracts, expressing the UK’s hope that UK companies would play a

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<sup>532</sup> Record, 20 January 2004, Iraq Senior Officials Group meeting.

<sup>533</sup> Annotated Agenda, 21 January 2004, Ad Hoc Group on Iraq Rehabilitation meeting attaching Paper UKTI, 20 January 2004, ‘Access to US-funded Reconstruction Contracts’.

<sup>534</sup> Minute O’Brien to Foreign Secretary, 9 February 2004, [untitled] attaching Briefing, [undated], ‘UK Bids for CPA Program Management Office Prime Contracts’.

significant role in Iraq's reconstruction, and highlighting in general terms the capability of UK companies.<sup>535</sup>

Sir Nigel Sheinwald wrote to Dr Rice on 19 February, in similar terms.<sup>536</sup>

Mr Blair wrote to President Bush on 5 March, identifying some of the UK companies bidding for PMO contracts and highlighting in general terms the expertise of UK companies.<sup>537</sup>

The Annotated Agenda for the 18 March meeting of the AHMGIR reported that following a campaign of high-level lobbying, UK companies had "achieved success" in the latest round of US reconstruction contracting.<sup>538</sup> Three project management contracts, with a total value of up to US\$80m, had been awarded to consortia with significant UK components and two design and build construction contracts, with a total value of up to US\$1.1bn, had been awarded to consortia with significant UK components. It was not possible at this stage to calculate the exact value to UK companies of those contracts.

Ministers were advised on 2 April that consortia with significant UK components had secured three further design and build contracts, with a total value of US\$1.6bn.<sup>539</sup>

**927.** The FCO sent No.10 an update on efforts to improve the CPA's media operation and the Iraqi Media Network (recently re-branded as Al Iraqiya) on 11 February.<sup>540</sup>

**928.** The FCO advised that the CPA still lacked a fully developed, overarching communications strategy but did have strategies for specific areas of activity including the political process. Mr Rob Tappan had been brought in from the US State Department to try to develop an overarching communications strategy and a further 30 US staff would arrive shortly, bringing the CPA's Strategic Communications team to around 100. However, little thought had been given to whether these additions were necessary or even desirable: "Manpower is flowing without a clear plan to harness it."

**929.** There were four UK press officers in CPA(Baghdad), two in CPA(South), and one each in Basra, Wasit and Kirkuk. The US had not responded to the UK's offer of a senior UK press officer.

**930.** The FCO concluded:

"IraqRep [Sir Jeremy Greenstock] advises that we will not achieve anything by adding further UK press officers to an already overpopulated, and undermanaged, operation. Nor does IraqRep believe there is any mileage in trying again to insert a senior British communications expert into the [CPA's] Strategic Communications team: this is Tappan's role and the Americans are likely to resist UK involvement in this area, which they see more and more narrowly in terms of US image and

<sup>535</sup> Letter Straw to Powell, 17 February 2004, [untitled].

<sup>536</sup> Letter Sheinwald to Rice, 19 February 2004, 'Iraq: Contracts'.

<sup>537</sup> [Letter Blair to Bush, 5 March 2004, \[untitled\]](#).

<sup>538</sup> Annotated Agenda, 17 March 2004, Cabinet Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>539</sup> Letter Dodd to Owen, 2 April 2004, 'Iraq: Update' attaching Paper Cabinet Office, 2 April 2004, 'Iraq: Update'.

<sup>540</sup> Letter Owen to Cannon, 11 February 2004, 'Iraq: Media and Communications'.

domestic electoral politics. Despite Bush's throw away line to the Prime Minister in December (that he would hand over the communications operation to us if it had not been sorted out by now), Condi Rice will not admit failure; Bremer would resist strongly; and Bush will not in fact hand us a baton which could be of such political importance to him.

"So we must make the best of a bad job. The work our press officers are doing on the development and implementation of the different [CPA] sectoral strategies, and our assistance to IMN [Iraqi Media Network/Al Iraqiya], are the most valuable contributions we can make."

**931.** The FCO paper was passed to Mr Blair on 12 February, under a covering note from Mr Cannon.<sup>541</sup> Mr Cannon commented:

"... our resources cannot match those of the Americans. Things at last seem to be moving in the right direction ... So we recommend that we continue to support the US effort rather than taking over full responsibility for the media strategy. Do you agree?"

**932.** Mr Blair commented on this recommendation: "Yes but at the end of Feb I want an update and if necessary, will move in."<sup>542</sup>

**933.** The FCO provided No.10 with a further update on efforts to improve the CPA's media operation and Al Iraqiya on 1 March.<sup>543</sup> The CPA now had a tighter grip, and was undertaking more strategic planning. The FCO concluded:

"There remains a lot of ground to make up, and the focus is still heavily on the domestic US audience. But things are moving in the right direction, and more systemic thought is being given to the Iraqi audience."

**934.** Mr Cannon wrote to the FCO on 10 March:

"As you know, the Prime Minister wants to improve the presentation of Iraq policy in the UK and international media. He would like us to work for more broad and positive coverage of Iraq ..."<sup>544</sup>

Mr Cannon listed a number of actions to improve the presentation of Iraq policy, and reported that Mr Blair considered that it could best be delivered by a short-term strengthening of the No.10 Press Office.

**935.** Mr Cannon's letter did not respond to the issues raised in the FCO's 1 March update regarding the CPA's media and communications effort.

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<sup>541</sup> Minute Cannon to Blair, 12 February 2004, 'Iraq: Media and Communications'.

<sup>542</sup> Manuscript comment Blair to Cannon on Minute Cannon to Blair, 12 February 2004, 'Iraq: Media and Communications'.

<sup>543</sup> Letter Owen to Cannon, 1 March 2004, 'Iraq: Media and Communication'.

<sup>544</sup> Letter Cannon to Owen, 10 March 2004, 'Iraq: Media and Communications'.

## Planning and preparing for the transfer of sovereignty

**936.** The 12 February meeting of the AHMGIR considered an FCO paper entitled ‘UK Representation in Iraq Post-Transition’.<sup>545</sup>

**937.** In the paper, the FCO set out proposals for an Embassy in Baghdad, a Consulate General in Basra and a representative in the North.<sup>546</sup> The FCO also suggested that the UK needed to consider how international assistance in the South should be co-ordinated after CPA(South) closed on 30 June.

**938.** The AHMGIR agreed the shape of British representation and tasked officials to consider the practicalities, and requested a paper on co-ordination of the international effort in the South, for discussion at its next meeting.

**939.** Sir Hilary Synnott paid a farewell call on Mr Blair on 17 February.<sup>547</sup> Sir Hilary told Mr Blair that reconstruction was the key to maintaining consent in the South. Reconstruction projects had a long lead-time but were now kicking in. Political transition and the dismantling of CPA(South) could lead to a loss of momentum and civil unrest. Sir Hilary’s particular worry was the portfolio of projects conceived and initiated by the UK but funded by the US. Those could suffer if the US focused on new projects and DFID on UK-funded projects. He hoped there would still be a “locally co-ordinated (and ideally UK-led) international effort” in the South. Mr Blair agreed on the need to maintain momentum on reconstruction.

**940.** Sir Hilary told the Inquiry that Mr Blair’s response to his concerns had been “non-committal”.<sup>548</sup>

**941.** Mr Blair told the Inquiry that, although anxiety and concern were occasionally flagged up very strongly in Sir Hilary’s reports from Basra, when Sir Hilary left Iraq he was, on balance, optimistic rather than pessimistic.<sup>549</sup>

**942.** Sir Hilary’s response to Mr Blair’s assessment is described later in this Section.

**943.** Mr Nixon offered his first impressions from Basra on 24 February (after some three weeks in post as Head of CPA(South)).<sup>550</sup> He described himself as “guardedly optimistic”. Economic activity was increasing and there was an air of excitement around the political process.

**944.** CPA(South) now had “almost a full house of specialist experts” and was working closely with MND(SE). By the end of February, CPA(South) would have committed US\$280m to more than 1,300 projects designed to create jobs, make a quick and visible

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<sup>545</sup> Minutes, 12 February 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>546</sup> Paper FCO, [undated], ‘Future UK Representation in Iraq’.

<sup>547</sup> Letter Cannon to Owen, 17 February 2004, ‘Iraq: Sir Hilary Synnott’.

<sup>548</sup> Letter Synnott to Aldred, 24 January 2011, [untitled].

<sup>549</sup> Public hearing, 21 January 2011, page 135.

<sup>550</sup> [Telegram 19 CPA Basra to FCO London, 24 February 2004, ‘First Impressions from Basra’](#).

impact and be completed by 30 June. Even with more funds and more staff, CPA(South) could not complete many more.

**945.** CPA(South) was focusing on:

- completing its own portfolio of projects;
- advising and supporting (when requested) new programmes funded by other donors including the PMO (which had earmarked US\$2.9bn for the South) and Japan (which had earmarked US\$1.5bn for the South);
- easing the return of the UN and other donors to the South; and
- strengthening the capacity of the Iraqi Government.

**946.** Mr Nixon stated that it was essential that some CPA(South) experts stayed through the transition, to continue that work.

**947.** The report was passed to Mr Blair on 24 February.<sup>551</sup>

### **UK contributions to the World Bank and UN Trust Funds**

DFID contributed £65m (later increased to £70m) to the World Bank and UN Trust Funds at the end of February.

International donors met in the United Arab Emirates from 28 to 29 February for the first International Reconstruction Financing Facility for Iraq (IRFFI) Donor Committee Meeting.<sup>552</sup> One objective of the meeting was to agree contributions to the World Bank and UN Trust Funds, within the pledges announced at the Madrid Donors Conference in October 2003.

At the meeting, donors committed approximately US\$1bn to the two Funds, with the largest contributions from Japan (US\$500m) and the EU (US\$190m).<sup>553</sup> DFID committed £65m (US\$120); it did not specify how that contribution was to be allocated between the World Bank and UN Funds.

On 12 March, Mr Drummond sought Mr Benn's agreement to increase that contribution to £70m.<sup>554</sup> Mr Drummond advised that the original contribution of £65m represented the balance of funds that DFID had available for Iraq as the end of the UK financial year 2003/04 approached. It was now clear that a further £5m was available.

Mr Drummond advised that the UK's contribution should be transferred to the Trust Funds by the end of March:

"We cannot be certain how long it will take to disburse money from the Trust Funds, but both the [World] Bank and the UN need money up front before they can start programmes. Considering the security constraints both the World Bank and the

<sup>551</sup> Manuscript comment Rycroft on Telegram 19 CPA Basra to FCO London, 24 February 2004, 'First Impressions from Basra'.

<sup>552</sup> International Reconstruction Fund Facility for Iraq, 29 February 2004, *Chair's Statement for the Abu Dhabi Donor Committee Meeting of the International Reconstruction Fund Facility for Iraq (IRFFI) February 29, 2004*.

<sup>553</sup> Minute Drummond to Malik, 12 March 2004, 'International Reconstruction Financing Facility For Iraq (IRFFI)'.

<sup>554</sup> Minute Drummond to Malik, 12 March 2004, 'International Reconstruction Financing Facility For Iraq (IRFFI)'.

UN have moved fast to design programmes ... Although other donors have committed money, little has been paid in. We ought to show leadership by putting our money in soon.”

The UK transferred £40m to the World Bank Trust Fund and £30m to the UN Trust Fund at the end of March.<sup>555</sup>

**948.** The Annotated Agenda for the 1 March meeting of the AHMGIR stated that modified versions of the Development Fund for Iraq (DFI) and International Advisory and Monitoring Board (IAMB) should be retained after the transition, in order to “ensure accountability and transparency”.<sup>556</sup> Otherwise, there was a substantial risk of mismanagement of oil revenues. The arrangement could also ensure that Iraqi assets remained immune from claims. The US supported the idea of a modified DFI.

**949.** Such an arrangement might be seen in Iraq as a constraint on sovereignty, but conversely many Iraqis might welcome arrangements which enhanced transparency and restricted the ability of transitional Ministers to mismanage oil revenues.

**950.** The Annotated Agenda also stated that the DFI currently held US\$8.8bn and paid for 95 percent of the Iraqi budget. In addition, “substantial DFI funds had been spent off-budget on the approval of the CPA with intermittent Iraqi representation”.

**951.** The Annotated Agenda did not contain any further detail on the “off-budget” disbursement of DFI funds.

**952.** The AHMGIR agreed that the UK should press for the establishment of transparent and accountable arrangements for the management of oil and other Iraqi revenues through the transition period.<sup>557</sup>

**953.** Sir Jon Cunliffe told the Inquiry that, although the US and the CPA were “very resistant to external monitoring and external accountability” undertaken by the IAMB:

“When the Iraqi Government itself arrived, I think both Occupying Powers decided there was joint interest in having transparency, accountability and control [over oil revenues] and, indeed, I think that the US were with us in pushing for the interim Iraqi Government to take on the DFI with all of its monitoring machinery.”<sup>558</sup>

**954.** Section 10.3 describes the operation of the DFI, and considers the UK’s scrutiny of disbursements from the DFI.

**955.** The Transitional Administrative Law (TAL), which defined the transition to a fully sovereign Iraqi Interim Government (IIG) by 30 June 2004 and an Iraqi Transitional

<sup>555</sup> Paper DFID, 4 November 2009, ‘Iraq – DFID Timeline and Financial Commitments: 2003-2009’.

<sup>556</sup> Annotated Agenda, 1 March 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>557</sup> Minutes, 1 March 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>558</sup> Public hearing, 9 July 2010, pages 38 and 39.

Government (ITG) by 31 January 2005, was agreed by Governing Council on 1 March (see Section 9.2).

**956.** The 8 March meeting of the ISOG was advised that the UK civilian presence in Basra after the transition could not yet be defined, pending PMO decisions.<sup>559</sup>

**957.** The ISOG was also advised that the UK was opposed to US plans for a “Transition Board”, reporting to the US Ambassador, to co-ordinate international advisers in Iraqi ministries after the transition. More broadly, the UK was against any “US-led post-Occupation structures whether they be in the political, security or development fields, whatever the extent of de facto US influence”.

**958.** Sir Jeremy Greenstock called on Mr Blair on 11 March.<sup>560</sup> Sir Jeremy reported that the flow of US funds remained slow, even to the security forces. In the electricity sector, the gap between supply and demand would widen over the summer. Economic progress in poorer districts remained slow and unemployment was high. The South, starting from a lower baseline, was “more contented”, but managing expectations was crucial.

**959.** Sir Jeremy thought that presentation of policy to Iraqis had improved, although much ground had been lost to Al Arabiya and Al Jazeera. CPA communications remained fixated on the US audience.

## UK Transition Plan for Iraq

**960.** The 12 March meeting of the ISG discussed a draft Transition Plan for Iraq produced by the FCO.<sup>561</sup> The ISG concluded that:

“One of our main concerns was what the CPA would turn into. A gap in programmes between the end of CPA and the formation of the interim Government would cause problems, not least for security. Continuity was therefore essential and capacity needed to be maintained. The answer was for [international] advisers to shift into [Iraqi] ministries ...”

**961.** The 18 March meeting of the AHMGIR considered a revised version of the Transition Plan.<sup>562</sup>

**962.** The Plan stated that the transition had to be seen as a clear transfer of power, although the new Iraqi Government would still need wide-ranging assistance. Issues included:

- Establishing a transparent and robust framework for managing Iraqi funds (including oil revenues). The CPA was drafting an organic Budget Law, which UK officials were lobbying to improve. Higher than expected oil revenues

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<sup>559</sup> Minute Dodd to Crompton, 8 March 2004, ‘Iraq: Senior Officials Meeting’.

<sup>560</sup> Letter Cannon to Owen, 11 March 2004, ‘Iraq: Sir Jeremy Greenstock’s Call on the Prime Minister’.

<sup>561</sup> Minute Dodd to Sheinwald, 15 March 2003, ‘Iraq Strategy Group’.

<sup>562</sup> Annotated Agenda, 18 March 2004, Ad Hoc Group on Iraq Rehabilitation meeting attaching Paper FCO, 17 March 2004, ‘Iraq: Transition Plan’.

meant restrictions on funds reaching ministries would be the result of “imperfect procedures” rather than lack of money.

- Supporting Iraqi ministries. The US/CPA was still considering the form and extent of its support after 30 June. DFID programmes to build the capacity of the Ministries of Finance, Planning, and Municipalities and Public Works had begun. DFID might retain “a few” of the current CPA advisers in Baghdad, but most would be withdrawn by 30 June.
- CPA(South) transition. DFID would maintain a Development Section in the British Embassy Office Basra and a team of consultants working with the four southern governorates. A visit by DFID officials later in the month would:
  - develop recommendations for DFID staffing in the British Embassy Office Basra;
  - agree with the PMO any requirements for support from CPA(South) infrastructure specialists; and
  - assess whether any other CPA(South) staff should be retained, and if so in what organisation.

**963.** The Annotated Agenda for the AHMGIR meeting reported that the CPA envisaged that international advisers would become part of a new agency, run by a US national and reporting jointly to the Iraqi Prime Minister and the US Ambassador.<sup>563</sup> The US saw this as a way of retaining US control after the transition. The UK would continue to argue against this; the Coalition needed to establish Iraqi authority and be seen to do so.

**964.** The AHMGIR agreed the Transition Plan but asked for a Transition Plan for the South, identifying where the UK needed to lobby the US.<sup>564</sup>

**965.** Mr Benn visited Baghdad and Basra from 22 to 23 March.<sup>565</sup> He reported to Mr Blair:

“There is steady progress, but the challenges remain immense ...

“The economy is picking up well. Reconstruction is starting to produce visible results ...

“Success is bringing new challenges. Maintaining infrastructure will require difficult political decisions for the new Government such as charging more for electricity and fuel. Donor money may add to inflationary pressures ... I encouraged Bremer to promote transparency in the use of the oil revenues after 30 June. We need the IMF and World Bank to be fully involved in this, and other economic management issues, as soon as possible.”

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<sup>563</sup> Annotated Agenda, 17 March 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>564</sup> Minutes, 18 March 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>565</sup> Letter Benn to Blair, 24 March 2004, [untitled].

**966.** Mr Benn also reported that there were tensions within the US system over how much control they should try to retain after transition.

**967.** Mr Drummond, who accompanied Mr Benn, produced a separate report for DFID colleagues only.<sup>566</sup> He reported that:

- Ambassador Bremer had not seen how, politically, the Coalition could retain control over Iraq's oil revenues after transition. The Ambassador had agreed with Mr Benn on the importance of managing those revenues transparently.
- Interlocutors in the Ministries of Finance, Development Co-operation and Industries had all favoured bilateral projects over the World Bank and UN Trust Funds, because of the high UN administration fee and the lack of UN and World Bank presence in Baghdad. Mr Benn and Mr Drummond had set out the merits of the Trust Funds, including low transaction costs.
- On the future of CPA(South), Mr Benn and Mr Drummond had been "pressed on the need for some continuity on the handover of authority, both by CPA(South) staff and Adm Nash. We said that from 1 July things had to be different with the Iraqis in the lead supported by well-targeted advice; the big money for reconstruction would come from the [US] Supplemental, the Japanese and the Trust Funds."
- Mr Benn and Mr Drummond had also been lobbied by MND(SE) on funding for QIPs. MND(SE) had said that their budget for QIPs would be almost exhausted by 30 June, but UK forces could still play a valuable role after transition. Mr Drummond reported: "We made no commitment ... It may be that MOD can resource this from elsewhere. QIPs are not high on my list of priorities."

### Basra International Airport

Ministers first considered reopening Basra International Airport (BIA) to commercial traffic in December 2003.<sup>567</sup> In a joint paper, the Cabinet Office and IPU advised that reopening the airport would signal a return to normality and help stimulate reconstruction. The threat to aviation in Iraq was severe, however, and as an Occupying Power the UK would have overall liability for commercial flights.

Ministers agreed in January 2004 that BIA should not be reopened to commercial flights before there was an Iraqi Government in place (at the end of June 2004), at which time the decision (and direct liability) would be theirs.<sup>568</sup>

Ministers revisited the question in April 2004, following a CPA request that CPA-chartered cargo and passenger aircraft should be allowed to use BIA, and agreed that CPA-

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<sup>566</sup> [Minute Drummond to DFID \[junior official\], 24 March 2004, 'Iraq Visit'](#).

<sup>567</sup> Letter Dodd to Owen, 23 December 2003, 'Iraq: Basra Airport' attaching Paper Cabinet Office/IPU, 23 December 2004, 'Iraq: Commercial Passenger Flights into Basra Airport'.

<sup>568</sup> Letter Dodd to Owen, 2 April 2004, 'Iraq: Opening of Basra Airport to Commercial Traffic' attaching Paper IPU/Cabinet Office, 2 April 2004, 'Iraq: Opening of Basra Airport to Commercial Traffic'.

chartered cargo flights but not passenger flights should be allowed to use BIA (as the liability arising from passenger flights was so much greater).<sup>569</sup>

Ministers also agreed that UK forces should continue to provide air traffic control and other services to cargo flights after the transition, when in direct support of reconstruction and humanitarian activities.

BIA reopened to commercial flights on 1 January 2005, following the agreement of a Memorandum of Understanding between the UK and Iraqi Governments indemnifying the UK Government and its agents against all claims arising from the provision of services by UK personnel at BIA (see Section 10.2).

**968.** Section 9.2 describes the deterioration in the security situation in Iraq from late March, as the Coalition faced Muqtada al-Sadr's Shia militia, Sunni insurgents in Fallujah and a growing threat from Al Qaida.

**969.** Sir Jeremy Greenstock concluded his six-month tour in Iraq at the end of March and was succeeded by Mr David Richmond. Sir Jeremy's valedictory telegram assessed that the Coalition might not deserve the "fragile state of semi-progress" in Iraq:

"The preparations for the post-conflict stage were abject; wrong analysis, wrong people ... And the volume of resources required on the ground, especially in military terms, was and continues to be misjudged."<sup>570</sup>

**970.** Sir Jeremy listed the Coalition's major failings, including "complacency and constant overselling of the true picture".

**971.** In early April, US forces began operations in Fallujah. Section 9.2 describes UK concerns about the operation and its effect on Sunni opinion.

**972.** On 7 April, Mr Blair received an (unattributed) report on media and communications in Iraq.<sup>571</sup> It assessed that the Iraqi media was "free, but also chaotic": 190 newspapers, 25 TV stations and 70 radio broadcasters operated with almost no regulation. Where satellite television was available, Iraqi citizens preferred it to terrestrial television or the print media; where it was not, Al Iraqiya dominated. The major satellite channels were Al Arabiya and Al Jazeera. Although Al Iraqiya was improving, "the abiding impression is too little, too late". It could not hope to rival regional satellite channels in the near future, but in the long term had the potential to become a credible public service broadcaster. Rumour and word of mouth remained disproportionately powerful.

**973.** Mr Blair commented: "This is simply inadequate. We must grip this."<sup>572</sup>

<sup>569</sup> Letter Cabinet Office [junior official] to Owen, 9 August 2004, 'Iraq: Basra Airport'.

<sup>570</sup> [Telegram 109 IraqRep to FCO London, 26 March 2004, 'Iraq Valedictory: Six Months in the Cauldron'](#).

<sup>571</sup> Report, [undated], 'Iraqi Media: Snapshot'.

<sup>572</sup> Manuscript comment Blair on Report, [undated], 'Iraqi Media: Snapshot'.

**974.** On 8 April, the FCO tightened their travel advice, to read: “Even the most essential travel to Iraq should be delayed, if possible.”<sup>573</sup> Companies involved in reconstruction were encouraged to “ensure that they have made the appropriate security arrangements”.

**975.** On 14 April, the UK company Foster Wheeler Energy Ltd, which had been contracted by the PMO to provide oil and gas project management services in Iraq, informed the PMO that it intended to postpone the deployment of its staff to Iraq, citing the 8 April FCO travel advice.<sup>574</sup>

**976.** Section 10.3 describes the exchanges between Foster Wheeler, the PMO and the UK Government, leading to the (delayed) deployment of Foster Wheeler staff to Iraq from late May.

**977.** Also on 14 April, the JIC assessed that kidnapping was now being used as a tactic by anti-Coalition forces.<sup>575</sup> The kidnappings, together with the rise in attacks on foreigners over the past month, were persuading “many” foreign contractors to leave Iraq. That could affect the Coalition’s reconstruction effort and, in the short term, precipitate power shortages and further public discontent.

**978.** On 15 April, Sir Nigel Sheinwald sent Dr Rice a “personal paper” from Mr Blair for President Bush, which Mr Blair hoped the President might read before their conversation the next day.<sup>576</sup> Mr Blair summarised his strategy for Iraq as:

- local engagement by Iraqis to sort the Sunni and MAS [Muqtada al-Sadr] problems, with Fallujah critical;
- backed by a specific set of offers to deal with grievances;
- backed by an Iraq-wide campaign of communication, led and fronted by Iraqis”.

**979.** Mr Blair acknowledged Dr Rice’s “heroic efforts” and recent improvements in the CPA’s communications work. But:

“My point, simply, is that this issue [communications] is not just important; it is crucial. It is at the core of whether we succeed or fail ... We need a wholly more professional and organised response. We can’t leave the field to Al Jazeera and Al Arabiya as the satellite channels watched by the people; or fail to use the terrestrial channels adequately.”

**980.** Mr Blair and President Bush met in Washington on 16 April.<sup>577</sup> Mr Blair stressed to President Bush the importance of standing firm, setting out a clear political vision and implementing it competently.

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<sup>573</sup> FCO Travel Advice for Iraq, 8 April 2004.

<sup>574</sup> Letter O’Connell to CPA/PMO, 14 April 2004, ‘Oil Sector Program Management Contractor’.

<sup>575</sup> [JIC Assessment, 14 April 2004, ‘Iraq Security’](#).

<sup>576</sup> [Letter Sheinwald to Rice, 15 April 2004, \[untitled\], attaching Note \[Blair to Bush\], \[undated\], ‘Note’](#).

<sup>577</sup> Letter Rycroft to Adams, 16 April 2004, ‘Iraq: Prime Minister’s Meeting with President Bush’.

**981.** Mr Blair said that there needed to be a clear strategy for addressing the grievances of both the Sunnis and the Al Sadr supporters, including tackling poverty in Sadr City. He added that “large amounts of money were available, but very little was being spent”.

**982.** Mr Blair again emphasised the importance of better communication with the Iraqi population. After the transition, the Iraqi Government would have increased responsibility in this area and would need real help from the US and UK.

**983.** No specific actions were agreed.

**984.** On 18 April, Mr Richmond reported from Baghdad on the challenges of “designing and executing post-conflict reconstruction in what effectively remains a conflict zone”.<sup>578</sup> Drawing on discussions with Mr Bearpark, Adm Nash and USAID, Mr Richmond advised that there was:

“Probably less activity on the ground than CPA are prepared to admit, as aid agencies and contractors withdraw personnel to safer areas pending decisions to re-engage. Main foreign contractors operating at 50 – 75 percent staffing levels. Some NGOs well below that.”

**985.** Washington had directed the CPA to accelerate spending, and specifically to “ameliorate conditions in Fallujah”. Of the US\$18.4bn committed to IRRF2:

- US\$8.8bn was available now for construction projects, of which US\$1.5bn had been “obligated” (contracts issued); and
- US\$5.8bn was available for non-construction projects, of which US\$770m had been obligated.

**986.** The problem was translating those figures into work on the ground against the timetable required by the political process.

**987.** The PMO’s aim was to be in a position to deliver once security conditions allowed. Adm Nash was advising contractors to bring in the minimum necessary number of staff to “establish a bridgehead”. He had also created incentives for contractors to sub-contract to lower-profile and local companies.

**988.** Mr Richmond advised that the UK needed to consider the advice it gave to UK development partners and contractors regarding travel to Iraq, and in particular to consider the divergence of advice between the US and UK. The US Government issued stricter guidance on travel than the UK, but did not seem to enforce it. The UK’s travel advice gave him “no option but to counsel caution” to UK contractors. The problems experienced by Foster Wheeler encapsulated the dilemma: “Risk coming out or losing out.”

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<sup>578</sup> [Telegram 173 IraqRep to FCO London, 18 April 2004, ‘Iraq: Effects of the Recent Crisis on Reconstruction’.](#)

**989.** Sir Nigel Sheinwald wrote to the FCO on 19 April, advising that Mr Blair was concerned by the picture painted by the briefing he had received in advance of his meeting with President Bush.<sup>579</sup> Mr Blair believed that a renewed effort was needed by the CPA and by departments in London. He had asked for 15 urgent reports, which should be:

“... unvarnished accounts of where things stand, with as much local colour as possible; and with clear recommendations, where appropriate, for how to improve things.”

**990.** The accounts included:

- the media;
- reconstruction, spending and disbursement;
- everyday life;
- women’s groups; and
- schools, universities and hospitals.

**991.** Sir Nigel advised that Mr Blair was prepared to put specific points directly to President Bush, and suggested that Mr Richmond might draw the reports together into a weekly or fortnightly “hit list of priorities”.

**992.** The 20 April meeting of the ISOG was advised that Mr Blair considered that progress needed to be accelerated in all areas of reconstruction in order to make transition a success.<sup>580</sup> He had decided to follow developments more closely himself. Sir Nigel had therefore commissioned a number of reports and recommendations for improvements “to be written by the practitioners in Iraq themselves”.

**993.** On 21 April, Sir Kevin Tebbit, MOD Permanent Under Secretary, wrote to Sir Andrew Turnbull, the Cabinet Secretary, and Permanent Secretaries to set out the arrangements for looking after civilian personnel in Iraq.<sup>581</sup> Detailed contingency plans for the evacuation of UK staff in Bagdad were being drawn up, as “a matter of prudent planning: the security situation in Iraq is tense, but no worse in most places than it has been previously”.

**994.** Referring to concerns expressed by Permanent Secretaries at their recent Wednesday morning meeting, that the withdrawal of civilian contractors could undermine the reconstruction effort and hence exacerbate the security situation, Sir Kevin advised:

“The impact on reconstruction would indeed be serious if contractors began to withdraw, although there is little evidence that this is happening on a large scale ... You may have seen David Richmond’s telegram of 18 April which assess

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<sup>579</sup> [Letter Sheinwald to Adams, 19 April 2004, ‘Iraq’.](#)

<sup>580</sup> Letter Cabinet Office [junior official] to Buck, 23 April 2004, ‘Iraq: Senior Officials Group’.

<sup>581</sup> [Letter Tebbit to Turnbull, 21 April 2004, \[untitled\].](#)

that most [companies] are operating at 75 percent of their capacity pending security developments. No UK or US funded contractor has withdrawn for Iraq.”

**995.** Sir Kevin outlined the actions the CPA was taking to enable contractors to operate.

## UK Transition Plan for Southern Iraq

**996.** Mr Drummond circulated a report to members of ISOG on 16 April, setting out DFID’s plan to support Iraq after transition.<sup>582</sup> In Baghdad, DFID planned to maintain its support for key ministries (including the Ministries of Finance, Planning and Development Co-ordination, and Municipalities and Public Works) at around the same level, at up to 20 advisers.

**997.** The ‘UK Transition Plan for Southern Iraq’, which had been commissioned by the AHMGIR on 18 March, was submitted to the 22 April meeting of the AHMGIR.<sup>583</sup>

**998.** The Annotated Agenda for the meeting reported that security had deteriorated “markedly” over Easter (9-12 April) and the risks to UK civilian staff in Iraq were high.<sup>584</sup> The deployment of civilians had been reviewed and, as a temporary measure, new deployments to Baghdad had been suspended and staff unable operate in the current security environment had been withdrawn.

**999.** The AHMGIR approved the recommendation that all other staff should remain in Iraq subject to continuing review.<sup>585</sup>

**1000.** The ‘UK Transition Plan for Southern Iraq’ considered the security, political, reconstruction and representational aspects of transition.<sup>586</sup> It stated that the UK’s focus should on “helping the Iraqis to take responsibility for their own future.” The main challenges would be:

- maintaining security;
- helping Iraqi citizens in the four Southern governorates to participate in the national political process; and
- promoting economic recovery including job creation, and rebuilding Governorates and local institutions.

**1001.** The Plan was based on the explicit assumption that the security situation would “calm down”.

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<sup>582</sup> Letter Drummond to Buck, 16 April 2004, ‘Iraq: The Transition’ attaching Report DFID, April 2004, ‘DFID Programme Requirements in Southern Iraq from July 2004’.

<sup>583</sup> [Annotated Agenda, 21 April 2004, Ad Hoc Group on Iraq Rehabilitation meeting attaching Paper, \[undated\], ‘UK Transition Plan for Southern Iraq’.](#)

<sup>584</sup> [Annotated Agenda, 21 April 2004, Ad Hoc Group on Iraq Rehabilitation meeting.](#)

<sup>585</sup> [Minutes, 22 April 2003, Ad Hoc Group on Iraq Rehabilitation meeting.](#)

<sup>586</sup> [Paper, \[undated\], ‘UK Transition Plan for Southern Iraq’.](#)

**1002.** The Plan stated that the UK hoped that the US would retain a strong presence in Basra, but the US had not yet finalised its plans.

**1003.** On reconstruction in the South, the Plan reported that good progress had been made “given the constraints”. Power production had improved sharply, the ports were operating above pre-war capacity and the private sector was active, particularly in Basra. The next phase would require major new capital investment, and the creation of more jobs.

**1004.** DFID’s projects to rehabilitate government buildings and restore power, fuel and water services in the South<sup>587</sup> should be complete by 30 June, provided the security situation remained stable. A phased exit was planned for the 50 DFID-funded staff and contractors in CPA(South) and for the UK secondees supported by the FCO, beginning in mid-June.

**1005.** Other donors and the private sector would provide the main funds for infrastructure after the transition. The US, through its PMO, would be by far the largest donor and was likely to spend at least US\$3bn in the South over the next three years. The PMO was expected to take over the CPA(South) compound and base up to 300 staff there; those would almost all be “contractors with little or no knowledge of the local context”. The PMO had shared some reconstruction plans with the Iraqi Government, but “only briefly so far”. Japan, Denmark and Italy were the other major bilateral donors in the South. Unless security improved dramatically, it was unlikely that the UN would make a substantial impact.

**1006.** The capacity of Iraqi central and local authorities, which would assume full executive authority once CPA(South) was dissolved, was “mixed”. The PMO was not currently incorporating capacity-building elements into its programmes. RTI, a consultancy company funded by USAID to build local government capacity, was withdrawing most of its staff on security grounds.

**1007.** DFID had agreed in principle to provide up to £25m over two years for the Governorates Capacity Building Project (GCBP) to strengthen planning, financial management and other core functions in the four southern governorates. The project was scheduled to start in May.

**1008.** DFID would also fund an eight-person Transitional Advisory Team<sup>588</sup> to work with the PMO, to help “bridge the local knowledge gap” between PMO contractors and Iraqi technical directorates. The team would be deployed for six months in the first instance.

**1009.** The Plan stated that the South would also benefit from DFID’s national programmes.

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<sup>587</sup> A reference to the Essential Services Plan.

<sup>588</sup> Subsequently renamed the Technical Advisory Team.

**1010.** The possibility of a “reconstruction gap”, which had been identified by Sir Hilary Synnott on 22 January, was not explicitly acknowledged in the Plan.

**1011.** In a briefing for Mr Straw (as Chair of the AHMGIR), the Cabinet Office warned that DFID’s intended focus on capacity-building, leaving capital and large-scale rehabilitation projects to other donors, might be controversial:

“This formation is fine in principle but depends on other donor funds, particularly from the US Supplemental [IRRF2], being disbursed on time. US contracts are being let now but if there are delays in implementation due to security or bureaucracy there could be a reconstruction gap in the South this autumn.”<sup>589</sup>

**1012.** Ministers endorsed the Plan and agreed that the UK should press the US to reach decisions on its future support in southern Iraq.<sup>590</sup>

## Reports from Iraq

**1013.** On 23 April, Mr Blair received the first edition of all 15 “unvarnished accounts” commissioned by Sir Nigel Sheinwald on 19 April, plus an additional four reports covering essential services, oil, next year’s budget and Ambassador Bremer’s recent speech in Tikrit.<sup>591</sup>

**1014.** The reports relating to the political situation and security are described in Section 9.2; the account relating to Security Sector Reform is described in Section 12.1.

**1015.** The report on the Iraqi media identified three key challenges (tackling the pan-Arab satellite channels, improving Al Iraqiya, and strengthening the capacity of the Iraqi Government) and set out how the UK should address them.<sup>592</sup>

**1016.** The report on reconstruction was Mr Richmond’s 18 April report on the challenges of designing and executing reconstruction in a conflict zone.<sup>593</sup>

**1017.** The report on essential services stated that delivery of most services was poor.<sup>594</sup> A reliable electricity supply remained key to the delivery of other services but the Coalition continued to fail to meet public expectations; widely publicised CPA targets for electricity generation for summer 2003 had not been met and it was unlikely that the CPA’s target of 6,000MW by 30 June 2004 would be achieved. Food, sanitation and fuel were less problematic. Food supplies had been temporarily interrupted by recent fighting, but there was no evidence of significant food shortages. There was some

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<sup>589</sup> [Annotated Agenda, 21 April 2004, Ad Hoc Group on Iraq Rehabilitation meeting.](#)

<sup>590</sup> Minutes, 22 April 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>591</sup> Minute Rycroft to Prime Minister, 23 April 2004, ‘15 Reports on Iraq’.

<sup>592</sup> Paper, [undated], ‘Media in Iraq’.

<sup>593</sup> [Telegram 173 IraqRep to FCO London, 18 April 2004, ‘Iraq: Effects of the Recent Crisis on Reconstruction’.](#)

<sup>594</sup> Telegram 180 IraqRep to FCO London, 20 April 2004, ‘Iraq: Essential Services (Excluding Oil)’.

confidence that water supply to major cities would not be interrupted even in times of peak demand.

**1018.** The report on gender issues stated that this was a “major emphasis” for the CPA and a “personal focus” for Ambassador Bremer.<sup>595</sup> Civil society organisations were developing strongly, though political organisations were only now emerging. Women had taken on visible leadership roles in Iraq and the TAL set a goal of 25 percent representation in the Transitional Government. Funding was not an issue; the key challenges were security and opportunities in education and employment.

**1019.** The report on “schools, universities, hospitals” (from Mr Chris Segar, Head of the British Office Baghdad) stated that the Ministries of Health and Education were both regarded as having good political and strategic leadership and competent management staff, and had established “normal” relationships with international donors.<sup>596</sup> US funds were available for infrastructure; UK support was provided through the World Bank and UN Trust Funds. Nearly all the 240 hospitals in Iraq were functioning, though many faced (unspecified) difficulties. Drug supply continued to fall below Iraqi expectations, but drugs were more widely available, especially to the poor, than before the conflict. 2,300 schools had re-opened in time for the new school year (on 1 October 2003), staffed and equipped with textbooks and materials.

**1020.** The report on oil sector development stated that production was rising ahead of schedule, but future capacity was threatened by an early, mistaken focus on repair rather than modernisation and development.<sup>597</sup> Discussions between the Ministry of Oil and the CPA on raising gasoline prices continued, with the Ministry avoiding any commitment on a politically contentious issue. Discussions on restructuring the oil industry “remained mired in politics”. There were persistent but unconfirmed allegations of corruption in both the State Oil and Marketing Organisation and the Ministry of Oil. Ambassador Bremer had recently appointed a new Inspector General to the Ministry, but after 30 June his capacity to monitor financial flows would be tested. International oil companies were watching carefully, but wanted to see greater security and a stable regulatory and investment environment before investing.

**1021.** On 26 April, Mr Rycroft set out Mr Blair’s response to the reports in a letter to Mr Straw’s Private Secretary, copies of which were sent to DFID, the MOD, the Cabinet Office and UK officials in Iraq and the US:

“The conclusion the Prime Minister draws ... is that the problem we face is not multi-faceted. It is simple: security. It casts its shadow over everything from oil production to education to the political process.”<sup>598</sup>

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<sup>595</sup> Telegram 188 IraqRep to FCO London, 22 April 2004, ‘Iraq: Gender Issues’.

<sup>596</sup> Telegram 035 IraqRep to FCO London, 22 April 2004, ‘Iraq: Health and Education’.

<sup>597</sup> Telegram 183 IraqRep to FCO London, 21 April 2004, ‘Iraq: Oil Sector Development’.

<sup>598</sup> [Letter Rycroft to Owen, 26 April 2004, ‘Iraq: 15 Reports for the Prime Minister’](#).

**1022.** Mr Rycroft outlined how Mr Blair thought existing activity could be improved, including by:

- “(a) Iraqi-isation. We must do whatever it takes to get the ICDC [Iraqi Civil Defence Corps] and Iraqi police into shape. Every main road has to be guarded, oil refineries rebuilt, electricity generation on target ...
- (b) Communications. There needs to be a concerted campaign in Iraq and abroad to explain what the security problem actually is, and how it is a deliberate attempt to prevent the Iraqi people from getting the benefit of what we are doing. We need to provide top security for Al Iraqiya’s reporters and staff; strengthen the Coalition’s Arabic media capability; improve the coordination between military and political to give real time information to spokesmen; and vastly improve the Iraqi Government’s communications capability.
- (c) Reconstruction spending. There is a damaging gap between ‘obligated’ funds and actual spending. Any suspension of ... projects must be temporary. We need urgent clarity and agreement on what will replace the CPA outside Baghdad after 30 June.”

**1023.** On the same day, Sir Nigel Sheinwald sent Dr Rice another Note from Mr Blair, and asked her to show it to President Bush before their video conference the next day.<sup>599</sup> In his Note, Mr Blair set out the detailed analysis that Mr Rycroft had communicated across Whitehall, including the need for:

- “a vast uplift in the Iraqi Government’s capability to communicate”;
- “a massive, concerted campaign” to explain the security problem: Mr Blair said that he would “like to send a couple of people I really trust to give a proper sense of what could be done”; and
- “a ‘whatever it takes’ attitude to ensure that obligated funds were spent”.

**1024.** Mr Blair spoke to President Bush on 27 April.<sup>600</sup> The discussion focused on security, the presence of Coalition Forces after the transition, and the political process. They discussed the need for the reconstruction process to continue while the Coalition resolved the security situation. Mr Blair also highlighted the importance of continuing to make progress on the Iraqi media.

**1025.** In mid-April, the US had requested that the UK send additional troops to Iraq (see Section 9.2).

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<sup>599</sup> Letter Sheinwald to Rice, 26 April 2004, [untitled], attaching Note [Blair to Bush], [undated], ‘Note’.

<sup>600</sup> Letter Quarrey to Owen, 27 April 2004, ‘Prime Minister’s VTC with Bush, 27 April: Iraq’.

**1026.** Mr Hoon's Private Secretary wrote to Mr Rycroft with "initial advice" on the US proposal on 29 April.<sup>601</sup> The letter reflected Mr Hoon's view that:

"... any significant increase in our military commitment in Iraq would need to be considered in the context of the whole cross-Government effort ... if we were to take on Najaf and Qadisiyah we would need FCO and DFID to help ensure that acceptable arrangements are in place on the CPA (and post-CPA) side."

**1027.** In late April, allegations of abuse by Coalition soldiers in Abu Ghraib prison become public. Section 9.2 describes the effect of those and other allegations of abuse.

**1028.** Major General Andrew Stewart, GOC MND(SE) at that time, was one of several witnesses who told the Inquiry that the pictures of Abu Ghraib had had a "significant effect" on MND(SE), where the public began turning against Coalition Forces.<sup>602</sup>

**1029.** Mr Drummond and Mr Mark Lowcock, DFID Director General Corporate Performance and Knowledge Sharing, visited Iraq from 27 to 30 April.<sup>603</sup> They reported that, while the security situation had deteriorated, there were encouraging signs of progress on the economy. The foundations of a market economy had been laid, including through the currency exchange, but the reforms were "only half done"; fuel and utility price subsidies had not been reduced and the Public Distribution System for food had not been reformed. They concluded that:

"... whether Iraq will remain a single resource (oil) economy with the potential for a small elite to recapture the revenue or broaden out into a modern market economy is still to play for."

**1030.** Mr Drummond and Mr Lowcock also reported that the DFID programme was focused on building the capacity of the Iraqi Government in Baghdad and the South. Most DFID funding for reconstruction was flowing through the World Bank and UN Trust Funds, "thereby encouraging both to engage fully in Iraq". Mr Drummond and Mr Lowcock commented that that seemed right.

**1031.** Mr Richmond reported by telegram on 30 April that security remained the "key threat" to development and reconstruction:

"The PMO remains optimistic about project implementation but others are sceptical. NGOs report many international staff out of the country; USAID are still below full strength, with few staff outside Baghdad, and the PMO reports at least some pull out/pull back by key construction companies including Bechtel, Siemens and possibly GE [General Electric]."<sup>604</sup>

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<sup>601</sup> [Letter Baker to Rycroft, 29 April 2004, 'Iraq: UK Response to US Approaches'](#).

<sup>602</sup> Public hearing, 9 December 2009, page 72.

<sup>603</sup> [Minute Drummond and Lowcock to Private Secretary \[Benn\], 30 April 2004, 'Iraq Visit Report'](#).

<sup>604</sup> Telegram 205 IraqRep to FCO London, 30 April 2004, 'Iraq: Reconstruction, Development and Essential Services'.

**1032.** Mr Richmond reported that Mr Drummond and Mr Lowcock had pressed CPA and US officials on US transition plans, but key decisions had not yet been made. That lack of clarity was making it difficult for the UK and others to plan their reconstruction efforts beyond the transition, which was delaying implementation.

**1033.** Mr Richmond offered his view on 2 May, as part of a DFID/Treasury exercise, on whether unblocking funding streams would improve the security situation.<sup>605</sup> He advised that his answer was:

“For now ... probably no – given absorptive capacity and the security conditions.”

**1034.** Mr Richmond continued:

“A disaffected, unemployed Tikriti can be bought for a few dollars to launch an attack on a member of the Coalition. It has passed no one by that project planning, fund disbursement and employment generation might help direct the Tikriti’s efforts to more productive ends. There was a physical cash flow problem in the first quarter of 2004 which meant that even monthly salaries were being delayed. Those have been largely unblocked.”

**1035.** Mr Richmond highlighted the recent approval by the CPA of a “seven cities” initiative, which would rapidly inject up to US\$30m into each of seven areas which posed significant security problems in order to increase employment. A “new but refreshing” condition of approval had been the existence of a robust monitoring and evaluation programme, on which DFID and USAID had provided advice.

**1036.** Mr Richmond concluded:

“In the immediate term, therefore, disbursing significant extra funds into projects is not the key issue. Indeed, to do so risks exacerbating a growing concern about inadequate quality control of proposals which can lead to wastage of resources and corruption. More thought must also be given to how to meet the additional running costs ... created by capital/project expenditure ...”

**1037.** Mr Richmond also reported that:

“CPA statistical analysis does not show a correlation between areas of highest unemployment and violence. Promoting employment in and directing projects to specific trouble spots will not produce immediate results. Longer-term, effective distribution of funding is therefore required.”

**1038.** Mr Richmond reported by telegram on 4 May that US intentions regarding international advisers had been misunderstood.<sup>606</sup> Some 200, mainly US, advisers would remain after the transition. They would not be “running the Government” but providing

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<sup>605</sup> [Telegram 207 IraqRep to FCO London, 2 May 2004, ‘Iraqi Economy: Does Expenditure Need Unblocking?’](#).

<sup>606</sup> Telegram 211 IraqRep to FCO London, 4 May 2004, ‘Iraq: What Should be Different After 30 June?’.

advice, and mainly on technical rather than policy issues. They would only serve as long as their Iraqi Minister wanted them to.

**1039.** The main conclusions of the US transition planning process were formalised on 11 May in US National Security Presidential Directive 36.<sup>607</sup> *Hard Lessons* summarised those conclusions:

- After the dissolution of the CPA, the US Secretary of State would be responsible for all activities in Iraq, except for military operations and the development of the Iraqi Security Forces (ISF).
- Two new organisations would be established to manage the US reconstruction programme (taking over the mission of the PMO). The Iraq Reconstruction and Management Office (IRMO) would provide technical assistance to Iraqi ministries and the Project and Contracting Office (PCO) would provide procurement and project management support for the US Supplemental (IRRF2).
- 13 of the 17 CPA provincial offices would be closed. Basra was one of the four that would remain.

**1040.** The Inquiry has seen no indications that Ministers or senior officials were briefed on the Directive, or the key changes it described, until July.

**1041.** Mr Richmond and Mr Sawers met Ambassador Bremer in Baghdad on 6 May.<sup>608</sup> Mr Richmond reported by telegram that Mr Sawers had expressed concern that the CPA would not meet its targets for basic services. Ambassador Bremer replied that it should get “within shouting distance” of its 6,000MW target for power generation. Sewage was a particular problem, “they were shovelling it off the streets in Sadr City”. Ambassador Bremer also commented:

“If we could even get security back to October/November 2003 levels, then effective reconstruction would be possible.”

**1042.** On the same day, the AHMGIR was advised that reconstruction had been delayed by the downturn in security, adding to Iraqi frustration with the Coalition’s performance.<sup>609</sup> In Baghdad, UK reconstruction staff had only been able to move outside the Green Zone sporadically, and hardened accommodation was in short supply. Staff numbers had been “thinned slightly” as a result. CPA(South) staff had been unable to travel for nearly a week. Despite that, reconstruction was continuing. During April, 120 projects worth US\$37m had been contracted, including clearance of rubbish and road building. Those should provide employment for 17,000 people and many would have a quick and visible impact.

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<sup>607</sup> National Security Presidential Directive, 11 May 2004, ‘United States Government Operations in Iraq’.

<sup>608</sup> Telegram 217 IraqRep to FCO London, 6 May 2004, ‘Iraq: Sawers’ Meeting with Bremer’.

<sup>609</sup> Annotated Agenda, 6 May 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

**1043.** The AHMGIR was also advised that the disbursement of reconstruction funds was “progressing steadily”, with security and absorptive capacity the key constraints. Work was “well advanced” to ensure rapid disbursement of US funds by the PMO, and through the World Bank and UN Trust Funds.

**1044.** Ministers were invited to, and did, note this “positive progress”.<sup>610</sup>

**1045.** The 11 May meeting of the ISOG discussed Mr Nixon’s concern (first expressed in his first impressions report from Basra at the end of February) that there would be a gap in reconstruction activity in the South between the end of the CPA and the launch of major infrastructure projects in August.<sup>611</sup> The number of UK reconstruction staff would also fall from 51 to seven after the transition.

**1046.** A DFID official said that DFID believed that PMO programmes would come on stream in time, and that DFID had programmes that bridged the transition period.

**1047.** Mr Richmond reported on 13 May that recent attacks on Iraq’s power infrastructure indicated that the “saboteurs” had a co-ordinated plan to squeeze fuel supplies to Baghdad’s power plants as summer approached.<sup>612</sup> Parts of Baghdad had experienced a 48 hour blackout. MNF-I Commanders had been tasked to refocus patrolling on the most important infrastructure sites. The Iraqi Facilities Protection Service, which was just beginning to take shape, had also been retasked.

**1048.** The 19 May meeting of the ISOG considered a DFID paper on reconstruction funding and activity in the South after the transition.<sup>613</sup> The paper stated that the main external sources of funding for reconstruction in the South after the transition would be the PMO, the World Bank and UN Trust Funds, the Japanese, and DFID. Funding from these sources would:

“... take some time to begin to show real impact in terms of improved services (probably around 4-6 months), although some job creation should come sooner.”

**1049.** In the interim, although the CPA would be dissolved on 30 June, a significant number of CPA-administered/DFI-funded projects would continue beyond that date. DFID was recruiting a “residual’ CPA team” to ensure that those projects could continue (although it was not yet clear who would have legal authority to manage those projects after 30 June).

**1050.** DFID reported that the PMO had stated that, by the time those CPA/DFI projects completed in late August/early September, many of its contractors would have established themselves in Basra and new job opportunities should be starting to emerge.

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<sup>610</sup> Annotated Agenda, 6 May 2004, Ad Hoc Group on Iraq Rehabilitation meeting; Minutes, 6 May 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>611</sup> Letter Cabinet Office [junior official] to Buck, 13 May 2004, ‘Iraq: Senior Officials Group’.

<sup>612</sup> Telegram 232 IraqRep to FCO London, 13 May 2004, ‘Infrastructure Security and Reconstruction’.

<sup>613</sup> Paper DFID, May 2004, ‘Reconstruction funding and activity in Southern Iraq post transition’.

**1051.** The “residual’ CPA team” would become the Project Continuity Team (PCT). Their work is described later in this Section.

**1052.** The ISOG judged that the paper offered a “satisfactory account”, but asked DFID to liaise with Mr Nixon to ensure his concerns had been fully answered.<sup>614</sup>

**1053.** On 18 May, Sir Nigel Sheinwald sent Dr Rice a Note from Mr Blair for President Bush, in advance of their regular video conference two days later.<sup>615</sup>

**1054.** Mr Blair wrote that the coming few weeks were the last chance to move things into place before the new Iraqi Government took power, and proposed a timetable for the political process. He also proposed:

- better protection of oil and power installations; and
- more help for Al Iraqiya and high-quality media support for the new Iraqi Prime Minister.

**1055.** In their video conference on 20 May, Mr Blair and President Bush discussed the timetable for and sequence of events surrounding the transfer of sovereignty.<sup>616</sup>

**1056.** Mr Blair was advised on 21 May that US and UK officials had met to discuss communications issues surrounding the transition.<sup>617</sup> The CPA was establishing a communications office for the incoming Iraqi Prime Minister. Staffing that office might be problematic; the incoming Prime Minister would probably not accept staff nominated by the US or UK but might have few of his own.

**1057.** Mr Richmond reported from Baghdad on the same day that the CPA was working “intensively” to establish the new administrative arrangements that the incoming Iraqi Prime Minister would need:

“Iraq no longer has anything we would recognise as a functioning centre of government; these structures require setting up from scratch.

“The straitjacket of a CPA Order has been rejected in favour of presenting an outline proposal to an incoming Prime Minister, allowing strong Iraqi ownership of all structures and staffing, though [Ambassador] Bremer has directed that some core staff be in place from the day the [Prime Minister] is appointed. It will be made clear that this is advice, not prescription.”<sup>618</sup>

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<sup>614</sup> Minutes, 18 May 2004, Iraq Senior Officials Group.

<sup>615</sup> Letter Sheinwald to Rice, 18 May 2004, [untitled], attaching Note [Blair to Bush], [undated], ‘Note on Iraq’.

<sup>616</sup> Letter Quarrey to Owen, 20 May 2004, ‘Prime Minister’s VTC with Bush, 20 May: Iraq’.

<sup>617</sup> Minute Heatly to Prime Minister, 21 May 2004, ‘Iraq: Communications Around the Transition’.

<sup>618</sup> Telegram 250 IraqRep to FCO London, 21 May 2004, ‘Iraq: Support to the New Prime Minister’.

**1058.** Mr David Quarrey, a Private Secretary in No.10, passed Mr Blair's comments on those reports to the FCO on 24 May.<sup>619</sup> Mr Blair thought that it was vitally important that the new Iraqi Prime Minister and President had "first-class support services and an immediate media plan". It was also vital that the Coalition had a plan to protect and repair Iraq's oil and electricity infrastructure, especially as the transition and summer approached.

**1059.** On 24 May, Mr Bob Morgan, an adviser to the Iraqi Oil Ministry employed by the FCO, and his bodyguard Mr Mark Carman, were killed in Baghdad.<sup>620</sup>

**1060.** Mr Blair held a video conference with President Bush on 26 May.<sup>621</sup> Mr Blair said that there had been a good meeting between the US and UK media teams, focused on getting the right support for the new Iraqi Prime Minister.

**1061.** Lt Gen John McColl, Senior British Military Representative, Iraq, advised the 28 May meeting of the ISG that there were "dangers of discontinuities" between the end of the CPA and the start of the IIG.<sup>622</sup> The CPA was ensuring co-ordination between Iraqi ministries and between Baghdad and the provinces; there could be problems after the dissolution of the CPA which could not be entirely overcome by the remaining international advisers. Separately, there was a risk that key Iraqi Government employees would not be paid during the transition.

**1062.** Lt Gen McColl also warned of the risk of a gap between the end of CPA reconstruction projects and the start of PMO projects, leading to a dip in employment during the summer which would impact on the security situation. He recommended that military commanders be given access to further, and larger scale, funding for QIPs to fill the gap.

**1063.** The ISG asked DFID to look again at the risk of a reconstruction gap, and MOD to approach the Treasury about further funding for QIPs.

**1064.** On 1 June the Iraqi Interim Government (IIG) was sworn in, with Dr Ayad Allawi as Prime Minister and Dr Barham Salih as Deputy Prime Minister.<sup>623</sup>

**1065.** Mr Alan Charlton, Chargé d'Affaires at the British Embassy Washington, reported US transition plans on 3 June.<sup>624</sup> In addition to the Embassy in Baghdad, there would be four "Regional Hubs": Mosul, Kirkuk, Hillah and Basra. There was a growing realisation within the US Government that the mission after transition would be very different. Mr John Negroponte, US Ambassador-designate, had defined his mission as supporting, rather than directing, the IIG.

<sup>619</sup> Letter Quarrey to Owen, 24 May 2004, 'Iraq'.

<sup>620</sup> Minutes, 25 May 2004, Iraq Senior Officials Group meeting; *BBC News*, 26 May 2004, *Oil expert killed in Iraq 'felt safe'*.

<sup>621</sup> Letter Quarrey to Owen, 26 May 2004, 'Iraq: Prime Minister's VTC with Bush, 26 May'.

<sup>622</sup> Letter Cabinet Office [junior official] to Sheinwald, 28 May 2004, 'Iraq Strategy Group'.

<sup>623</sup> *BBC News*, 1 June 2004, *Iraq's interim cabinet sworn in*.

<sup>624</sup> Telegram 684 Washington to FCO London, 3 June 2004, 'Iraq: US Mission Transition Planning'.

**1066.** Mr Charlton highlighted two potential problems:

- a funding gap as the CPA closed and the IIG took on responsibility for managing expenditure through the DFI; and
- local instability as CPA Governorate Teams left: Governors and Provincial Councils were mostly inexperienced with varying degrees of local legitimacy; some would fail without a Coalition presence.

**1067.** Mr Dominic Asquith, Deputy Chief Commissioner in the CPA, reported from Baghdad on 6 June that Prime Minister Allawi had accepted assistance from DFID's Emergency Public Administration Programme (EPAP) team to set up his office, and would welcome support from the FCO on media operations.<sup>625</sup>

**1068.** Mr Asquith reported on 11 June that DFID was significantly expanding the EPAP consultancy team in response to the Iraqi demand for the work, including on media and communications.<sup>626</sup>

### **The state of provincial administration in the South, June 2004**

Maj Gen Stewart, GOC MND(SE), and Mr Nixon sought to meet the Governors in each of the four southern Provinces during June, to discuss the transition and help prepare them to assume "real and heavy administrative responsibilities".<sup>627</sup>

An MOD official reported on 4 June on their visits to Maysan and Dhi Qar:

"... the Provincial administrations have yet to understand the implications of the transfer of authority, i.e. that they will soon be fully responsible for Provincial government. Inexperienced and uninformed in governance, the assumption of administrative responsibility makes them uneasy. They are unhappy that the support and advice that they receive from the CPA over the past year will end. Central government in Baghdad is unreliable, and cannot be depended on to provide uninterrupted finance and other support in absence of the kind of mediation that CPA officials have provided. We are thinking of using MOD civil servants (policy advisers) to help fill the gap until FCO/DFID or US project personnel are available, as planned."

Maj Gen Stewart reported to No.10 on 10 June that, in contrast, the Governor of Muthanna, a "dominant figure in the Province", was eager to take on full responsibility after 30 June.<sup>628</sup> He was, however, "likely to limit the emergence of genuinely effective representative political institutions".

The joint visit to Basra was delayed by ongoing attempts to reconstitute the Provincial Council and the need to appoint a new Governor.

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<sup>625</sup> Telegram 286 Asquith to FCO London, 6 June 2004, 'Iraq: Meeting with the Prime Minister'; Telegram 288 Asquith to FCO London, 6 June 2004, 'Reconstruction Development and Essential Services'.

<sup>626</sup> Telegram 310 Asquith to FCO London, 11 June 2004, 'Iraq: Support to the Prime Minister and Cabinet'.

<sup>627</sup> [Minute MOD \[junior official\] to CJO, 4 June 2004, 'GOC MND\(SE\) – Iraq Update'](#).

<sup>628</sup> Minute Stewart to Rycroft, 10 June 2004, 'GOC MND(SE) – Iraq Update'.

## Resolution 1546

**1069.** The UN Security Council adopted resolution 1546 (2004) on 8 June (see Section 9.2).<sup>629</sup> The resolution:

- Endorsed the formation of a sovereign Interim Government of Iraq (generally known as the Iraqi Interim Government or IIG) which would assume full responsibility and authority for governing Iraq by 30 June 2004, while refraining from taking any actions “affecting Iraq’s destiny” beyond the limited interim period (until an elected Transitional Government of Iraq assumed office).
- Reaffirmed the right of the Iraqi people freely to determine their own political future and “to exercise full authority and control over their financial and natural resources”.
- Decided that the Special Representative to the Secretary-General (SRSG) and the United Nations Assistance Mission for Iraq (UNAMI), at the request of the Iraqi Government, should:
  - “○ advise the Government of Iraq in the development of effective civil and social services;
  - contribute to the co-ordination and delivery of reconstruction, development, and humanitarian assistance;
  - promote the protection of human rights, national reconciliation, and judicial and legal reform in order to strengthen the rule of law in Iraq; and
  - advise and assist the Government of Iraq on initial planning for the eventual conduct of a comprehensive census”.
- Recognised that the IIG would assume the primary role in co-ordinating international assistance to Iraq.
- Noted that, upon the dissolution of the CPA, funds in the Development Fund for Iraq (DFI) “shall be disbursed solely at the direction of the Government of Iraq, and *decides* that the Development Fund for Iraq shall be utilised in a transparent and equitable manner and through the Iraqi budget ... that the arrangements for the depositing of proceeds from export sales of petroleum, petroleum products, and natural gas established in paragraph 20 of resolution 1483 (2003) shall continue to apply, and that the International Advisory and Monitoring Board (IAMB) shall continue its activities”.
- Welcomed the commitment of many creditors, including those of the Paris Club, to identify ways to reduce substantially Iraq’s debt, called on Members States, international and regional organisations to support Iraq’s reconstruction effort, urged international financial institutions and bilateral donors to provide their full range of loans and other financial assistance and arrangements, and recognised that the IIG would have the authority “to conclude and implement such agreements and other arrangements as may be necessary in this regard”.

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<sup>629</sup> UN Security Council resolution 1546 (2004).

**1070.** The resolution also requested Member States, international financial institutions and other organisations to strengthen their efforts to support reconstruction and development.

**1071.** A Treasury official advised Mr Brown and Mr Boateng that the resolution had significant implications for Iraq's development.<sup>630</sup> To maintain transparency in the management of oil revenues, the resolution provided for the continuation of the DFI under the control of the Iraqi Government. At the UK's request, the resolution explicitly mentioned transparency and provided that DFI funds could only be spent through Iraq's budget.

**1072.** The IAMB would continue to monitor oil sales and provide an external audit function, and would include an additional member designated by the Government of Iraq.

**1073.** Oil revenues held in the DFI would continue to enjoy immunity from attachment. The UK had pressed unsuccessfully to extend that immunity to foreign exchange reserves held in the Central Bank of Iraq.

**1074.** The resolution recognised the IIG's authority to conclude and implement loan agreements and other financial assistance and arrangements. That should enable the IGI to negotiate and agree an IMF programme and conclude a Paris Club debt deal.

**1075.** The resolution called for IFIs to engage fully in assisting reconstruction and development. Since the bombing of the UN Headquarters in Baghdad in August 2003, they had provided technical assistance through seminars outside Iraq and by commenting on draft economic legislation and the management of donor funds. That was no substitute for working in country; the UK would continue to press them to return as soon as possible.

**1076.** The official also advised that the Financial Management Law signed by Ambassador Bremer on 5 June was "a key piece of economic legislation" that regulated the preparation and execution of Iraq's budget. UK Treasury officials had been extensively involved in its drafting.

**1077.** The 17 June meeting of the AHMGIR considered DFID's second paper on funding reconstruction in the South after transition.<sup>631</sup> It was more detailed and less reassuring than the paper considered by ISOG on 19 May.

**1078.** In the paper, DFID assessed that the first few months after transition would be a critical period for establishing stability under new Iraqi structures, building credibility in the political process, and maintaining consent for multinational military forces after the end of Occupation.<sup>632</sup> The quality of the provision of basic services – particularly water,

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<sup>630</sup> Minute Treasury [junior official] to Chancellor, 10 June 2004, 'Iraq – UNSCR 1546 and Financial Management Law'.

<sup>631</sup> Minutes, 17 June 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>632</sup> Paper DFID, June 2004, 'Southern Iraq: Reconstruction and Employment After 30 June'.

power and fuel – was likely to have a significant impact on those issues, particularly over the hot summer months. The level of employment would also be important.

**1079.** DFID reviewed the sources of reconstruction funding for southern Iraq. The last CPA(South) projects would be completed by 30 September. The PMO would become by far the largest source of funding (some US\$3.1bn of the US\$18.4bn IRRF2 was allocated for the four Southern provinces), but it remained unclear when it would deploy to the South and it was unlikely to have “substantial” activity under way before the autumn. The IIG would have responsibility for spending DFI and other Iraqi revenues from 30 June, but the UK should not expect the IIG to provide substantial funds for reconstruction “in the short-term”. The World Bank and UN Trust Funds were not expected to “become major players” until 2005.

**1080.** DFID concluded that there was “a risk of a lull in funding” between the beginning of the CPA wind-down in August and November, when it was “reasonable to hope” that both PMO funding and IIG activity would have picked up.

**1081.** DFID reported that actions being taken to mitigate the gap were:

- Deploying a seven-person Project Continuity Team (PCT) to work in the PMO to administer CPA projects beyond 30 June. DFID had filled most of the posts and Mr Nixon was attempting to secure the CPA’s agreement to deploy the team.
- Securing a “full share” of US CERPs funding.
- Helping the PMO become operational in the South as soon as possible, by deploying a Transitional Advisory Team to help PMO contractors adjust to local conditions and engage with Iraqi counterparts. The Team should be in place by late July, before most PMO contractors had arrived.
- Helping Iraqi institutions to become operational quickly by focusing the work of DFID’s £20m GCBP on directorates involved in basic service provision and job creation.
- Pressing the UN and World Bank Trust Funds to become operational quickly. DFID was continuing to lobby both organisations.

**1082.** DFID proposed that the UK could also consider:

- providing additional funding for QIPs;
- providing small-scale funding for Iraqi municipal councils, to enable them to fund reconstruction projects; and
- seeking to influence PMO expenditure plans in favour of the South, possibly by seconding a senior officer into the PMO.

**1083.** DFID also advised that:

“CPA’s limited data shows no direct relationship between reported levels of unemployment and violence. Likewise, there is no apparent correlation between lack

of basic services (e.g. water) and violence. But it is a widely accepted assumption that employment and economic well-being will increase support for the Government and a pool of un- and under-employed men will pose a security risk.”

**1084.** The Annotated Agenda for the AHMGIR meeting stated that delays to PMO mobilisation raised the risk of a shortfall in funding for reconstruction over the summer.<sup>633</sup> The US remained confident that PMO contractors would deploy to Basra shortly; the UK believed that was optimistic.

**1085.** The AHMGIR noted the DFID paper, and agreed that the UK should lobby the US to ensure that IRRF2 funds flowed to the South and to agree additional funding for quick impact projects.<sup>634</sup>

## The state of Iraq on the eve of transition

**1086.** Mr Richmond reported on 17 June that the threat to staff in Baghdad was at its highest level since April 2003.<sup>635</sup> Journeys outside the Green Zone were only being approved under exceptional circumstances, seriously handicapping operational capacity (although work to support the Prime Minister’s Office and some other programmes were continuing). He had asked all staff who were not staying beyond 30 June to leave by 21 June.

**1087.** Mr Nixon reported on the same day that the security situation in the South had improved since April, and was generally quiet.<sup>636</sup>

**1088.** Mr Richmond reported separately, also on the same day, that attacks on oil pipelines continued despite enhanced security measures, with four major attacks in the past few days.<sup>637</sup> There were simply not enough resources to protect Iraq’s oil infrastructure against determined insurgents with expertise.

**1089.** Mr Hoon told the 17 June meeting of the AHMGIR that UK forces in Maysan were sustaining 22 percent casualties.<sup>638</sup> That could not continue indefinitely, and root causes such as unemployment needed to be examined.

**1090.** Mr Benn told the meeting that DFID continued to look at the scope for targeting factors that contributed to insecurity, such as unemployment. DFID was also looking flexibly at how it provided assistance. One option was to fund provincial authorities directly (although there were clearly risks, including that such funding might be diverted).

**1091.** On 21 June, Mr Richmond reported the headline results of a CPA-commissioned poll conducted by Oxford Research International between 19 May and 14 June.<sup>639</sup> The

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<sup>633</sup> [Annotated Agenda, 17 June 2004, Ad Hoc Group on Iraq Rehabilitation meeting.](#)

<sup>634</sup> Minutes, 17 June 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>635</sup> Telegram 328 IraqRep to FCO London, 17 June 2004, ‘Iraq: Security of Personnel’.

<sup>636</sup> Telegram 67 Basra to FCO London, 17 June 2004, ‘Iraq: Security of Personnel in the South’.

<sup>637</sup> Telegram 329 IraqRep to FCO London, 17 June 2004, ‘Iraq: Oil Infrastructure Attacks’.

<sup>638</sup> Minutes, 17 June 2004, Ad Hoc Ministerial Group on Iraq Rehabilitation meeting.

<sup>639</sup> Telegram 341 IraqRep to FCO London, 21 June 2004, ‘Iraq: New Polling Data’.

poll reported that 64 percent of Iraqi citizens said that their life was about the same or better than a year ago; the comparable figure from the March 2004 report was 81 percent. The availability of schools and basic goods were regarded as the most positive changes; the provision of electricity and jobs the least positive.

**1092.** Mr Quarrey advised Mr Blair on 22 June, in advance of a video conference with President Bush, that reconstruction was “still a worry”.<sup>640</sup> The US and UK needed to make sure there was no dip in activity over the summer as CPA projects wound down and new projects under the PMO and IIG started up.

**1093.** The 25 June meeting of the ISG judged that preparations for transition were “on course”.<sup>641</sup> The risk of a dip in reconstruction activity through the summer remained. However, the Iraqi Ministry of Finance had now agreed that CPA projects funded by the DFI could be managed by the PMO through to their completion, and QIPs and CERPs were available to commanders for short-term projects when a specific business case was put forward.

**1094.** The Occupation of Iraq formally came to an end on 28 June, two days earlier than had been originally planned, in order to avoid disruption by insurgents.

**1095.** On the same day, as he prepared to leave Baghdad, Mr Richmond sent a valedictory telegram to the FCO in London in which he assessed the failures and achievements of the CPA:

“After security, services have been the CPA’s main failing. Baghdad presently has fewer than 12 hours per day of electricity – no different from a year ago. The Iraqis had inflated expectations of what CPA could deliver; the Coalition seriously underestimated the scale of the problem. Sabotage and increasing demand have compounded the problem but disorganisation and delays in securing funds have played their part.”<sup>642</sup>

**1096.** Mr Richmond also set out what had gone right, including establishing a political process and reforming the economy:

“... [a] new and stable currency has been introduced; an independent Central Bank, sound monetary policy and budgetary discipline and controls are in place. Higher wages have resulted in a mini consumer boom. New bank regulations and a new code of foreign direct investment will, once security improves, position the economy for rapid growth. The black spot is unemployment (on which estimates differ) but as the US supplemental [IRRF2] and other donor money kicks in this should be a diminishing problem.”

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<sup>640</sup> Minute Quarrey to Blair, 22 June 2004, ‘VTC with President Bush, 22 June’.

<sup>641</sup> Minute Cabinet Office [junior official] to Sheinwald, 29 June 2004, ‘Iraq: Strategy Group’.

<sup>642</sup> [Telegram 359 Richmond to FCO London, 28 June 2004, ‘Iraq: Valedictory: The End of Occupation Part 1 of 2’.](#)

**1097.** Mr Richmond reported that CPA advisers had made progress in re-establishing the machinery of government, reforming ministries, drawing up strategies and putting proper financial controls in place. There was still some way to go, but there was now a functioning system to hand on to the IIG.

**1098.** A Treasury official who had been seconded to the CPA told a July 2004 Treasury seminar on Iraq that the CPA's scorecard on economic reform was "pretty evenly balanced".<sup>643</sup> Early, good progress (including establishing a single, stable currency) had been undermined by the CPA's loss of control over the fiscal situation over the last six months. Some CPA reforms, including "unfettered" foreign direct investment and full interest rate liberalisation, had been too ambitious and had irritated Iraqi counterparts.

**1099.** The same official provided advice to Mr Brown on 28 July on UK economic strategy in Iraq to the end of 2004.<sup>644</sup> In that context, the official advised that the CPA had made substantial progress in establishing a new macroeconomic policy framework and in liberalising the economy. In particular, the introduction of a new currency and creation of an independent central bank had proved "more successful than expected". There had also been some substantial failures, including the unfinanced deficit in the 2005 budget and "ducking the subsidy issue".

**1100.** The official also reported that the CPA had missed its target for electricity generation of 6,000MW (generation was currently peaking at 5,000MW) and for oil production of 2.5m barrels per day (production was "several hundred thousand barrels" less).

**1101.** In June 2004, the CPA published a review of their accomplishments in helping the Iraqi authorities assume responsibility for security, establish effective representative governance, improve essential services, and build a market-based economy.<sup>645</sup>

**1102.** *Hard Lessons* described the review as "a glowing report card" which "missed the mark".<sup>646</sup> *Hard Lessons* assessed that the Coalition's record was "very mixed". The most serious threat to continuing reconstruction was insecurity.

**1103.** In his statement to the Inquiry, Ambassador Bremer highlighted the difficulties created for the CPA by the Coalition military's inability to provide security, and continued:

"Despite these handicaps, and chronic understaffing [of the CPA], the historic record of the CPA's accomplishments is clear. When the CPA left, Iraq's economy was rebounding smartly, not just from post war levels, but well beyond the pre-war levels.

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<sup>643</sup> Paper, [undated], 'Transcript of Treasury Seminar held in London on Monday 19 July 2004'.

<sup>644</sup> Minute Treasury [junior official] to Chancellor, 28 July 2004, 'Iraq'.

<sup>645</sup> Coalition Provisional Authority, June 2004, *An Historic Review of CPA Accomplishments*.

<sup>646</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

And by helping Iraqis draft a modern, liberal constitution, the CPA gave the Iraqi people the political structure to define a path to representative government ...”<sup>647</sup>

### Sir Hilary Synnott’s assessment

**1104.** Mr Blair told the Inquiry that, although anxiety and concern were occasionally flagged up very strongly in Sir Hilary’s reports from Basra, when Sir Hilary left Iraq at the end of January 2004, he was, on balance, optimistic rather than pessimistic.<sup>648</sup>

**1105.** In response, Sir Hilary wrote to the Inquiry to clarify that his judgement that “the balance of probability is positive” had referred only to southern Iraq, the region for which he had some responsibility, not to the country as a whole, about which he was in no position to make such an assessment.<sup>649</sup>

**1106.** Sir Hilary also emphasised that his judgement should be viewed in the context of the recommendation he put forward at the time, including at his meeting with Mr Blair in February 2004, that maintaining momentum in CPA(South) could best be achieved by retaining a multinational development presence in the South, able to draw on the expertise, contacts and trust built up during the CPA period. However:

“In the event, my strategy was not accepted. The international team, who included a large number of British specialists, was disbanded. While DFID managed a small number of British-owned projects, the vast majority of the projects which were being pursued by the CPA failed, as I had feared.

“I would not suggest that the alternative approach such as I had proposed would have prevented the subsequent build-up of violence. But it is possible that the attitudes of the people of the South would have been more positive if they had experienced the benefits of the projects as they came on stream ... Had I known that the civilian capital, experience and impetus built up over the previous year would be allowed to fall away ... I would no doubt have offered a different judgement.”

### Resources available for reconstruction

**1107.** At least US\$19.4bn was spent on the relief and reconstruction of Iraq during the Occupation. Of that, US\$16.4bn – almost 85 percent – was Iraqi funding.

**1108.** The US General Accounting Office (GAO) estimated in June 2004 that as at the end of April 2004, approximately US\$58.3bn had been pledged “to the relief and reconstruction of Iraq”, of which at least US\$23.7bn had been obligated (subject to a binding agreement that would result in immediate or future outlay of funds)

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<sup>647</sup> Statement, 18 May 2010, page 5.

<sup>648</sup> Public hearing, 21 January 2011, page 135.

<sup>649</sup> Letter Synnott to Aldred, 24 January 2011, [untitled].

and US\$13.7bn disbursed.<sup>650</sup> Table 1 shows the breakdown of those totals by funding source.

Table 1: Total funding for relief and reconstruction, as at April 2004 (US\$bn)

	US Appropriations	Development Fund for Iraq	Vested and seized assets	International funding	Total
Available funding	24.0	18.0	2.7	13.6	<b>58.3</b>
Of which obligated	8.2	13.0	2.5	n/a	<b>23.7</b>
Of which disbursed	3.0	8.3	2.4	n/a	<b>13.7</b>

**1109.** The GAO stated that they did not have complete and reliable information on obligations and disbursements by international donors.

**1110.** The GAO figure for international funding reflected the lower end of the range (US\$13.6bn – US\$17.3bn) pledged by international donors at the 23/24 October 2003 Madrid Donors Conference.

**1111.** A July 2005 GAO report updated the figures for the Development Fund for Iraq (DFI) only, to 28 June 2004.<sup>651</sup> Table 2 shows the updated breakdown by funding source.

Table 2: Total funding for relief and reconstruction (US\$bn)

	US Appropriations	Development Fund for Iraq	Vested and seized assets	International funding	Total
Available funding	24.0	21.0	2.7	13.6	<b>61.3</b>
Of which obligated	8.2	17.0	2.5	n/a	<b>27.7</b>
Of which disbursed	3.0	14.0	2.4	n/a	<b>19.4</b>

**1112.** The GAO reported that Iraqi funds (from the DFI and vested and seized assets) had been used primarily to pay the operating expenses of the Iraqi government, such as salary payments and ministry operations. Approximately US\$7bn had been used for relief and reconstruction projects.

<sup>650</sup> US General Accounting Office, Report to Congressional Committees, June 2004, *Rebuilding Iraq. Resource, Security, Governance, Essential Services, and Oversight Issues*.

<sup>651</sup> US General Accounting Office, Report to Congressional Committees, July 2005, *Status of funding and reconstruction efforts*.

## UK funding for humanitarian assistance and reconstruction

**1113.** Section 13.1 describes how the UK Government allocated funds for humanitarian assistance and reconstruction before and during the Occupation. The allocations were:

- In March 2003, the MOD ear-marked £10m for QIPs.
- In March 2003, the Treasury agreed that the MOD could spend up to £30m on humanitarian operations in the UK's AO.
- By the end of March 2003, DFID had allocated a total of £210m to humanitarian relief in Iraq in 2002/03 and 2003/04. In the event, the humanitarian crisis that had been feared did not materialise. By May, DFID had made available the uncommitted balance of that funding – some £90m – for “recovery and reconstruction”.
- On 9 April 2003, Mr Brown announced that he had set aside an additional US\$100m (£60m) to “back up the UN and the work of reconstruction and development”.<sup>652</sup>
- In August 2003, Ministers agreed an Iraq Strategy within the Global Conflict Prevention Pool (GCPP) with an allocation of £7.5m in 2003/04 and in 2004/05.

**1114.** Section 13.1 (Table 10) sets out UK expenditure on humanitarian assistance and development assistance (reconstruction) by UK financial year (1 April to 31 March). The UK spent:

- £110m on humanitarian assistance in 2003/04 (and £19m in 2002/03, to enable humanitarian agencies to prepare to respond to a humanitarian crisis in Iraq);
- £99m on development assistance in 2003/04; in addition, the UK's “imputed share” of development expenditure by multilateral organisations to which it contributed was £11m; and
- £5m from the GCPP.

## UK support for the CPA

**1115.** Departments have been unable to disaggregate figures for their support for the ORHA and the CPA from their total expenditure in Iraq.

**1116.** The Inquiry estimates that the UK provided at least £60m, comprising:

- £29.2m secured by the FCO from the Treasury Reserve to support the CPA.<sup>653</sup>  
The FCO cannot provide a figure for their (non-Reserve) support for ORHA/CPA.

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<sup>652</sup> House of Commons, *Official Report*, 9 April 2003, columns 271-288.

<sup>653</sup> Letter Cabinet Office [junior official] to Iraq Inquiry [junior official], 1 December 2011, ‘Iraq Inquiry: Funding’.

- DFID told the Inquiry that it spent “about £28m” on staff secondments to the CPA and associated security costs between mid-2003 and 28 June 2004.<sup>654</sup>
- Other departments will have incurred costs in relation to the salaries of their staff seconded to the CPA.

## Reflections on the level of resources available for reconstruction

**1117.** A number of witnesses told the Inquiry that reconstruction during this period was not constrained by a lack of funds. Mr Andy Bearpark, the CPA’s Director of Operations, told the Inquiry:

“... we [the CPA] were not in any way resource-constrained in terms of amount of money. We may have been very constrained in terms of our ability to spend the money.”<sup>655</sup>

**1118.** Mr Blair echoed this view in his biography:

“We had enough money, effort and people to have rebuilt Iraq within a year of conflict’s end.

“What happened was that the security situation deteriorated ...”<sup>656</sup>

**1119.** Mr Blair continued:

“... a bigger pre-planned effort and a massive civilian reconstruction programme would have filled an early vacuum. It would have been an immediate jobs programme for unemployed Iraqis. But ... it would be naive in the extreme to believe that this in itself would have stopped the violence, the origins of which were profound and political.

“With a manageable security situation, any shortcomings [in the reconstruction effort] could quickly have been overcome ...”<sup>657</sup>

**1120.** Sir Suma Chakrabarti told the Inquiry that Iraq had been the “number one recipient” of British assistance in 2003/04.<sup>658</sup> He agreed with the Inquiry suggestion that this was sufficient to do a “high-quality” job in southern Iraq:

“... so long as we had also got the money that the Coalition Provisional Authority was meant to allocate as well to the southern region. That was more of the problem.”

**1121.** Looking beyond the CPA period, Mr Benn told the Inquiry:

“... ultimately it wasn’t about the availability of money. There were very considerable sums that the Americans put in; this was in 2003/04 the biggest DFID bilateral

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<sup>654</sup> Paper DFID, 14 April 2005, ‘Development Assistance in Iraq’; Letter Cabinet Office to Aldred, 13 September 2011, ‘Iraq Inquiry: Request for Further Information on Funding’.

<sup>655</sup> Public hearing, 6 July 2010, page 66.

<sup>656</sup> Blair T. *A Journey*. Hutchinson, 2010.

<sup>657</sup> Blair T. *A Journey*. Hutchinson, 2010.

<sup>658</sup> Public hearing, 22 January 2012, pages 12-13.

programme in the world, which was a sign of the seriousness with which we took it; and then, of course, there were the resources that Iraq had ...

“The question was: could you actually move the money and apply it and make things happen on the ground?”<sup>659</sup>

**1122.** Mr Benn added that, in his view, the main obstacle to spending money effectively was insecurity.<sup>660</sup>

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<sup>659</sup> Public hearing, 2 February 2010, page 14.

<sup>660</sup> Public hearing, 2 February 2010, page 21.



## SECTION 10.2

### RECONSTRUCTION: JULY 2004 TO JULY 2009

#### Contents

Introduction .....	198
The transition from Occupation to an Iraqi Government .....	199
Efforts to accelerate the pace of reconstruction .....	200
Reconstruction in areas regained from insurgent control, and Fallujah .....	213
Agreement on debt relief for Iraq .....	224
Taking the strain in the South, early 2005 .....	224
DFID reduces its budget for Iraq for 2005/06 .....	229
Priorities for 2005 .....	231
DFID reviews its Interim Country Assistance Plan .....	241
Preparing for transition to Iraqi control in the South .....	257
Responding to the new US Clear-Hold-Build strategy .....	259
Preparing for the transfer of security responsibility in Maysan and Muthanna .....	276
Turning Basra around .....	285
UK plans for 2007, and the US surge .....	303
Major General Shirreff's proposal for a military-led UK effort in the South .....	306
Preparing for Provincial Iraqi Control in Basra .....	309
Responding to the displacement crisis .....	319
Reconstruction under Mr Gordon Brown's Premiership .....	323
Charge of the Knights, March 2008 .....	343
Transition to a normal bilateral relationship with Iraq .....	359
Long-Term Strategy for Iraq, February 2009 .....	364
Resources available for reconstruction .....	367
Reflections on the impact of the UK's reconstruction effort .....	369
Key economic and social indicators .....	371

## Introduction

**1.** Section 10 addresses the UK contribution to humanitarian assistance and reconstruction in Iraq between 2003 and 2009:

- Section 10.1 covers the period between March 2003 and the end of the Occupation of Iraq in June 2004.
- Section 10.2 continues the story from July 2004 to July 2009.

**2.** Sections 10.1 and 10.2 consider:

- humanitarian assistance;
- the development and implementation of UK reconstruction policy, strategy and plans;
- the UK's engagement with the US on reconstruction, including with the US-led Office of Reconstruction and Humanitarian Assistance (ORHA) and the Coalition Provisional Authority (CPA); and
- the UK's engagement with successive Iraqi governments on reconstruction.

**3.** Section 10.3 addresses five issues in more detail:

- UK policy on Iraq's oil and oil revenues;
- the Government's support for UK business in securing reconstruction contracts;
- debt relief;
- asylum; and
- reform of the Government's approach to post-conflict reconstruction and stabilisation.

**4.** Those issues are addressed separately from the main reconstruction narrative, in order to provide a clearer account of the development of the UK's engagement.

**5.** This Section does not consider:

- planning and preparing to provide humanitarian assistance and reconstruction, which is addressed in Sections 6.4 and 6.5;
- the financial and human resources available for post-conflict reconstruction, addressed in Sections 13 and 15 respectively;
- de-Ba'athification and Security Sector Reform (SSR), addressed in Sections 11 and 12 respectively; and
- wider UK policy towards Iraq in the post-conflict period, addressed in Section 9.

## The transition from Occupation to an Iraqi Government

**6.** On 28 June 2004, the Coalition Provisional Authority (CPA) formally handed over to a sovereign Iraqi Government. In the 11 months that followed, the governance of Iraq was the responsibility of the Interim Iraqi Government (IIG), headed by Prime Minister Ayad Allawi.

**7.** The security situation in Iraq remained difficult.

**8.** The core UK Ministerial team was unchanged: Mr Brown remained Chancellor of the Exchequer, Mr Straw Foreign Secretary, Mr Hoon Defence Secretary, and Mr Benn International Development Secretary.

**9.** Mr Straw continued to chair the Ad Hoc Ministerial Group on Iraq Rehabilitation (AHMGIR), which met seven times between July 2004 and February 2005, after which its business was taken up by the Ad Hoc Ministerial Group on Iraq (AHMGI).

**10.** Mr David Richmond, the Prime Minister's Special Representative on Iraq, and Ambassador Paul Bremer, the CPA Administrator, left Iraq shortly after the handover ceremony.<sup>1</sup>

**11.** Ambassador John Negroponte, the new US Ambassador to Iraq, presented his diplomatic credentials to the IIG on 29 June.<sup>2</sup>

**12.** *Hard Lessons* described how, shortly after arriving in Baghdad and driven by his concern about worsening security, Ambassador Negroponte put the US\$18.4bn Iraq Relief and Reconstruction Fund (IRRF2) on hold and initiated a "thorough re-examination" of US priorities.

**13.** Ambassador Negroponte concluded that implementing economic development programmes would be fruitless while security remained a serious problem. Three reallocations of IRRF2 funds took place in September 2004, December 2004 and March 2005. Those reallocations provided additional funds for security, the political process and "project sustainment" at the expense of infrastructure projects. The water and sanitation sector lost nearly half its funding, and the electricity sector almost a quarter of its funding.

**14.** Mr Edward Chaplin arrived in Baghdad on 5 July to take up post as the first British Ambassador to Iraq since 1990.

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<sup>1</sup> Annotated Agenda, 1 July 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>2</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

**15.** Ms Lindy Cameron, Deputy Head of DFID Baghdad from January to November 2004 (and subsequently Head of DFID Baghdad), described the transition:

“... it’s hard to describe how strange the CPA was. So in a sense this period in June/July 2004 when we were transitioning from the CPA to ... an Iraqi Government that was then sovereign, was a real transition because it is difficult to imagine how strange it was to be in a building of thousands and thousands of foreign officials effectively running a country, and then a very rapid transition from that to an Iraqi Government which had some of the structures it needed, but then didn’t have some of the others.”<sup>3</sup>

## **Efforts to accelerate the pace of reconstruction**

**16.** On 1 July, at his request, the Permanent Joint Headquarters (PJHQ) provided General Sir Michael Walker, Chief of the Defence Staff (CDS), with advice on post-transition plans for infrastructure reconstruction.<sup>4</sup>

**17.** PJHQ advised that:

- The US Project and Contracting Office (PCO) would be the largest source of funding for reconstruction in the short to medium term, but was still developing its management structures and procedures and recruiting staff. It was likely that the PCO would not be fully functioning until September. Concerns had been expressed about a funding gap over the summer and the consequent potential for “social unrest”. MND(SE) had explored the possibility of extending CPA projects or increasing the US Commanders’ Emergency Response Programme (CERPs) allocation for the South, but neither option appeared possible. Ambassador Bremer had requested that additional UK resources should be used to plug the potential gap between CPA and PCO activity.
- Since the emphasis in Iraq had shifted from reconstruction to development, the bulk of the UK’s future contribution clearly fell “within the competence of DFID”.
- The Essential Services Plan, which had been due to complete by 30 June 2004 but had now been extended to August, remained the “major vehicle for infrastructure reconstruction” in MND(SE).
- The UK military would continue to implement projects funded by the US CERPs and UK allocations for Quick Impact Projects (QIPs).

**18.** The 1 July meeting of the AHMGIR considered three papers on UK priorities for the period up to the Iraqi elections (scheduled for January 2005), on the political process, security, and reconstruction and development.<sup>5</sup>

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<sup>3</sup> Public hearing, 22 June 2010, pages 12-13.

<sup>4</sup> Minute CivSec PJHQ to PSO/CDS, 1 July 2004, ‘Infrastructure Reconstruction at Transition’.

<sup>5</sup> Annotated Agenda, 1 July 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

**19.** The MOD paper on security assessed that the security situation was unlikely to improve in the immediate future.<sup>6</sup> The key to improving the security situation was achieving “buy-in” to the political process and making progress on reconstruction, at the same time as developing the capacity of the Iraqi Security Forces (ISF).

**20.** The paper highlighted the importance of job creation:

“A major Iraqi complaint is the failure to meet expectations on reconstruction. This has the double negative effect of creating disaffection with the political process and increasing the pool of unemployed ...

“It will therefore be important that the reconstruction programme creates sufficient jobs to significantly reduce the number of disaffected. In the short term, continuing difficulties in the delivery of essential services could lead to serious disturbances during the summer.”

**21.** The DFID paper on reconstruction and development assessed that the next six months would be critical for establishing stability.<sup>7</sup> Better security would be “central if there is to be sustained progress on reconstruction, effective engagement by the UN and World Bank, and if the Iraqi economy is to take off as it should”.

**22.** Other key issues for reconstruction and development were:

- minimising any potential slowdown in reconstruction and development in the South over the summer, in particular as new US structures became established;
- building the capacity of Iraqi institutions to manage reconstruction;
- helping the IIG conclude debt relief negotiations and setting the foundations for macro-economic stability;
- SSR and access to justice; and
- strengthening social cohesion by supporting Iraqi participation in the political process, strengthening civil society’s ability to advocate for the poor, and supporting the development of the Iraqi media.

**23.** At the meeting, Mr Benn welcomed the fact that “Iraqis were clearly in charge and their voices were being heard”.<sup>8</sup> The UK was moving “from a phase of doing things for the Iraqis to supporting them doing it for themselves”. The UK’s focus was now on engaging the UN and World Bank, plugging any funding gap over the summer, and supporting Iraqi institutions to manage the reconstruction process and access funds.

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<sup>6</sup> Paper MOD, [undated], ‘Security: The Next Six Months’.

<sup>7</sup> Paper DFID, [undated], ‘Iraq Reconstruction and Development: UK Priorities for the Period up to the Elections’.

<sup>8</sup> Minutes, 1 July 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

**24.** The meeting endorsed the three papers, and commissioned the FCO to co-ordinate an integrated UK strategy covering the period up to the Iraqi elections for discussion at the meeting of the Defence and Overseas Policy Committee (DOP), a sub-Committee of the Cabinet, on 15 July.

**25.** In his first report from Basra on 12 July, Mr Simon Collis, the British Consul General, reported that no PCO staff had yet arrived in Basra to spend the South's US\$2.3bn projected share of IRRF2.<sup>9</sup> He continued:

“... no one here – including my US counterpart – knows yet how the third entirely new organisation in just over a year<sup>10</sup> will organise itself and do business. There must be a high risk that money will be spent slowly, inappropriately, and without adequate consultation with ourselves or, more importantly, the Iraqis.”

**26.** Mr Collis also advised that there were still no effective mechanisms in place to enable Iraqi ministries to release funds to Basra.

**27.** The strategy paper commissioned by the AHMGIR on 1 July was circulated to members of DOP on 13 July.<sup>11</sup> The introduction to the paper said that it offered:

“... a strategic look at the position we want Iraq to be in at the end of January 2005; risks to our strategy; and priority areas in which the UK can help ensure success.”

**28.** The paper, which had been produced by the FCO, defined the political, security and “reconstruction and economic” objectives for the period up to the Iraqi elections. The three objectives for reconstruction and the economy were:

- a functioning Iraqi Government in Baghdad and at governorate level capable of delivering basic services;
- reconstruction programmes funded by the PCO, the UN and World Bank Trust Funds, bilateral donors and the Iraqi Government which were delivering jobs and improvements to infrastructure and services; and
- a reduction in subsidies and an agreed IMF programme leading to a debt settlement by December.

**29.** The paper identified security as the most significant risk to achieving those objectives, in particular the risk of “a terrorist spectacular” against either the IIG or the UN. Other risks included infrastructure failures over the summer leading to popular discontent.

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<sup>9</sup> [Telegram 76 Basra to FCO London, 12 July 2004, 'First Impressions of Basra'](#).

<sup>10</sup> The PCO, following the Office of Reconstruction and Humanitarian Assistance (ORHA) and the Coalition Provisional Authority (CPA).

<sup>11</sup> [Paper FCO, 13 July 2004, 'Iraq: The Next Six Months'](#).

**30.** Based on those objectives and risks, the two “reconstruction and development” priorities were:

- To bridge funding shortfalls over the summer, when CPA and Development Fund for Iraq (DFI) projects ended, by implementing DFID and MOD job creation and infrastructure programmes. The UK had to maintain pressure on the US to spend its money in the South, quickly.
- To press the UN and the World Bank to send key staff back to Iraq.

**31.** The paper identified monthly milestones on the political process, reconstruction, and SSR tracks between July 2004 and January 2005.

**32.** At the DOP meeting, chaired by Mr Blair, Ministers reported that:

- Progress was being made on reconstruction. Electricity production was at its highest level so far (at 5,500 megawatts), the UK was providing expert advice to the IIG, notably to Prime Minister Allawi’s office, and DFID and the MOD had funds in place to mitigate a possible funding gap over the summer.
- Implementation of the main infrastructure contracts was slow.<sup>12</sup>

**33.** DOP agreed the priorities set out in the paper, and commissioned DFID to produce a note on infrastructure issues which Mr Blair might use in discussions with President Bush.

**34.** The FCO paper was not the integrated strategy that Ministers had requested on 1 July.

**35.** The DFID note that was subsequently sent to No.10 welcomed the anticipated arrival of the PCO Regional Co-ordinator in Basra, and continued: “But PCO [Co-ordinator] will need a team to support him. Little sign of Supplemental [IRRF2] contractors on the ground. Needs impetus.”<sup>13</sup>

**36.** President Bush and Mr Blair spoke by video conference on 22 July. Mr Blair’s briefing for the discussion, which had been produced by Mr Antony Phillipson, Mr Blair’s Private Secretary, recalled that Mr Blair had told DOP that he would speak to President Bush about the pace of reconstruction spending.<sup>14</sup> Since then, Sir Nigel Sheinwald, Mr Blair’s Foreign Policy Adviser, had discussed the issue with Dr Condoleezza Rice, the US National Security Advisor. Mr Phillipson suggested that Mr Blair “might just mention” UK concerns about the situation in the South.

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<sup>12</sup> Minutes, 15 July 2004, DOP meeting.

<sup>13</sup> Letter Malik to Quarrey, July 2004, [untitled].

<sup>14</sup> Minute Phillipson to Prime Minister, 22 July 2004, ‘VTC with President Bush, 22 July’.

**37.** The record of the video conference did not include any reference to reconstruction.<sup>15</sup>

**38.** The Annotated Agenda for the 22 July meeting of the AHMGIR stated that the responsibility for IRRF2 had passed from the US Department of Defense (DoD) to the US State Department.<sup>16</sup> The State Department wanted to review US priorities to ensure they were “developmentally sound” and to shift resources from infrastructure to governance; the UK had urged quick decisions to avoid delaying disbursements.

**39.** The Annotated Agenda advised that a PCO Regional Co-ordinator would arrive in Basra at the end of July and projects would start in September. It appeared that the US was giving priority to programmes “in ‘their’ areas”; there was therefore a risk of a reconstruction gap in the South. The need to speed up US reconstruction in the South had been raised at a recent video conference between Mr Blair and President Bush.

**40.** The Annotated Agenda set out the action that the UK was taking, in addition to lobbying the US to speed up their efforts, to address the possible short-term funding gap:

- The MOD was seeking a further £10m from the Treasury for QIPs.
- DFID was funding a five-person Project Continuity Team (PCT) based in the PCO to help implement former CPA(South) projects. The PCT had already deployed.
- DFID was funding a 10-person Technical Advisory Team (TAT) comprising infrastructure and other specialists to help link Iraqi priorities and PCO plans. The team was expected to deploy to Iraq in August.
- DFID had developed a £16m programme to generate employment opportunities and provide an emergency response facility to deal with critical failures in essential services in the South over the next six months. The programme would start immediately.

**41.** The Annotated Agenda also stated that the IMF was seeking early agreement on a Stand-By Arrangement for Iraq (a precondition for a Paris Club deal on debt reduction). DFID hoped to deploy advisers to support the Iraqi Government in its negotiations with the IMF.

**42.** A UK Trade and Investment (UKTI) secondee to the PCO told an official at the British Embassy Baghdad on 7 August that he was not aware of any PCO policy to withhold support from Basra in favour of US areas.<sup>17</sup> The official described the secondee as “generally very well informed on PCO policies”.

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<sup>15</sup> Letter Phillipson to Adams, 22 July 2004, ‘Prime Minister’s VTC with President Bush, 22 July: Iraq and MEPP’.

<sup>16</sup> Annotated Agenda, 22 July 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>17</sup> Email FCO [junior official] to FCO [junior official], 7 August 2004, ‘PCO Manning in Basra’.

**43.** Section 9.3 describes the Sadrist uprising in Najaf in early August, and the deteriorating security situation across Iraq.

**44.** Mr Blair concluded at the end of August that Prime Minister Allawi needed “help now”. That help included accelerating the pace of reconstruction, so that Iraqis saw improvements before the January 2005 elections.

**45.** Mr Phillipson wrote to the Cabinet Office on 20 August to commission a:

“... full picture of the situation in Iraq after the National Conference,<sup>18</sup> how we are going to get from here to successful elections in January, and the challenges we will face.”<sup>19</sup>

**46.** Mr Phillipson advised that the request followed a “long discussion” the previous day with Mr Blair, who had observed that the security situation, the slow rate at which the ISF was being trained and equipped, and “ongoing difficulties” with reconstruction posed a real risk to the achievement of the UK’s objectives in Iraq.

**47.** The British Embassy Office Basra reported by telegram on 24 August that the PCO Regional Co-ordinator had now arrived.<sup>20</sup> The Co-ordinator expected the PCO to “have an impact on the ground” in the last quarter of 2004; the British Embassy Office doubted that the PCO could meet that timeline.

**48.** On 27 August, in response to Mr Phillipson’s commission, the IPU provided a paper for the Cabinet Office.<sup>21</sup> Mr Neil Crompton, the Head of the IPU, advised Mr Straw’s Private Office that the paper contained “little new in policy terms”.

**49.** The IPU paper concluded that the strategy agreed by DOP on 15 July was the right one, but would require regular fine-tuning.<sup>22</sup> Its key judgements included:

- The IIG had made a good start, but needed to deliver results soon, particularly on security but also on essential services.
- There was growing “disquiet” in the “previously benign” South, reinforced by a sense that Baghdad and the US were neglecting its interests. Politically, Basra and Maysan were paralysed by power struggles, hindering work on reconstruction and security.
- Iraq was “awash with reconstruction funds”. The challenge was delivering quickly on the ground. Security was a major hindrance.

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<sup>18</sup> From 15 to 18 August a National Conference was held to select an Iraqi Interim National Council (IINC) of 100 members to oversee the Iraqi Interim Government until the election of the Transitional National Assembly in January 2005.

<sup>19</sup> [Letter Phillipson to Fergusson, 20 August 2004, ‘Iraq: Next Steps’](#).

<sup>20</sup> Telegram 130 Basra to FCO London, 24 August 2004, ‘southern Iraq: PCO and Saudi Development Fund’.

<sup>21</sup> [Minute Crompton to Private Secretary \[FCO\], 27 August 2004, ‘Iraq: Next Steps’ attaching Paper IPU, 27 August 2004, ‘Iraq: Next Steps’](#).

<sup>22</sup> [Paper IPU, 27 August 2004, ‘Iraq: Next Steps’](#).

**50.** The paper stated that President Bush was letting US officials in Baghdad “make the running”, and recommended that the UK focus its effort with the President on a few key areas where Washington could make a difference, including ensuring that the US did not take reconstruction in the South for granted.

**51.** The paper retained the three reconstruction objectives that DOP had agreed on 15 July (a functioning Iraqi Government, reconstruction programmes funded by others delivering quickly and well, and a reduction in subsidies and an agreed IMF programme leading to debt relief by December 2004).

**52.** Mr Phillipson passed the IPU paper to Mr Blair, after discussing it with Sir Nigel Sheinwald.<sup>23</sup> Mr Phillipson’s covering minute stated that the IPU paper was “too vague”, did not reflect the “loss of control” in Basra and elsewhere, and did not offer a clear way forward. He recalled that Mr Blair had asked for the “unvarnished truth so that we can engage in a frank discussion about how we can help the IIG restore control”.

**53.** Mr Phillipson recommended that a new paper should be commissioned, broken into three sections:

- how to ensure that the elections took place, on time, in January 2005;
- how the Sunni triangle could be brought “back under control”; and
- how order could be restored in Basra.

**54.** Mr Phillipson continued that one aspect of the effort to bring the Sunni triangle back under control should be “a short-term programme of intensive reconstruction to make a visible impact to people’s lives – a Sunni outreach programme”.

**55.** Mr Blair set out his analysis of the issues in a note to Sir Nigel Sheinwald, Mr Phillipson, Mr Jonathan Powell (No.10 Chief of Staff) and a junior member of his No.10 staff on 29 August.<sup>24</sup> He wrote:

“Our strategy is fine in one sense: Iraqiisation of security and support for the democratic political process. The problem is that the urgency of the situation may overwhelm us and make our timelines for Iraqiisation naïve.

“The fact is Allawi needs help now; and there has to be a clear sense of our gripping the situation now.”

**56.** Mr Blair identified nine immediate actions, including:

- providing Prime Minister Allawi with “first-class political, media and strategic capability ... now”, drawing on “the best home-grown Iraqi talent” supported by “our own people” who should be “hand-picked” immediately;

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<sup>23</sup> [Minute Phillipson to Prime Minister, 27 August 2004, ‘Iraq: Next Steps’.](#)

<sup>24</sup> [Minute Prime Minister to Sheinwald, 29 August 2004, ‘Iraq’.](#)

- examining DFID’s assistance to key Iraqi ministries, in particular defence,<sup>25</sup> “to ensure real robustness and ... if necessary, our people put in”; and
- unblocking funding for reconstruction, in the Sunni triangle and elsewhere, as the “key to winning hearts and minds”.

**57.** Mr Blair concluded:

“When I meet Allawi in September, it should be with a coherent plan to change the situation.”

**58.** Mr Benn visited Iraq from 31 August to 1 September, despite significant security concerns.<sup>26</sup> He reported to Mr Blair on 3 September that despite worsening security, some progress was being made:

“But the pace of reconstruction is still too slow ...

“DFID’s approach of encouraging the international system to help rebuild Iraq and working through bilateral programmes at the national level (to build capacity in key ministries) and in the South (to help create jobs, renew infrastructure and reduce poverty) is still right. But I will want to see substantial progress on spending and delivery before committing any more to the [World Bank and UN] Trust Funds. I have therefore concentrated on new bilateral programmes this financial year.”<sup>27</sup>

**59.** Mr Benn reported that, while in Iraq, he had announced new funding for projects in the South to respond to critical needs in essential services and create jobs and build capacity in the four southern Governorates. The MOD had also secured additional funding for QIPs.

**60.** Mr Benn concluded: “We will need to stay flexible in responding to changing circumstances.”

**61.** The projects referred to by Mr Benn were the £16.5m southern Iraq Employment and Service Programme (SIESP) and the £20.5m Governorates Capacity Building Project.<sup>28</sup>

**62.** On 3 September, at the request of the MOD, the Current Intelligence Group (CIG) assessed the impact of the recent Shia violence on the situation in MND(SE).<sup>29</sup>

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<sup>25</sup> Support to the Iraqi Ministry of Defence was provided by the MOD.

<sup>26</sup> Letter Gibbons to Simpson, 23 August 2004. ‘Ad Hoc RMV – Hilary Benn’s Visit to Iraq’.

<sup>27</sup> [Letter Benn to Prime Minister, 3 September 2004, ‘My Visit to Iraq’](#).

<sup>28</sup> Paper DFID, 4 November 2009, ‘Iraq – DFID Timeline and Financial Commitments: 2003 – 2009’.

<sup>29</sup> [CIG Assessment, 3 September 2004, ‘Iraq Security: Shia Violence in Multinational Division \(South East\)’](#).

**63.** The CIG judged that the situation in MND(SE) remained “fragile” and that there had been considerable loss of public support for the MNF. Most Shia were likely to continue to support the political process, but their consent depended on expectations being met, including elections held on schedule and a government that reflected their majority status.

**64.** A continuing failure to improve public order, restore public services or create jobs would also increase disillusionment, risking renewed unrest.

**65.** During Mr Benn’s visit to Iraq, officials in the British Embassy Office Basra raised concerns over the operation of the World Bank and UN Trust Funds.<sup>30</sup>

**66.** DFID responded to those concerns on 6 September:

“Basra are right that getting PCO and Trust Fund programmes moving faster is critical, but not that our contribution to the Trust Funds is pointless.”

**67.** The Trust Funds had several purposes:

- to deliver reconstruction on the ground;
- to allow donors to pool resources and streamline procedures. This reduces their overheads, and gives the Iraqis fewer donors with their own priorities and procedures to negotiate with; and
- to encourage the UN and the World Bank to re-engage”.

**68.** The World Bank and the UN had now started disbursing money from the Trust Funds, and the Iraqi Minister for Planning and Development Co-ordination had told Mr Benn that he was “much happier” with collaboration with the World Bank and UN.

**69.** DFID concluded the Trust Funds had been set up “to deliver medium-term benefits to Iraq rather than quick fixes”. The test now was delivery.

**70.** On 9 September, Sir Nigel Sheinwald and Mr David Quarrey, a Private Secretary to Mr Blair, sent Mr Blair a minute reporting on their recent visit to Iraq, for use in Mr Blair’s video conference with President Bush later that day.<sup>31</sup>

**71.** The minute stated that a “joined up programme” was needed, including:

- an effective counter-insurgency strategy to “regain control of cities in the Sunni triangle”;
- an IIG strategy for Sunni outreach;
- support for Prime Minister Allawi’s office; and

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<sup>30</sup> [Telegram 1 DFID to FCO Baghdad, 6 September 2004, ‘Southern Iraq: Trust Funds’.](#)

<sup>31</sup> Minute Sheinwald and Quarrey to Blair, 9 September 2004, ‘Iraq’.

- economic development. DFID was making good progress “in helping to get the economic framework right. But hardly anyone thinks that the ordinary Iraqi will see a major dividend before the elections in January.”

**72.** During his visit, Sir Nigel met Prime Minister Allawi, who stated that the political, economic and capacity-building strands were linked; he hoped for significant progress in each before November.<sup>32</sup> A copy of the record of that meeting was sent to Mr Benn’s Principal Private Secretary.

**73.** Mr Benn told Cabinet on 9 September that during his visit to Baghdad and Basra, he had been able to “feel the difference” since the transfer of sovereignty.<sup>33</sup> Sunni outreach was needed in the South, where the mood was one of “persistent victimisation”. Reconstruction activity was continuing, but had been adversely affected by the security situation.

**74.** During his video conference with President Bush on 9 September, Mr Blair raised both the need to accelerate Iraqisation and for enhanced capacity within the IIG, without which “too much fell on Allawi himself”.<sup>34</sup> The existing timelines for improved security and services were “too long” and risked delaying the election.

**75.** Mr Quarrey wrote to Mr Benn’s Principal Private Secretary on 14 September, responding to Mr Benn’s 3 September visit report:

“The Prime Minister believes that we must continue to do all we can on this [reconstruction], and particularly to make sure that ordinary Iraqis see a more tangible benefit before the elections. We have a particular responsibility to deliver in the South. We agree that it is sensible to focus UK resources on bilateral programmes while the multilateral Trust Funds remain ineffective.”<sup>35</sup>

**76.** Mr Blair chaired a meeting of the Ad Hoc Ministerial Group on Iraq on 16 September.<sup>36</sup>

**77.** Mr Blair’s Chairman’s Brief stated that one purpose of the meeting was to:

“... **galvanise the key departments** and ensure they give Iraq their full attention in the next 5 months, in order to **achieve the necessary results on the ground in the run-up to elections**”.<sup>37</sup>

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<sup>32</sup> Letter Quarrey to Owen, 9 September 2004, ‘Iraq: Nigel Sheinwald’s Meeting with Allawi, 8 September’.

<sup>33</sup> Cabinet Conclusions, 9 September 2004.

<sup>34</sup> Letter Phillipson to Adams, 9 September 2004, ‘Prime Minister’s VTC with President Bush, 9 September’.

<sup>35</sup> Letter Quarrey to Malik, 14 September 2004, ‘Iraq: Your Secretary of State’s Visit’.

<sup>36</sup> Record, 16 September 2004, Ad Hoc Ministerial Group on Iraq meeting.

<sup>37</sup> Briefing Cabinet Office, 16 September 2004, ‘Ad Hoc Ministerial Group on Iraq meeting to be held in the Cabinet Room on Thursday 16 September 2004 at 0830: Chairman’s Brief’.

**78.** The Group agreed that the MOD, DFID and the FCO would produce specific suggestions for how progress could be made in Iraq which Mr Blair could put to President Bush when they next spoke:

- MOD to make recommendations on how ISF capacity will develop ...
- DFID to advise on where blockages can [be] removed to speed up the impact of reconstruction funding.
- FCO to advise on what political strategy Allawi should be pursuing and his capacity to deliver it.”<sup>38</sup>

**79.** Sir Nigel Sheinwald met Dr Rice during his visit to Washington from 16 to 17 September.<sup>39</sup> He reported to Mr Blair that he had raised the continuing criticisms of the pace of the US reconstruction effort. Dr Rice had said that she did not understand why, after many enquiries, there were still blockages. Sir Nigel commented that “there was no sense that the NSC [National Security Council] was chasing this down, or that anyone else was”.

**80.** Prime Minister Allawi visited London on 19 and 20 September.<sup>40</sup>

**81.** Mr Quarrey’s briefing for Mr Blair advised that he might:

- offer whatever support Prime Minister Allawi needed for his office;
- encourage him to see reconstruction and development as “integral to his wider political strategy”;
- encourage him to associate the IIG very visibly with successes on the ground;
- reassure him of UK support for debt relief. Iraq might not get the 95 percent relief that the IIG and US were pushing for, but the UK wanted relief to be well above 80 percent; and
- encourage him to press the UN and Member States for a substantial increase in support.<sup>41</sup>

**82.** During his private meeting with Mr Blair on 19 September, Prime Minister Allawi outlined his four-point strategy for Iraq covering the political process, the economy, security (the most important aspect of the strategy and his personal focus) and institution building.<sup>42</sup>

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<sup>38</sup> Record, 16 September 2004, Ad Hoc Ministerial Group on Iraq meeting.

<sup>39</sup> Minute Sheinwald to Prime Minister, 20 September 2004, ‘Visit to Washington’.

<sup>40</sup> Letter Sheinwald to Adams, 19 September 2004, ‘Iraq: Prime Minister’s Meeting with Prime Minister Allawi, Sunday 19 September’.

<sup>41</sup> Minute Quarrey to Prime Minister, 18 September 2004, ‘Iraq: Your Meeting with Allawi’ attaching Briefing Cabinet Office, [undated], ‘Briefing Notes for Allawi Visit’.

<sup>42</sup> Letter Sheinwald to Adams, 19 September 2004, ‘Iraq: Prime Minister’s Meeting with Prime Minister Allawi, Sunday 19 September’.

**83.** Mr Blair asked Prime Minister Allawi whether he had the “infrastructure” around him to implement IIG policy. Prime Minister Allawi agreed there was a problem. Mr Blair said that the UK would send “two or three people” to Baghdad to work on the issue. On reconstruction, Mr Blair said that each project needed to be properly publicised as an achievement of the IIG and Prime Minister Allawi.

**84.** Mr Blair, Prime Minister Allawi and several Iraqi Ministers discussed reconstruction and the economy over lunch.<sup>43</sup> The Iraqi delegation said that there had been good progress on reconstruction in recent months, but the pace of delivery was still far too slow. Nor were donors delivering on their commitments to the World Bank and UN Trust Funds. Mr Blair said that there needed to be absolute clarity on where the blockages on funding were.

**85.** Prime Minister Allawi stressed the need for a generous debt reduction package that would encourage foreign investment, and asked the UK to play a major role in the Iraq Grand Port project on the Faw peninsula.

**86.** An Iraqi delegation led by Prime Minister Allawi held a roundtable meeting on reconstruction with Mr Straw, Mr Benn and Mr Hoon on 20 September.<sup>44</sup>

**87.** The FCO reported that Prime Minister Allawi’s main theme had been the importance of progress on reconstruction and its link to security.

**88.** Mr Mehdi Hafez, Iraqi Minister of Planning and Development Co-ordination, outlined progress towards an agreement on debt relief. Mr Benn emphasised the importance of reducing fuel subsidies if Iraq was to secure an IMF programme. Mr Hafez said that the IIG was committed to reducing subsidies (which he estimated to account for 50 percent of government expenditure), but there were political sensitivities.

**89.** During a discussion of the World Bank and UN Trust Funds, Mr Benn encouraged Prime Minister Allawi to press the UN to deploy staff to Iraq and to speed up disbursements from their Trust Fund. The Iraqi delegation said that the reluctance of the World Bank and IMF to engage raised questions about the value of multilateral (as opposed to bilateral) assistance. Mr Benn said that “DFID was concentrating on bilateral projects with 2004/05 money”. Mr Hafez confirmed that the IIG was content with the DFID programme.

**90.** DFID sent the note on how to speed up reconstruction funding requested at the 16 September meeting of the Ad Hoc Ministerial Group on Iraq to No.10 on 23 September, to inform a telephone conversation between Mr Blair and President Bush the following day.<sup>45</sup>

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<sup>43</sup> Letter Quarrey to Owen, 19 September 2004, ‘Iraq: Prime Minister’s Lunch with Allawi, 19 September’.

<sup>44</sup> [Telegram 73 IPU to Baghdad, 20 September 2004, ‘Iraq: Visit of Allawi: Meeting with Foreign Secretary, Mr Benn and Mr Hoon’.](#)

<sup>45</sup> Letter Drummond to Quarrey, 23 September 2004, ‘VTC with President Bush’ attaching Briefing DFID, [undated], ‘Prime Minister’s Video-Conference with President Bush’.

**91.** The DFID note advised that:

- Iraq's infrastructure had now been "stabilised" and some improvements had been made. But Iraqi citizens did not see that; it was vital for security that visible progress was made fast, and that the IIG told Iraqi citizens what was being achieved.
- There were "very few" PCO staff in the South. Could the US speed up the deployment of PCO staff, and give USAID a bigger role?
- Iraqi systems were not yet working. The US and UK needed to press Prime Minister Allawi to get Iraqi oil revenues into the provinces, and press the UN and World Bank to deploy experts.

**92.** Mr Quarrey's briefing for Mr Blair suggested that he could refer to Prime Minister Allawi's concern about the pace of delivery on reconstruction.<sup>46</sup>

**93.** In a telephone conversation with President Bush on 24 September, Mr Blair set out three priority issues, as discussed with Prime Minister Allawi:

- the need to strengthen Prime Minister Allawi's office;
- accelerating work to show the ISF had capacity to act; and
- increasing the pace of development activity.<sup>47</sup>

**94.** On 1 October, in response to a request for advice from Mr Benn's Private Secretary on the World Bank and UN Trust Funds, a DFID official advised that:

"... implementation is proceeding, but not as quickly as we would wish or had anticipated when we decided to contribute to them in February".<sup>48</sup>

**95.** There was as yet insufficient evidence to decide whether DFID should make further contributions to the Trust Funds. Equally, withdrawing UK funds from the Trust Funds would be difficult to justify and would undermine UK efforts to persuade other donors (especially those not present on the ground in Iraq) to contribute to the reconstruction effort.

**96.** Iraqi Deputy Prime Minister Dr Barham Salih presented the IIG's National Development Strategy (NDS) at the third meeting of the International Reconstruction Fund Facility for Iraq (IRFFI) Donor Committee in Tokyo on 14 October.<sup>49</sup>

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<sup>46</sup> Minute Phillipson to Prime Minister, 23 September 2004, 'Phonecall with President Bush, 24 September'.

<sup>47</sup> Letter Quarrey to Owen, 24 September 2004, 'Prime Minister's Phone Conversation with President Bush, 24 September'.

<sup>48</sup> Minute DFID [junior official] to DFID [junior official], 1 October 2004, 'Iraq Trust Funds: Secretary of State's Conversation with Ann Clwyd MP'.

<sup>49</sup> Telegram 181 Tokyo to FCO London, 15 October 2004, 'Iraq: Tokyo Donor Committee Meetings, 13-14 October'.

**97.** The NDS set out the social and economic reforms that the IIG intended to pursue, but did not prioritise those reforms or include plans for their implementation.<sup>50</sup>

**98.** Dr Salih told the meeting that this was the first time a sovereign Iraqi Government had presented its own vision of Iraq's future to the international community.<sup>51</sup> Iraq needed a quick agreement on debt relief and faster implementation of pledges made by donors at the Madrid Donor Conference, in line with the priorities outlined in the NDS.

**99.** The IMF and World Bank presented a “relatively positive” assessment of Iraq's economy, including higher than expected oil revenues.

**100.** At the meeting, Mr Jim Drummond, DFID Director Iraq, underlined the importance of Iraqi leadership of the reconstruction process, urged faster disbursement from the World Bank and UN Trust Funds, and encouraged more donors to contribute to them.

**101.** The British Embassy Tokyo reported that the international community had come together behind “a good Iraqi-led strategy”. Germany and France had engaged “more than previously, but not yet with significant support”. There had been no significant new pledges, but that was not surprising given the US\$32bn pledged at Madrid and rising Iraqi oil revenues.

**102.** Mr Quarrey described the meeting to Mr Blair as “important and successful”.<sup>52</sup> In response, Mr Blair asked for a DFID paper on how the UK could ensure that the meeting led to a visible acceleration in the delivery of reconstruction on the ground.<sup>53</sup>

**103.** The IIG's successor, the Iraqi Transitional Government (ITG), launched a revised NDS in July 2005.

## Reconstruction in areas regained from insurgent control, and Fallujah

**104.** Section 9.3 describes how, in the autumn of 2004, the IIG and the Multi-National Force – Iraq (MNF-I) reviewed the possibility of further military action to gain control of Fallujah from the Sunni insurgency, including the debate between the US and UK on how and when to take action.

**105.** A DFID official advised Mr Benn in advance of the 14 October meeting of the Ad Hoc Ministerial Group on Iraq that the FCO and “UK military” were arguing against an early clearance operation in Fallujah and for a “hybrid of security (cordon, precision strikes) and political/economic initiatives ... and giving these time to work”.<sup>54</sup>

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<sup>50</sup> The Iraqi Strategic Review Board, September 2004, *National Development Strategy 2005-2007*.

<sup>51</sup> Telegram 181 Tokyo to FCO London, 15 October 2004, ‘Iraq: Tokyo Donor Committee Meetings, 13-14 October’.

<sup>52</sup> Minute Quarrey to Blair, 15 October 2004, ‘Iraq Update’.

<sup>53</sup> Letter Quarrey to Naworynsky, 18 October 2004, ‘Iraq’.

<sup>54</sup> Minute DFID [junior official] to APS/SoS [DFID], 13 October 2004, ‘Iraq: Ad Hoc Ministerial Group Meeting on 14 October’.

**106.** Mr Benn was also advised that there had been a “breakthrough” in the relationship between the PCO and DFID in the South, with the PCO accepting and welcoming the Technical Advisory Team (TAT). After many delays, the PCO had begun work in the South.

**107.** Following talks in London, DFID was also seeking to work more closely with MND(SE), to “synchronise” UK reconstruction and security efforts. MND(SE) was “struggling” to disburse its QIPs and CERPs funds (totalling US\$25m), largely because of a lack of capacity. The TAT might be able to assist. A DFID team would visit Basra to continue discussions.

**108.** The 14 October meeting of the Ad Hoc Ministerial Group on Iraq was briefed that the US military was planning military action in Fallujah.<sup>55</sup>

**109.** The Ad Hoc Ministerial Group on Iraq agreed that an operation to clear Fallujah was right in principle but the UK should try to persuade the US to give Prime Minister Allawi time to improve the political environment.

**110.** Mr Chaplin reported by telegram on the same day that the US planned to spend US\$3.4bn on “rapid reconstruction” in 18 “strategic cities” (defined as major population or religious centres and real or potential areas of insurgency) in the run-up to the Iraqi elections, including US\$1.4bn in Baghdad and US\$316m in Basra.<sup>56</sup> The US had allocated US\$75m for Fallujah, but all work there was currently suspended. The initiative covered PCO, USAID and CERPs projects.

**111.** Mr Chaplin’s report prompted Mr Blair to request an update on developments in Najaf.<sup>57</sup> Mr Quarrey directed that request to the Cabinet Office.<sup>58</sup>

**112.** Sir Nigel Sheinwald and Dr Rice discussed Iraq on 22 October.<sup>59</sup> Sir Nigel reported that they had agreed that not enough was being done in towns where the IIG had regained control from insurgents. Dr Rice had said that she had (again) asked the NSC to find out why reconstruction funding was moving so slowly.

**113.** Mr Blair discussed progress on reconstruction, especially in key cities after military action, with Prime Minister Allawi by telephone on the same day.<sup>60</sup> Prime Minister Allawi said that effective reconstruction would have a positive impact on the security situation. Mr Blair agreed and said he would mention it to President Bush. Mr Quarrey’s record of the conversation was copied to Mr Benn’s Principal Private Secretary.

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<sup>55</sup> Record, 14 October 2004, Ad Hoc Ministerial Group on Iraq meeting.

<sup>56</sup> Telegram 280 Baghdad to FCO London, 14 October 2004, ‘Iraq: Reconstruction Projects in Strategic Cities’.

<sup>57</sup> Letter Quarrey to MOD [junior official], 18 October 2004, ‘Iraq’.

<sup>58</sup> Letter Quarrey to MOD [junior official], 18 October 2004, ‘Iraq’.

<sup>59</sup> Letter Sheinwald to Adams, 22 October 2004, ‘Conversation with US National Security Adviser, Friday 22 October’.

<sup>60</sup> Letter Quarrey to Wilson, 22 October 2004, ‘Iraq: Prime Minister’s Conversation with Allawi, 22 October’.

**114.** Mr Quarrey passed the Cabinet Office’s paper on reconstruction in Najaf and other key cities and the DFID paper on how to accelerate reconstruction on the ground in the wake of the Tokyo Donor Conference to Mr Blair on 22 October.<sup>61</sup>

**115.** The Cabinet Office paper concluded that “the general impression is that, as yet, there is no systematic or co-ordinated approach to these key cities”.<sup>62</sup> It identified a number of lessons, including:

- It was possible for political deals to hold long enough for the IIG/PCO to deliver enough reconstruction to start building public support and discredit the insurgents.
- There needed to be a sufficient continuing ISF presence for the IIG to remain in control and to facilitate reconstruction.
- IIG and to some extent PCO capacity to deliver reconstruction quickly was very limited. CERPs delivered impact most quickly.

**116.** The DFID paper on the follow-up to the Tokyo donors meeting advised that while the procedural obstacles to spending US and Trust Fund allocations had largely been overcome, the security situation was worse.<sup>63</sup> To “get round” that problem, there was now a greater emphasis on using Iraqi systems and contractors. In that context, to accelerate the pace of reconstruction, the UK needed to:

- Persuade the World Bank and UN at the top level to move fast, and to send development specialists to Iraq. Mr Benn had lobbied the UN Secretary-General Kofi Annan on 19 October.
- Provide funding and security for World Bank and UN liaison staff. DFID funded and housed one liaison officer for each of the World Bank and UN in Baghdad, and was considering funding a UN liaison officer in Basra.
- Support the PCO. The Head of the US Iraq Reconstruction and Management Office (IRMO) had told the UK that he wanted to work closely with the UK, but that he did not want UK staff in the PCO.

**117.** Mr Quarrey commented on the DFID paper:

“Lots of good points here about the UN and World Bank. But nothing on our bilateral programme and what more ... we might be able to do with that ...”<sup>64</sup>

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<sup>61</sup> [Minute Quarrey to Prime Minister, 22 October 2004, ‘Iraq Reconstruction’.](#)

<sup>62</sup> Paper Cabinet Office, 22 October 2004, ‘Iraq: Developments in Key Cities’.

<sup>63</sup> Paper DFID, [undated], ‘Tokyo Follow-up’.

<sup>64</sup> [Minute Quarrey to Prime Minister, 22 October 2004, ‘Iraq Reconstruction’.](#)

**118.** Mr Quarrey commented on the Cabinet Office paper:

“Not an encouraging picture ... It looks like we are a long way from the sort of integrated political/security/reconstruction packages for these key cities that we, the US and Allawi keep talking about.

“We must do better on this. The lack of any reference in the DFID note to this key issue is striking.”

**119.** Mr Blair replied: “We need to get tougher with DFID on this. Let me minute Hilary [Benn]. It’s not good enough.”<sup>65</sup>

**120.** Major General Andrew Farquhar, the British Deputy Commanding General of Operations in the Multi-National Corps – Iraq (MNC-I), reported on 24 October that the US had allocated US\$7m from CERPs for projects in the immediate aftermath of military operations in Fallujah.<sup>66</sup>

**121.** Mr Blair wrote to Mr Benn on 26 October:

“I remain concerned that actual delivery of reconstruction on the ground is far too slow ...

“We must accelerate the pace of reconstruction, not least to support the political process as we head towards the elections. The note [on the Tokyo donors meeting] includes some good ideas on pressing the UN and World Bank. But we also need to increase the impact of your bilateral programme in the short term. And we need to find more effective ways of getting the US to spend their funds more quickly and with greater impact.

“I am particularly concerned about the lack of follow-through on reconstruction in those cities and towns where the IIG, with MNF support, has regained control from insurgents (e.g. Najaf, Samarra, Tal Afar). These are, of course, not in the MND(SE) region where our spending is concentrated. But DFID has considerable experience of post-conflict situations which I would like to see us using across Iraq.”<sup>67</sup>

**122.** Mr Hoon briefed the 28 October meeting of the Ad Hoc Ministerial Group on Iraq on US military plans for a “short, sharp campaign” in Fallujah.<sup>68</sup>

**123.** At the meeting, Mr Benn said that DFID continued to press the PCO, but a recent proposal to second a UK development adviser to the PCO had been turned down by the US. It was difficult for the UK to offer additional assistance in cities like Fallujah “as the US was already engaged and sufficient funds were available”.

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<sup>65</sup> [Manuscript comment Blair on Minute Quarrey to Prime Minister, 22 October 2004, ‘Iraq Reconstruction’.](#)

<sup>66</sup> Telegram 301 Baghdad to FCO London, 24 October 2004, ‘Iraq: Fallujah: Military Preparations: ISF Numbers and Capability’.

<sup>67</sup> [Minute Prime Minister to Secretary of State for International Development, 26 October 2004, \[untitled\].](#)

<sup>68</sup> Minutes, 28 October 2004, Ad Hoc Ministerial Group on Iraq meeting.

**124.** Mr Benn reported that he had spoken to UN Secretary-General Annan, and thought it unlikely the UN would deploy more staff to Iraq before the elections (the UN currently had two officers in Iraq, one supported by DFID).

**125.** Mr Benn said that he would be happy to help the MOD with funding for QIPs if it was better able to implement projects than civilian experts.

**126.** Cabinet Office, DFID, FCO and MOD officials met on the same day to consider, at No.10's request, how to "push forward" PCO reconstruction efforts.<sup>69</sup> The meeting agreed that the UK should:

- increase efforts to monitor PCO activity across Iraq, although with a focus on MND(SE); and
- make an "open-ended" offer of support to the US for PCO programmes across Iraq (not just in the South).

**127.** By 29 October, preliminary airstrikes against targets in the Fallujah area had begun.<sup>70</sup>

**128.** Mr Quarrey advised Mr Blair on 2 November that "planning for the post-conflict phase remains inadequate, and the US now seem resigned to this".<sup>71</sup>

**129.** A DFID official based in Basra advised Mr Drummond on 3 November that PCO projects in the South remained "almost invisible" to the general public, and that Iraqi engagement in and influence on PCO operations appeared to be minimal.<sup>72</sup>

**130.** Mr Blair met Prime Minister Allawi in Brussels on 5 November.

**131.** In preparation for the meeting, Mr Quarrey provided a list of "points that Allawi needs to cover before he approves any military action" in Fallujah.<sup>73</sup> Those included "the follow-up package of political and economic measures". The US said they had funding ready, but the IIG's own preparations looked inadequate. Prime Minister Allawi had to take responsibility for those preparations.

**132.** At the meeting, Mr Blair said that:

"... he [Prime Minister Allawi] knew the military commanders were keen to move now. But it was vital that we balanced the political and military priorities. Unless there was an argument for an immediate move, then he believed we needed to take

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<sup>69</sup> Letter Cabinet Office [junior official] to Drummond, 28 October 2004, 'Iraq: Monitoring and Accelerating PCO Disbursement'.

<sup>70</sup> Minute Dowse to Sheinwald, 29 October 2004, 'Iraq Update – 29 October'.

<sup>71</sup> Minute Quarrey to Prime Minister, 2 November 2004, 'Fallujah'.

<sup>72</sup> Minute DFID [junior official] to Drummond, 3 November 2004, 'PCO'.

<sup>73</sup> Minute Quarrey to Blair, 4 November 2004, 'Iraq: Breakfast with Allawi'.

the necessary time to exhaust all avenues of dialogue with the Sunnis ... We also needed to set out a package of reconstruction measures.”<sup>74</sup>

**133.** Following authorisation by Prime Minister Allawi, offensive operations began in Fallujah on 8 November.<sup>75</sup>

**134.** Mr Chaplin described the UK’s involvement in that decision for the Inquiry:

“Our main involvement and the main thing we emphasised afterwards was that if there had to be military action, then the [Iraqi] Government needed to organise itself to ensure there was rapid follow-up, looking after displaced people, returning them as soon as possible, looking after the humanitarian aspects. And the part of the DFID team that was working closely with the Ministry of Health was heavily involved in that ...”<sup>76</sup>

**135.** Mr Benn replied to Mr Blair’s letter of 26 October on 10 November.<sup>77</sup> He wrote:

“I share many of your concerns about the pace of reconstruction and development in Iraq. However, we should take encouragement from the Iraqi Interim Government’s National Development Strategy, the extra resources (about US\$3bn) that the high oil price gives them, and the new arrangements that Allawi is making in his own office, with DFID advice, to lead reconstruction ...

“Security is much more difficult than we anticipated and is getting worse around Baghdad. Many contractors, including those that we regularly use to work in post-conflict environments such as Crown Agents, are unwilling to send staff outside Baghdad or Basra at present. This is affecting all donors. But we can do more. Our £6m employment generation project will start to create jobs this month ... I have also allocated £10m to support essential services – water, sanitation and power – in South-Eastern Iraq. We will top this up if necessary. We are working closely with UK forces: DFID’s technical expertise is available to help them implement their Quick Impact Projects, and military liaison teams will help us to make our projects happen. We will talk to MOD about resources, as we look for other ways to maximise impact.”

**136.** Mr Benn also highlighted DFID’s support for the elections, and his decision not to channel further funds through the UN and World Bank Trust Funds.

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<sup>74</sup> Letter Phillipson to Adams, 5 November 2004, ‘Iraq: Prime Minister’s Discussion with Iyad Allawi, 5 November 2004’.

<sup>75</sup> *CNN World*, 9 November 2004, *Battle for Falluja under way*.

<sup>76</sup> Public hearing, 7 December 2010, page 19.

<sup>77</sup> [Letter Benn to Blair, 10 November 2004, \[untitled\]](#).

**137.** On Mr Blair's suggestions that the UK needed to find more effective ways of getting the US to spend its funds more quickly and with greater impact, and that DFID should use its experience of post-conflict situations across Iraq (not just in the South), Mr Benn responded:

“We will get closer to the Project Contracting Office (PCO). Our Basra sector specialists are working with the PCO there, and the DFID Office in Baghdad has close relations with PCO counterparts in Baghdad, including the new (good) head, Bill Taylor. He has declined our offer of a senior reconstruction specialist but we are offering technical help instead. This could help the PCO implement effective reconstruction projects in areas where the Iraqi Interim Government regains control from the insurgents.”

**138.** Mr Benn's reply highlighted a number of decisions taken before Mr Blair wrote his letter:

- DFID's projects to create jobs and provide essential services in the South had been announced in early September.
- The decision not to channel further funds through the UN and World Bank Trust Funds had also been made in early September.
- DFID's work with MND(SE) to help implement QIPs was under way by 13 October.

**139.** The FCO advised the British Embassy Baghdad on 15 November that, following the meeting of officials on 28 October which had agreed that the UK should make an open-ended offer of support to the PCO, DFID had confirmed that it could provide:

- technical expertise (for example a water or health expert); and
- expertise on post-conflict reconstruction, to help deliver reconstruction in cities and towns where the IIG had regained control.<sup>78</sup>

**140.** On 16 November, following a visit to Fallujah, Lieutenant General John Kiszely, the Senior British Military Representative, Iraq, reported to the MOD and IPU that the scale of the damage to buildings dramatically outstripped the figures that the US had used in its press statement.<sup>79</sup> Soldiers in Fallujah had told him that between 90 and 95 percent of civilians had left before the fighting had started.

**141.** General George Casey, MNF-I, had decreed that MNF-I's main effort should be humanitarian assistance and reconstruction, and had appointed Lt Gen Kiszely “in charge of reconstruction”.

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<sup>78</sup> Telegram 126 FCO London to Baghdad, 15 November 2004, ‘Iraq Reconstruction: UK Assistance for the PCO’.

<sup>79</sup> Minute Crompton to Private Secretary [FCO], 16 November 2004, ‘Iraq: Fallujah’.

**142.** Mr Crompton reported to Mr Straw's Private Secretary that Lt Gen Kiszely was "calm, but clearly taken aback by the damage he had seen". The IPU was:

"... in touch with DFID to see whether they can assist with the humanitarian effort, and are feeding in some ideas to Kiszely on how best to approach the reconstruction task, using lessons learnt in Kosovo and elsewhere".

**143.** The Annotated Agenda for the 18 November meeting of the AHMGIR reported Lt Gen Kiszely's conclusions, and that the Red Cross and Red Crescent were being allowed into the city.<sup>80</sup> At least US\$58m had been earmarked for reconstruction. The IIG estimated that there were 250,000 Internally Displaced People (IDPs) from Fallujah, about 95 percent of whom were staying with family or friends. The Iraqi Ministry of Health reported that there were "no major humanitarian problems".

**144.** The Annotated Agenda stated that Prime Minister Allawi had established a Cabinet Reconstruction Committee, whose first tasks would be to co-ordinate reconstruction spending in cities won back from insurgent control and to spend US\$200m of Iraqi money for emergency reconstruction in the period up to the elections. DFID advisers were "linked in well" and assisting the Committee.

**145.** The Annotated Agenda also stated that the PCO had declined DFID's offer to "second a senior reconstruction specialist or more technical help in Baghdad".

**146.** Gen Walker told the meeting there had been a slow start to reconstruction in Fallujah.<sup>81</sup> That was a failure of the IIG and, in part, non-military US agencies. There was no indication of an immediate humanitarian crisis.

**147.** Mr Benn said that he was prepared to provide Lt Gen Kiszely with a reconstruction adviser, if one was required.

**148.** Mr Benn reported that more generally, security remained a significant constraint on reconstruction, but that DFID programmes were progressing relatively well.

**149.** The AHMGIR agreed that:

- DFID and the FCO should press the UN to deploy a senior, full-time development expert to Baghdad;
- DFID and the FCO should keep pressing the PCO for credible information on reconstruction projects;
- Mr Straw and Mr Blair should speak to their French counterparts about the importance of agreeing a Paris Club debt deal;
- Mr Benn should prepare a note on reconstruction activity in MND(SE) and on wider reconstruction issues; and
- the FCO and DFID should prepare a note on why the PCO was proving slow to deliver reconstruction.

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<sup>80</sup> Annotated Agenda, 18 November 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>81</sup> Minutes, 18 November 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

**150.** Sir Nigel Sheinwald spoke to Dr Rice later that day, and expressed his concern that humanitarian and reconstruction efforts in Fallujah had been slow to get off the ground.<sup>82</sup> He reported that Dr Rice shared that concern, but thought that some humanitarian assistance was now getting into the city, and “everyone was adamant” that there was no humanitarian crisis.

**151.** The FCO advised No.10 on 19 November that there were “plenty of resources available” for Fallujah’s reconstruction.<sup>83</sup> The IIG’s response was poorly co-ordinated. The UK would monitor the IIG’s response, and would feed in advice on the best way to reconstruct houses damaged in the fighting. The UK had advised Lt Gen Kiszely that the most effective approach would be to give each family a sum of money “for them to go and see to the re-building themselves”. That approach, used in Kosovo, would ensure that the money was ploughed back into the Fallujah economy and secure residents’ “buy-in” to reconstruction.

**152.** In his weekly report to Gen Walker on 21 November, Lt Gen Kiszely advised that planning for reconstruction was “well developed” within the US Embassy, led by IRMO, but almost none had taken place in the IIG.<sup>84</sup> Prime Minister Allawi was now “cracking the whip”, which should lead to greater Iraqi Ministerial engagement. With so few inhabitants in the city, there was no humanitarian crisis, and the “vast majority” of displaced people had found accommodation with extended family or friends. There were some small tented camps around Fallujah, to which NGOs were delivering supplies. The immediate priorities were to clarify the situation and co-ordinate activity; in the absence of the IIG, that fell to MNF-I.

**153.** Lt Gen Kiszely also advised that his appointment as “MNF-I co-ordinator for humanitarian assistance and reconstruction” had been prompted by Gen Casey’s concern about the scale of the humanitarian and reconstruction challenge.

**154.** Lt Gen Kiszely told the Inquiry:

“... by the end of November/early December, it was quite clear that this [military] operation was going to be successful. And the big concern for the Americans was what was going to happen afterwards: was this going to be a microcosm, if you like, of the campaign as a whole in which the reconstruction phase was not properly planned for, or were they going to ensure that it was properly planned and managed? And they very much focused on getting this right.”<sup>85</sup>

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<sup>82</sup> Letter Sheinwald to Adams, 18 November 2004, ‘Conversation with US National Security Adviser: 18 November 2004’.

<sup>83</sup> Letter Owen to Phillipson, 19 November 2004, ‘Iraq: the Political Process – Prospects for Elections and Sharm El-Sheikh’.

<sup>84</sup> Minute Kiszely to CDS, 21 November 2004, ‘SBMR-I’s Weekly Report (138) of 21 Nov 04’.

<sup>85</sup> Public hearing, 14 December 2009, page 16.

**155.** President Bush and Mr Blair spoke by video conference on 30 November. Mr Blair’s briefing stated that he should raise Prime Minister Allawi’s concern that humanitarian and reconstruction assistance was not getting into Fallujah and other key spots quickly enough.<sup>86</sup>

**156.** During the video conference, Mr Blair said that Fallujah “had gone well” and the story of what US forces had found there – including evidence of torture chambers – should be put into the public domain.<sup>87</sup> He suggested that the operation had “sent a clear message that the insurgents could not win”.

**157.** The record of the video conference did not include any reference to the humanitarian and reconstruction effort in Fallujah or other “key spots”.

**158.** Ms Margaret Aldred, Deputy Head Overseas and Defence Secretariat in the Cabinet Office, advised Sir Nigel Sheinwald on 1 December, in the context of a report on the situation in Fallujah, that she had received reports that a DFID adviser and a DFID-funded consultant attached to the Cabinet Reconstruction Committee were beginning to make a difference.<sup>88</sup> Those individuals had been re-deployed from within Iraq.<sup>89</sup>

**159.** A second DFID-funded consultant, Dr Gilbert Greenall, had arrived in Iraq that day to advise Lt Gen Kiszely on the phased return of IDPs to Fallujah.<sup>90</sup>

**160.** Mr Suma Chakrabarti, the DFID Permanent Secretary, and Mr Drummond reported to Mr Benn on 13 December:

“DFID provides the core of Allawi’s co-ordination team on Fallujah ...

“Fallujah demonstrates that neither the IIG nor the US thought through the humanitarian aspects of military actions, though they had allocated money for reconstruction. For the next few weeks we need to have immediate post-conflict expertise in the DFID Office in Baghdad ...”<sup>91</sup>

**161.** Mr Benn told the 16 December meeting of the Ad Hoc Ministerial Group on Iraq that the IIG, with the support of DFID advisers, had put together a package of basic humanitarian support and funds for the reconstruction of homes in preparation for the return of IDPs.<sup>92</sup> Ministers agreed to follow developments closely.

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<sup>86</sup> Minute Phillipson to Prime Minister, 29 November 2004, ‘VTC with President Bush, 1220 – 1300 30 November’.

<sup>87</sup> Letter Quarrey to Owen, 30 November 2004, ‘Prime Minister’s VTC with President Bush, 30 November: Iraq, Syria and Iran’.

<sup>88</sup> [Minute Aldred to Sheinwald, 1 December 2004, ‘Iraq’](#).

<sup>89</sup> Letter Cabinet Office [junior official] to Asquith, 3 December 2004, ‘Iraq Senior Officials Group’.

<sup>90</sup> [Minute Aldred to Sheinwald, 1 December 2004, ‘Iraq’](#).

<sup>91</sup> Minute Chakrabarti/Drummond to Secretary of State [DFID], 13 December 2004, ‘Iraq Visit, 6-8 December’.

<sup>92</sup> Minutes, 16 December 2004, Ad Hoc Ministerial Group on Iraq meeting.

**162.** Section 9.3 describes the impact of operations in Fallujah on security and the political process.

**163.** Five months later, on 12 May, the British Embassy Baghdad reported that Embassy staff had visited Fallujah, hosted by US forces.<sup>93</sup> The scale of destruction was apparent, but there was also progress:

- Between 90,000 and 150,000 of Fallujah’s estimated 240,000 inhabitants had returned.
- All water treatment plants, tanks and pipes had been restored and two new pumping facilities had been installed.
- Electricity had been restored to between 80 and 100 percent of the main residential area, but only to between 0 and 40 percent of the “industrial south”.
- Of the city’s 69 schools, 38 were open and 15 would open by the end of the month. “Huge progress” had been made in restoring healthcare.

**164.** The Embassy commented:

“This may be an over-rosy view of developments in Fallujah, it was a determined PR [public relations] effort, but the signs of life around the town spoke volumes. Likewise, the prominence of Iraqis throughout the visit and US willingness to let them lead was not what we had expected. Congratulations to the US Marines!”

### Lessons from Najaf

In late January 2005, Dr Greenall and another DFID-funded consultant visited Najaf to review progress since the US intervention in August 2004 and to identify lessons for future operations in Iraq.<sup>94</sup>

Their assessment was more positive than the Cabinet Office paper of 22 October 2004.

The consultants reported that although the short conflict had resulted in considerable damage, there was a “permissive environment” on the streets. That could be attributed largely to an effective post-conflict assistance strategy: US\$48m had been allocated for projects and “social payments”, with 156 projects being completed in the first 100 days after the uprising. Funding had come from CERPs, PCO funds re-directed away from large infrastructure projects, and USAID. The impact on the local economy had been substantial.

A key strength of the US military’s approach had been to engage directly with the Provincial Governor and the Mayor to ensure local ownership. The Governor remained frustrated, however, by the level of support from the Iraqi Government.

<sup>93</sup> [Telegram 4393/05 Baghdad to FCO London, 12 May 2005, ‘Impressions of Fallujah: 12 May’.](#)

<sup>94</sup> [Telegram 85 Baghdad to FCO London, 3 February 2005, ‘Iraq: Post-Conflict Reconstruction Lessons from Najaf’.](#)

Ms Lindy Cameron, the Head of DFID Baghdad, commented on the report that while Najaf was not typical of “problem cities”:

“Nevertheless, it demonstrates the importance of having in place a clear strategy for immediate post-conflict support so that the military can help civilian authorities get instant access to funds, take immediate action, get essential services running and put money into the local economy, starting a virtuous circle leading in the longer-term (as in Najaf) to a conducive environment for large infrastructure projects, re-establishment of normal market mechanisms and a benign force profile.”

There are no indications that Mr Blair or Ministers saw the report.

## Agreement on debt relief for Iraq

**165.** Section 10.3 describes the UK Government’s role in negotiations towards a deal to reduce Iraq’s debt.

**166.** On 24 September, as part of those negotiations, the Iraqi Government undertook to begin to reduce fuel subsidies by the end of the year, and to raise prices to “cost recovery levels” by the end of 2009.<sup>95</sup>

**167.** On 21 November, Paris Club creditors agreed to reduce Iraq’s official debt by 80 percent (a reduction of US\$31.1bn).<sup>96</sup> The deal would be delivered in three stages: 30 percent immediately; 30 percent on IMF approval of a Stand-By Arrangement (expected to be in 2005); and 20 percent on completion of the Stand-By Arrangement (in 2008). Paris Club creditors also agreed generous terms for the repayment of the residual debt.

**168.** Under the agreement, the UK wrote off US\$1.39bn (£954m) in Iraqi debt (£337m in UK financial year 2004/05, £337m in 2005/06 and £280m in 2008/09).<sup>97</sup>

**169.** A Treasury briefing produced for Mr Brown stated that the deal represented an important success for the international community, demonstrating an ability to act together on an issue as divisive as Iraq.<sup>98</sup>

## Taking the strain in the South, early 2005

**170.** Section 9.3 describes the UK’s continuing efforts to support the political process in Iraq, and in particular ensuring that elections could take place on schedule at the end of January 2005.

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<sup>95</sup> IMF Staff Report, September 2004, *Iraq: Use of Funds – Request for Emergency Post-Conflict Assistance*.

<sup>96</sup> Briefing Treasury, [undated], ‘Brief: Meeting with Barham Saleh, Deputy Prime Minister of Iraq’

<sup>97</sup> Letter Cabinet Office [junior official] to Aldred, 13 September 2011, ‘Iraq Inquiry: Request for Further Information on Funding’.

<sup>98</sup> Briefing Treasury, [undated], ‘Brief: Meeting with Barham Saleh, Deputy Prime Minister of Iraq’.

**171.** At the end of 2004, in response to continuing concerns that the US and the PCO did not see the South as a priority and that the World Bank and UN Trust Funds were not yet fully operational, DFID assessed that it would have to “take more of the strain bilaterally in 2005”, in particular on infrastructure and job creation in the South.

**172.** On 18 November, in response to a request from the FCO, Mr Collis reported on the state of reconstruction in the South.<sup>99</sup> The IIG was not funding any significant capital projects in the South and the PCO remained a “weak and Baghdad-centric” organisation. PCO projects would not have a significant impact on service delivery until well into 2005.

**173.** DFID officials met senior PCO officials in Baghdad on 2 December.<sup>100</sup> The British Embassy Baghdad reported that, in response to the security situation, the PCO planned to focus on “low-hanging fruit” (visible projects such as repairs to schools and clinics) at the expense of major longer-term reconstruction projects and building Iraqi capacity. In addition, if the US Congress did not agree further funding for CERPs, the PCO was likely to reallocate funds from stable to less secure areas.

**174.** The Embassy concluded: “We need to fight to keep PCO funding in the South.”

**175.** At the 9 December meeting of the AHMGIR, Ministers commented that the PCO was “large and unwieldy” and faced a difficult balance between quick fixes and long-term reconstruction.<sup>101</sup> UK influence was limited: the PCO was a US organisation following US rules “though it was sometimes open to UK advice”. Much of its effort was being pulled into Fallujah and away from the South.

**176.** Mr Chakrabarti and Mr Drummond visited Baghdad and Basra from 6 to 8 December to review DFID’s programmes and assess priorities for 2005.<sup>102</sup>

**177.** Their 13 December report to Mr Benn advised that with the PCO “diverted” to immediate reconstruction work in cities around Baghdad, and the World Bank and UN Trust Funds not yet fully operational, DFID would “have to take more of the strain bilaterally in 2005”. DFID’s resources were, however, limited and “must be used to support Iraqi initiatives and strengthen their capacity”.

**178.** On PCO activity in the South, the report stated:

“As junior partners in the coalition, our ideas are listened to, but our influence over US spending will remain limited. We need to face up to the fact: the South will not be a strategic priority for the US.”

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<sup>99</sup> Telegram 200 Basra to FCO London, 18 November 2004, ‘Southern Iraq: Essential Services, Reconstruction’.

<sup>100</sup> Telegram 455, Baghdad to FCO London, 5 December 2004, ‘Iraq: Project Contracting Office (PCO): Changing Priorities’.

<sup>101</sup> Minutes, 9 December 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>102</sup> Minute Chakrabarti/Drummond to Secretary of State, 13 December 2004, ‘Iraq Visit, 6-8 December’.

**179.** The report identified possible DFID priorities for 2005:

- continued support to strengthen Iraq's public administration, including Prime Minister Allawi's office;
- continued support for economic reform, including a renewed effort to get the World Bank and IMF back into Baghdad. Their officials could be accommodated in the "DFID wing" of the British Embassy;
- substantial, additional support for job creation and "emergency infrastructure works" in the South; and
- a further contribution to the UN and World Bank Trust Funds when there was hard evidence of delivery, and the UN was back on the ground.

**180.** Copies of the report were sent to the FCO, the MOD, No.10, the Cabinet Office and officials in Baghdad and Basra.

**181.** DFID's intentions were set out in more detail in a minute from Mr Drummond to a DFID official two days later:

"... we will have to take more of the strain in 2005 on infrastructure. The TAT team and others should begin thinking now about what can be done with UK resources (possibly up to £50m) so that there are ideas ready to be appraised."<sup>103</sup>

**182.** That work would culminate in the agreement by Mr Benn of the £40m Iraq Infrastructure Services Programme (IISP) in late February 2005.

**183.** Mr Chaplin reported on 15 December that the US review of IRRF2 had reduced funding for water and power projects in Basra.<sup>104</sup> The reallocations had not been based on Iraqi advice or geographical need, but on a US desire to avoid breaching existing contracts and the PCO's belief that larger projects in the South could be more easily funded by other donors.

**184.** Major General Jonathon Riley, General Officer Commanding (GOC) MND(SE), reported on 20 December:

"Wherever I go ... I am greeted by Provincial Governors and others with the same set of complaints: that the promises made to them have been broken, that things are getting worse not better ... The increase in my QIPS delegation is massively helpful, but the amount of money cannot change the overall situation. DFID is working really very efficiently, and we have a real partnership here, but this is not natural territory for them and again, their funds will not change the overall situation. The solution lies with Central Government in Baghdad and the PCO, which together have raided major projects in the South, such as the electricity programme, in order to fund security. I have tried to point out that investing in the South now, where the security

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<sup>103</sup> Minute Drummond to DFID [junior official], 15 December 2004, 'Iraq: Visit Follow-up'.

<sup>104</sup> Telegram 475 Baghdad to FCO London, 15 December 2004, 'Iraq: PCO Water and Power Sectors'.

situation is benign will do two things: first, reward good behaviour and encourage further progress ... and secondly, benefit the whole of the country ...

“I am not responsible for economic regeneration, and I do not intend to become a bore about it – so I mention it now – once, and once only. But since I am not responsible, I cannot be made accountable for the failures of others.”<sup>105</sup>

**185.** Mr Blair visited Baghdad on 21 December.<sup>106</sup>

**186.** Mr Chaplin’s briefing for Mr Blair described an Iraqi Government that was struggling to maintain supplies of power and fuel as the insurgency took hold, and that had abandoned hope of visible progress on reconstruction before the elections.<sup>107</sup>

**187.** During his visit, Mr Blair asked Gen Riley for advice on “big-ticket” items that might make a difference to the economy and essential services of southern Iraq.<sup>108</sup>

**188.** Mr Quarrey’s report on the visit recorded that “Iraqisation and political outreach were key themes”.<sup>109</sup> Mr Blair remained “very concerned about the slow pace of reconstruction spending, especially in the South” and about the funding available for Iraqisation, and wanted the UK to make a major effort to secure greater funding for both, in particular from the US. A copy of the report was sent to Mr Benn’s Principal Private Secretary.

**189.** Gen Riley responded to Mr Blair’s request for big-ticket projects on 3 January 2005, in his weekly report to Gen Walker.<sup>110</sup> He proposed that, at a minimum, the UK should aim to build a 200 megawatt (MW) gas turbine plant in the South at a cost of up to US\$100m. USAID estimated that up to four additional power stations needed to be constructed in Iraq each year to 2020, but only one was currently planned in the South, which would be funded by Japan. A new power plant would be a visible contribution to the South and to Iraq, would boost long-term investment and would provide a more reliable power supply to the oil sector, essential services and Iraqi citizens.

**190.** The MOD sent Gen Riley’s report to No.10 on 4 January.<sup>111</sup> It was not included in Mr Quarrey’s weekly round-up on Iraq for Mr Blair (which issued on 7 January), and the Inquiry has seen no evidence that the report was passed to Mr Blair.<sup>112</sup>

**191.** Gen Riley’s proposal was addressed in a DFID review of infrastructure requirements in the South the following month.

<sup>105</sup> Report Riley, 20 December 2004, ‘GOC MND(SE) – southern Iraq Update – 20 December 04’.

<sup>106</sup> *BBC News*, 21 December 2004, *Blair’s statement in Baghdad*.

<sup>107</sup> Telegram 494 Baghdad to FCO London, 21 December 2004, ‘Prime Minister’s Visit to Iraq, 21 December: Scenesetter’.

<sup>108</sup> [Report Riley, 3 January 2005, ‘GOC MND\(SE\) – southern Iraq Update – 3 January 2005’](#).

<sup>109</sup> Letter Quarrey to Owen, 23 December 2004, ‘Prime Minister’s Visit to Iraq: Follow-up’.

<sup>110</sup> [Report Riley, 3 January 2005, ‘GOC MND\(SE\) – southern Iraq Update – 3 January 2005’](#).

<sup>111</sup> Letter Naworynsky to Quarrey, 4 January 2005, ‘Iraq: Update’ attaching [Report Riley, 3 January 2005, ‘GOC MND\(SE\) – southern Iraq Update – 3 January 2005’](#).

<sup>112</sup> Minute Quarrey to Prime Minister, 7 January 2005, ‘Iraq: Weekly Round-up’.

### Basra International Airport reopens to commercial traffic

UK forces continued to provide air traffic control and certain other services at Basra International Airport (BIA) after the transition from the CPA to the IIG on 28 June 2004.

During the Occupation, the UK considered but rejected opening BIA to commercial flights, due to the potential liability for the UK (see Section 10.1).

On 14 December, the UK and IIG signed a Memorandum of Understanding indemnifying the UK Government and its agents against all claims arising from the provision of services by UK personnel at BIA.<sup>113</sup>

Following that agreement, BIA reopened to commercial traffic on 1 January 2005.<sup>114</sup> UK forces continued to provide support.

**192.** In a video conference with President Bush on 4 January, Mr Blair said that the US and the UK should support Prime Minister Allawi's new security plan (see Section 9.3).<sup>115</sup> A key issue would be funding. Reconstruction would not be a problem once the security situation improved. Mr Blair asked if the US could, in the short term, redirect some US reconstruction funding to security.

**193.** Sir Nigel Sheinwald sent Mr Stephen Hadley, US Deputy National Security Advisor, a Note by Mr Blair on 10 January, and asked him to show it to President Bush before their video conference the following day.<sup>116</sup> Mr Blair's Note covered "our most pressing problems".

**194.** On Iraq, he judged:

"All the problems go back to security. Without it the politics are difficult, the reconstruction shackled and the faith of Iraqis in the future undermined."

**195.** Mr Blair considered that four actions were necessary:

- the Iraqisation of security forces;
- spending money more quickly on reconstruction, especially of essential services;
- being "very tough indeed on the election", including by ensuring it went ahead on schedule and encouraging participation; and
- signalling a timetable for the withdrawal of US and UK forces "when and only when, we can point to real indigenous Iraqi strength".

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<sup>113</sup> Telegram 474 Baghdad to FCO London, 15 December 2004, 'Iraq: Basra Airport'.

<sup>114</sup> Minute Allardice to DTI [junior official], 12 January 2005, 'Ad Hoc Ministerial Group on Iraq Reconstruction, 13 January 2005' attaching Briefing, [undated], 'Ad Hoc Ministerial Group on Iraq Reconstruction'.

<sup>115</sup> Letter Quarrey to Owen, 4 January 2005, 'Prime Minister's VTC with President Bush, 4 January 2005; Iraq, Iran and MEPP'.

<sup>116</sup> [Letter Sheinwald to Hadley, 10 January 2005, \[untitled\], attaching Note Prime Minister to President Bush, 10 January 2005, 'Note'](#). Mr Hadley succeeded Dr Rice as US National Security Advisor later that month.

**196.** Mr Blair wrote: “If we had security, the blunt truth is Iraq wouldn’t need much help for reconstruction.” However, in those parts of Iraq where security was reasonable, reconstruction funds should be spent more quickly. This would have a powerful demonstrative effect. Mr Blair suggested to President Bush that they should get a report on the speed and priorities of the reconstruction programme.

**197.** The record of the video conference did not include any reference to reconstruction.<sup>117</sup>

### **DFID reduces its budget for Iraq for 2005/06**

**198.** At the end of December, DFID’s Europe Middle East and Americas Division (EMAD) submitted its Delivery Plan for 2005 to 2008 to the DFID Management Board, for approval.

**199.** DFID provided the Inquiry with a version of the Delivery Plan marked “Draft”, but informed the Inquiry that this version could be the one that was submitted to Management Board.<sup>118</sup>

**200.** In relation to Iraq, the draft Delivery Plan stated that DFID was seeking to “strike a sensible balance between short-term fixes and longer-term development”.<sup>119</sup> DFID planned to scale down its assistance over the following three years, shifting from “post-conflict reconstruction” towards targeted technical assistance.

**201.** Limiting EMAD expenditure on Middle Income Countries (MICs), including Iraq, would be a “key factor” in ensuring that DFID met its target of spending at least 90 percent of country programme resources on Lower Income Countries (LICs) in each year from 2005/06 to 2007/08. Attaining the target for 2005/06 would require some £20m of in-year savings from MIC budgets.

**202.** The draft Delivery Plan stated that the current, agreed DFID budget for Iraq for 2005/06 was £86m (reducing to £45m and £30m in the subsequent financial years). However:

“It has been agreed that £20m savings in MIC programmes should be found through in-year and between-year management of spending. We expect the bulk of these savings will be found from underspending on the Iraq budget; bringing the expected spend on Iraq to closer to £66m than the full aid framework allocation of £86m ...”

**203.** EMAD invited the Management Board to agree that those savings should be retained within EMAD, and used for its non-MIC programmes.

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<sup>117</sup> Letter Quarrey to Owen, 11 January 2005, ‘Prime Minister’s VTC with President Bush, 11 January’.

<sup>118</sup> Email DFID [junior official] to Iraq Inquiry [junior official], 20 January 2016, ‘DFID docs on reduction in Iraq’s budget for 2005/06’.

<sup>119</sup> Paper DFID, 22 December 2004, ‘Draft: Europe Middle East and Americas Division (EMAD): Director’s Delivery Plan [draft] for 2005 – 2008’.

**204.** The 25 and 26 January 2005 meeting of DFID’s Management Board “noted that the anticipated reduction (£20m) of **programme spend in Iraq** should enable ... **LIC commitments** to be met in 2005/06”.<sup>120</sup>

**205.** A junior DFID official advised colleagues the following week that the Management Board had imposed a “cap” on Iraq expenditure for 2005/06 of £65m.<sup>121</sup> She commented that the decision was “largely to ensure that we do not undermine the agreed MIC/LIC targets”.

**206.** The official also advised that DFID’s overall budget was “running very hot” and that DFID’s Finance Department had “both eyes” on the £40m of Iraq’s 2004/05 budget that had not yet been allocated.

**207.** The £65m budget for Iraq for 2005/06 was formally confirmed on 14 March.<sup>122</sup>

**208.** DFID’s Iraq Directorate undertook internal exercises in February and March to prioritise expenditure against the new, lower budget.<sup>123</sup>

**209.** The March exercise estimated that “commitments and plans” for Iraq for 2005/06 totalled £123m (against the budget of £65m), of which:

- £59m was “firm”;
- £55m was high priority (including £40m for the planned Iraq Infrastructure Services Programme);
- £8.5m was medium priority; and
- less than £1m was low priority.<sup>124</sup>

### DFID’s budget for and expenditure in 2005/06

Following the 25 and 26 January 2005 meeting of DFID’s Management Board, DFID reduced its budget for Iraq for 2005/06 from £86m to £65m.<sup>125</sup>

DFID expenditure in 2005/06 was £82m. That comprised:

- £38m for “life support costs” (accommodation, security, medical services and other services) provided by the FCO and charged to DFID (and other departments and agencies) under a Service Level Agreement. Approximately half of that charge related to services used in 2004/05 and half to services used in 2005/06;
- £35m for infrastructure projects; and
- £10m for governance projects.<sup>126</sup>

<sup>120</sup> Minutes, 25/26 January 2005, DFID Management Board meeting.

<sup>121</sup> Email DFID [junior official] to DFID [junior official], 31 January 2005, ‘Iraq: FINSTATS 3’.

<sup>122</sup> Minute Calvert to [DFID] Directors, 14 March 2005, ‘Resource Allocation Round: 2005-08’.

<sup>123</sup> Email DFID [junior official] to DFID [junior official], 14 February 2005, ‘Iraq: Forecast 2005/06’; Email DFID [junior official] to Anderson, 11 March 2005, ‘2005/06 Commitments’.

<sup>124</sup> Email DFID [junior official] to Anderson, 11 March 2005, ‘2005/06 Commitments’.

<sup>125</sup> Minute Calvert to [DFID] Directors, 14 March 2005, ‘Resource Allocation Round: 2005-08’.

<sup>126</sup> Letter Cabinet Office [junior official] to Aldred, 1 July 2011, ‘Iraq Inquiry: request for further information on funding’; Paper DFID, 21 December 2011, ‘A Note on DFID Iraq Programme Admin Spend for the Iraq Inquiry’.

The apparent overspend against DFID's 2005/06 budget was caused by the FCO charge for life support costs.

DFID's expenditure on infrastructure projects peaked in 2005/06. Of the £45m spent on non-life support costs in 2005/06, £35m – over 75 percent – was spent on infrastructure.<sup>127</sup> In comparison, DFID spent £15m on infrastructure in 2004/05 and £14m in 2006/07.

## Priorities for 2005

**210.** In February, Ministers agreed UK priorities for 2005, including “reviewing reconstruction to find ways to make a difference quickly”.

**211.** On 21 January, No.10 commissioned the Cabinet Office to produce a paper on Iraqisation, the UK's military options and a game plan for engaging the US, to support a discussion on UK strategy after the Iraqi elections.<sup>128</sup>

**212.** The 28 January meeting of the Iraq Strategy Group (ISG) discussed a draft of that paper.<sup>129</sup> Sir Nigel Sheinwald said that Mr Blair would also want the paper to consider “what could be done to achieve quick and labour-creating results on reconstruction including outside MND(SE)”.

**213.** Sir Nigel asked that the paper also consider the involvement of the wider international community in military, police and civil administrative capacity-building.

**214.** The elections to the Transitional National Assembly (TNA) and Provincial Assemblies took place across Iraq on 30 January 2005. The TNA did not convene until 16 March, after which negotiations to form the Iraqi Transitional Government (ITG) continued into late April (see Section 9.3).

**215.** On 1 February, Mr Blair suggested to President Bush that they should focus on four areas in order to exploit post-election momentum:

- Iraqisation;
- political outreach, including “whittling away at the opposition, so that the hard core were left isolated”;
- drawing in the international community; and
- reconstruction, including areas in which there could be a quick impact (eg power generation).<sup>130</sup>

<sup>127</sup> Letter Cabinet Office [junior official] to Aldred, 1 July 2011, ‘Iraq Inquiry: request for further information on funding’.

<sup>128</sup> [Letter Phillipson to Baker, 21 January 2005, ‘Iraq: Future Strategy’](#).

<sup>129</sup> Minute Ferguson to Sheinwald, 1 February 2005, ‘Iraq Strategy Meeting – 28 January 2005’.

<sup>130</sup> Letter Quarrey to Owen, 1 February 2005, ‘Prime Minister’s VTC with President Bush, 1 February’.

**216.** Mr Blair proposed that these areas should be drawn into a plan by the ITG, which the UK and US could then support.

**217.** On 3 February, just before the announcement of the election results, the Joint Intelligence Committee (JIC) assessed the nature and strength of the insurgency.<sup>131</sup> Despite operational successes in Sunni areas:

“... the military campaign is not effectively containing the insurgency in Sunni areas. Law and order, the pace of economic reconstruction, the availability of jobs and general quality of life have not matched [Sunni] expectations. Most Sunnis perceive themselves to be worse off economically, and in security terms than under Saddam. Sunni ‘hearts and minds’ are being lost.”

**218.** The JIC assessed that the election results were likely to be less important in determining Sunni support for the insurgency than the degree to which credible Sunnis could be brought into the political process, “the speed at which reconstruction is taken forward” and the duration of the coalition’s presence in Iraq.

**219.** A revised Cabinet Office strategy, drawing on the JIC assessment, was submitted to the 9 February Ad Hoc Ministerial Group on Iraq, chaired by Mr Blair.<sup>132</sup> The key elements of the strategy for the coming year were:

- building the capability of the ISF;
- outreach by the ITG to bring in those currently supporting the insurgency;
- drawing in the international community and giving it a new sense of purpose (including getting the UN to do more on reconstruction); and
- “reviewing reconstruction to find ways to make a difference quickly”.

**220.** The strategy identified key “governance and reconstruction” challenges in 2005, including:

- the weak capacity of Iraqi Government institutions to drive reconstruction;
- sustained improvements in the availability of fuel and electricity needing difficult reforms and a crackdown on corruption and sabotage;
- the limited presence on the ground of international agencies and NGOs; and
- ensuring all Iraq benefited (“the South is not a strategic priority for the US”).

**221.** The six “governance and reconstruction” actions for the UK before the ITG was formed were:

- preparing key messages to the new government on reconstruction priorities, focusing on developing a stronger relationship between Baghdad and the governorates;
- working with the US to make its reconstruction effort more effective. The US should focus on rapid job creation, and directly fund Iraqi ministries;

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<sup>131</sup> [JIC Assessment, 3 February 2005, ‘Iraq: Insurgency and Counter-Insurgency’.](#)

<sup>132</sup> [Paper Cabinet Office, 7 February 2005, ‘Iraq Strategy for 2005’.](#)

- supporting the handover of power to the new government, through the DFID-funded consultancy team;<sup>133</sup>
- pressing the UN, IMF and other donors to engage;
- completing the design of DFID's new £40m power and infrastructure programme for the South; and
- deciding on ways to expand visible job creation work in the South.

**222.** ITG ownership of governance and reconstruction would be crucial. The UK would strengthen the ITG's strategic communications capacity, to ensure that successes were promulgated.

**223.** The strategy also identified a number of economic priorities:

- ensuring the UK "plays its part" in achieving a "fair and sustainable" solution to Iraq's debt problems. Iraq would need to secure comparable debt relief from non-Paris Club debtors;
- encouraging Iraq to complete its IMF programme;
- continuing to support economic reform;
- promoting an "efficient, outward looking and transparent" oil and energy industry and the transparent management of Iraq's oil reserves; and
- advising on an effective response to inflationary risks.

**224.** The strategy stated that the UK's current posture in Iraq was costing around £1bn a year, but did not comment on whether this amount was appropriate or sufficient.

**225.** In discussion, Ministers commented that it was essential that the security, political and reconstruction tracks were synchronised if the UK was to achieve its objectives in Iraq.<sup>134</sup> If necessary, the UK should push ahead with plans for security and reconstruction in MND(SE), in advance of developments in the rest of the country.

**226.** The Group approved the strategy and agreed that No.10 should pass an updated version to the US, raising the issue of diversion of US funding for reconstruction projects from the South to other parts of the country.

**227.** The Group also agreed that Mr Blair and Mr Benn should press Mr Annan and Mr James Wolfensohn, President of the World Bank, to deploy staff to Basra.

**228.** Sir Nigel Sheinwald sent a revised version of the strategy to Mr Stephen Hadley, US National Security Advisor, on 11 February.<sup>135</sup>

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<sup>133</sup> A reference to DFID's £4.2m Emergency Public Administration Programme, which was developed to help establish the Prime Minister's Office and the Cabinet and committee system.

<sup>134</sup> Minutes, 9 February 2005, Ad Hoc Ministerial Group on Iraq meeting.

<sup>135</sup> [Letter Sheinwald to Hadley, 11 February 2005, 'Iraq' attaching Paper, 'Iraq: Strategy for 2005'](#).

**229.** At the meeting of the ISG on the same day, Mr Martin Dinham, DFID Director Europe, Middle East and Americas, set out what DFID would do “in response to the renewed Ministerial mandate to press ahead with reconstruction, particularly in MND(SE)”.<sup>136</sup> The £40m Iraq Infrastructure Services Programme (IISP) would be approved in the next few weeks. More money was available for job creation if required. But it was also key to get other donors engaged. Mr Benn and DFID officials were lobbying the UN, World Bank and IMF. Officials in Basra were conducting a review of infrastructure requirements to identify gaps.

**230.** Mr Blair wrote to Mr Wolfensohn on 16 February, highlighting the slow pace of delivery on Trust Fund projects and the value of having core World Bank staff (rather than a contracted liaison officer) in Iraq, and offering to provide accommodation and security for World Bank staff in Baghdad and Basra.<sup>137</sup>

**231.** Mr Benn wrote to Mr Wolfensohn the following day:

“We need to seek innovative ways of managing the difficulties and risks associated with working in present-day Iraq. The [World] Bank might need to reallocate funding to new projects that can be delivered ... One way to do this might be to channel funding directly through provincial government systems to their priority projects.”<sup>138</sup>

**232.** Mr Benn repeated Mr Blair’s offer to provide support for World Bank staff in Iraq, and highlighted the need for a strong World Bank presence in the power sector.

**233.** Mr Dinham followed up those proposals in meetings with World Bank officials during a visit to New York and Washington from 21 to 24 February.<sup>139</sup>

**234.** During the meetings, World Bank officials argued that:

- Bank officials could achieve a lot from the Bank’s office in Amman, Jordan;
- there were presentational difficulties in being too closely associated with one particular Member State; and
- operating in Iraq was expensive and difficult.

**235.** Mr Dinham rejected those arguments, pointing out that the UN was now establishing a presence in Iraq with two permanent development specialists and a large number of staff supporting the election process.

**236.** Mr Dinham also pressed the Bank to accelerate disbursement from its Trust Fund. The UN was now performing better than the Bank. Mr Dinham suggested that the Bank

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<sup>136</sup> [Minute Cabinet Office \[junior official\] to Sheinwald, 11 February 2005, ‘Iraq: Strategy Group’.](#)

<sup>137</sup> Letter Blair to Wolfensohn, 16 February 2005, [untitled].

<sup>138</sup> [Letter Benn to Wolfensohn, 17 February 2005, ‘Iraq Reconstruction’.](#)

<sup>139</sup> Minute Dinham to Shafik, 28 February 2005, ‘Visit to Washington and New York, 21-24 February 2005: Discussion of Iraq Issues’.

might redirect some Trust Fund money into co-financing DFID's IISP, or through the provincial governments which DFID was supporting.

**237.** In a meeting with IMF officials, Mr Dinham offered DFID support to help establish an IMF presence in Iraq. He reported that the IMF was “more responsive” to the offer than the World Bank.

**238.** In Washington, US State Department officials briefed Mr Dinham on US plans to re-programme some reconstruction funds to fund security in areas where no reconstruction could take place, and to increase funding for projects that would have more immediate impact on the ground. That meant cutting some larger infrastructure projects, including in the South. The US objective was to encourage other donors, in particular Japan, Arab states and possibly the European Commission (EC), to take on longer-term infrastructure projects.

**239.** In meetings with UN officials, Mr Dinham welcomed progress in implementing UN Trust Fund projects (although he felt that it could be faster) and the news that two UN senior development officials were now permanently based in Baghdad.

**240.** The DFID review of infrastructure requirements in the South referred to by Mr Dinham at the 11 February meeting of the ISG was submitted to the 24 February meeting of the AHMGIR.<sup>140</sup>

**241.** The paper stated that a DFID team had recently assessed how DFID could help improve infrastructure in southern Iraq. As a result, Mr Benn had “approved work to bring forward quickly” DFID's £40m IISP.

**242.** The majority of IISP funds would be used to undertake repairs and improvements to existing infrastructure. To ensure a visible impact on the ground, the programme would fund larger projects (with a value of more than £500,000). Priority would be given to projects which would have an impact within six to 12 months and generate significant employment. 75 percent of the budget was earmarked for power, the rest to improve water supplies and the fuel distribution network.

**243.** The paper stated that an “alternative approach” would be to invest available resources in new power generation. That would take several years to come on line and would be “a drop in the ocean” of Iraq's power needs. Substantially greater and quicker impact could be achieved by well-targeted repairs and rehabilitation, and building Iraqi capacity.

**244.** The paper also stated that: “Taken with existing commitments, this new programme [the IISP] means that there will be little scope for additional DFID initiatives in Iraq that involve expenditure in 2005/06.”

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<sup>140</sup> [Paper DFID, 21 February 2005, 'Reconstruction – outcome of DFID mission on infrastructure in the South; and involvement of other major players'.](#)

**245.** The Inquiry concludes that the (brief) consideration of investment in new power generation may have been prompted by Gen Riley’s 3 February proposal, in response to Mr Blair’s request for advice on “big-ticket” items, that the UK should aim to build a 200MW gas turbine plant in the South at a cost of up to US\$100m.

**246.** Mr Hoon wrote to Mr Benn on 25 February, highlighting the need to ensure that the UK did all it could to alleviate power shortages in the South over the summer (before projects under the IISP would begin to come on stream).<sup>141</sup> Plans for a US\$10m project to provide point power generation throughout MND(SE), funded by CERPs, were well advanced. Mr Benn’s offer to consider whether DFID could fund the project if CERPs funding was not released was very welcome.

**247.** Mr Blair wrote a note to Mr Quarrey on 25 February instructing that Mr Straw be “put in charge” of the Ad Hoc Ministerial Group on Iraq and asking him to report each week with actions on “eg reconstruction in the South; Sunni outreach; progress on security plan”.<sup>142</sup>

**248.** Mr Benn discussed the World Bank’s engagement in Iraq with Mr Wolfensohn on 1 March in the margins of the Palestine Conference.<sup>143</sup>

**249.** Following a meeting with Mr Benn on 8 March, Mr Michael Anderson, Head of DFID’s Middle East and North Africa Department, advised officials in the UK Delegation to the World Bank that Mr Benn had “very little patience” with the Bank:

“The SoS [Mr Benn] is very clear in his view that the slow disbursement by the Bank under the IRFFI [Trust Fund] is unacceptable ...

“... if the Bank is not able to show a significant increase in its engagement in Iraq by the end of March, we will be writing to the Bank to seek refund of the funds to the UK for disbursement through our bilateral programme ...

“His commitment to this line is strong, and we will need to find a way to carry forward his views despite the legal and reputational risks that may arise.”<sup>144</sup>

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<sup>141</sup> [Letter Hoon to Benn, 25 February 2005, ‘Iraq: Reconstruction Priorities in MND\(SE\)’](#).

<sup>142</sup> Manuscript comment Blair on Minute Quarrey to Prime Minister, 25 February 2005, ‘Iraq Update’.

<sup>143</sup> Letter Dinham to Tulu, 2 March 2005, ‘Iraq’.

<sup>144</sup> [Email Anderson to Scholar, 8 March 2005, ‘World Bank and Iraq’](#).

### Mr Benn's evidence to the International Development Committee, 10 March 2005

Mr Benn gave evidence to the International Development Committee (IDC) on 10 March 2005, as part of its inquiry into development assistance to Iraq.<sup>145</sup> His hearing followed a visit by three members of the IDC (Mr Quentin Davies, Mr Tony Colman and Ms Ann Clwyd) to Iraq.

Mr Davies reported that he had been struck by the progress made in reconstruction and building Iraqi capacity, and by the “very good” co-operation between DFID and the military on the ground. He challenged Mr Benn on two issues. First, that the separate budgets held by DFID and the MOD for reconstruction could lead to “some muddle”. Second, that some of DFID’s work to build the capacity of the Iraqi Government was inconsistent with the 2002 International Development Act.

Mr Benn welcomed the IDC’s observation that DFID and the MOD were working well together on the ground. He commented:

“DFID has come into Iraq and done things that traditionally we would not do ... Why? Because that was what was required in the circumstances. We had to dust down some skills and the Post-Conflict Reconstruction Unit [PCRU] is one of the lessons from this ...”

The PCRU and its role in Iraq is described in Section 10.3.

Mr Benn strongly rejected the charge that some of DFID’s work was inconsistent with the 2002 International Development Act, arguing that capacity-building was crucial for poverty reduction:

“... having states that work ... governments that can do their job, is absolutely fundamental to improving services and the lives of poor people.”

The imminent dissolution of Parliament brought the inquiry to a close. The IDC did not publish a report, but did publish the evidence it had gathered as part of its inquiry.

The IDC did not undertake another inquiry into the UK’s reconstruction effort in Iraq.

**250.** Gen Riley reported on 16 March that he was “still worried” about providing sufficient power across MND(SE) over the summer.<sup>146</sup> Temperatures were already creeping up, and he remembered the “near-disaster” in summer 2003 caused by the failure of essential services.<sup>147</sup>

<sup>145</sup> Seventh Report from the International Development Committee, Session 2004-2005, *Development assistance in Iraq: Interim Report*, HC244.

<sup>146</sup> Report Riley, 16 March 2005, ‘GOC MND(SE) – southern Iraq Update – 16 March 2005’.

<sup>147</sup> A reference to the riots in Basra on 10/11 August 2003, which the UK assessed were triggered by fuel shortages and power blackouts.

**251.** While he waited for approval of the point power generation project, he had ordered MND(SE) to search for additional sources of energy and funding. They had identified 131 generators across the region, of which only 22 were working. Most of the inoperable generators had never been installed. MND(SE) had completed the installation of 32 of those generators.

**252.** Mr Quarrey passed Gen Riley's update to Mr Blair on 18 March, with the comment:

“The situation is bleak, with generation levels this summer unlikely on current predictions to be significantly higher than last year – and almost certainly matched by higher demand.”<sup>148</sup>

**253.** Mr Quarrey advised that funding for the point power generation project (which would become Operation AMPERE) had now been approved.

**254.** The funding was provided by DFID.<sup>149</sup>

**255.** Mr Quarrey also advised that officials were working on a new strategy paper on electricity, but it focused too much on the medium term and not enough on what the UK could do to improve the situation over the summer. He recommended that the next AHMGIR should focus on producing a short-term action plan.

**256.** Mr Blair indicated that he agreed with Mr Quarrey's proposal, and that he would raise the issue of power generation with President Bush.<sup>150</sup>

**257.** A report on a visit to Iraq by senior DFID officials alerted other departments to pressures on DFID's budget.

**258.** Mr Dinham and Mr Anderson visited Iraq from 14 to 19 March.<sup>151</sup>

**259.** Mr Dinham's report to Dr Nemat Shafik, DFID Director General Programmes, characterised the DFID programme as “a balance of capacity building and visible, quick impact reconstruction activity, particularly in the South”. There was “accelerated progress” on both capacity building and reconstruction, helped by “excellent collaboration” with the FCO and MOD.

**260.** Mr Dinham warned that:

“One side effect of the good progress we are making ... is that our Iraq budget allocation for 2005/06 is under extreme pressure. If activities to which we are already committed plus extensions of existing high priority capacity building programmes proceed at the current pace, we will exceed our existing budget ceiling, without any new proposals already in the pipeline being taken into account.”

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<sup>148</sup> Minute Quarrey to Prime Minister, 18 March 2005, 'Iraq Update' attaching Report Riley, 16 March 2005, 'GOC MND(SE) – southern Iraq Update – 16 March 2005'.

<sup>149</sup> Paper FCO/DFID, 22 March 2005, 'Iraq: Electricity'.

<sup>150</sup> Manuscript comment Blair on Minute Quarrey to Prime Minister, 18 March 2005, 'Iraq Update'.

<sup>151</sup> [Minute Dinham to Shafik, 21 March 2005, 'Visit to Iraq'](#).

**261.** He continued:

“The need to cut back our budget [for Iraq] in 2004/05 to help meet internal DFID financial pressures related to the estimating adjustment; plus the MIC ceiling constraint in 2005/06; plus escalating cost relating to security ... have all contributed to the pressures.”

**262.** DFID would seek to deal with those pressures through “a variety of careful financial management techniques” and an “active search for co-financing” with partners including the World Bank and the EC. However:

“... the scope for new activity in 2005/06 is nil and we will have to delay until 2006/07 some of the proposals in the pipeline with which we hoped to proceed in 2005/06.”

**263.** Mr Dinham also reported that Iraqi governorates did not yet have the capacity to receive supplementary funding from sources such as the World Bank and the US, as DFID had hoped.

**264.** Copies of Mr Dinham’s report were sent to Mr Benn’s Private Secretary, Mr Chakrabarti’s Private Secretary, other DFID officials, and officials in No.10, the Cabinet Office, the FCO, and the MOD.

**265.** Mr Quarrey marked Mr Dinham’s report to Sir Nigel Sheinwald with the comment:

“This is worrying – we need to have some flexibility in 05/06, including to support ITG ideas/priorities.”<sup>152</sup>

**266.** Mr Straw made his first report to Mr Blair on the work of the Ad Hoc Ministerial Group on Iraq on 24 March.<sup>153</sup> He attached a number of reports, included a joint FCO/DFID paper describing the state of the electricity sector, which he described as a focus for the Group’s work.

**267.** The FCO/DFID paper stated that the Iraqi Government was struggling to sustain production at more than 4,000MW per day and was unlikely to meet its target of producing 6,000MW per day by the summer. Demand had soared as the economy had grown, and was now estimated to be 8,000MW per day (that figure would increase over the summer). Power cuts would continue.

**268.** The paper identified four factors behind the failure to increase power production above May 2003 levels:

- continued sabotage;
- the unreliability and inefficiency of existing power infrastructure;

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<sup>152</sup> [Manuscript comment Quarrey on Minute Dinham to Shafik, 21 March 2005, ‘Visit to Iraq’.](#)

<sup>153</sup> [Letter Straw to Blair, 24 March 2005, ‘Iraq: Ad Hoc Ministerial Meetings’ attaching Paper FCO/DFID, 22 March 2005, ‘Iraq: Electricity’.](#)

- poor management by the Iraqi Government; and
- a lack of “strategic focus” by the CPA in the immediate post-conflict period.

**269.** The paper advised that the Iraqi Government needed to develop a long-term energy strategy which addressed subsidy and charging issues (power was free). The World Bank had agreed to advise on strategy and co-ordination “with DFID facilitating”.

**270.** Given limited UK funds, the UK was focusing on:

- meeting key short-term needs. The US\$10m provided to Gen Riley should produce 25MW and £10m provided under the SIESP a further 50MW. In the longer-term, the IISP should produce 160MW by April 2006;
- leveraging engagement from others, and;
- providing strategic advice to the Iraqi Government.

**271.** The FCO/IPU concluded that planned work was unlikely to solve Iraq’s power generation problem in time for the summer. The UK should encourage the Iraqi Government to plan now for next summer and the longer term, through the development of a coherent strategy for the energy sector.

**272.** In his covering letter to Mr Blair, Mr Straw stated that 55 percent of DFID’s budget for Iraq for 2005/06 would be spent in the power sector.<sup>154</sup>

**273.** Mr Blair indicated that he had seen the letter, but did not comment on it.<sup>155</sup>

**274.** MND(SE) and the DFID Basra Office reported on 30 March that they had reached agreement on how to use the US\$10m provided by DFID for power generation in the South.<sup>156</sup> MND(SE) had initially favoured diesel generators, DFID gas turbines. A “hybrid proposal” had emerged, involving the purchase of diesel generators for fewer sites than originally proposed and the refurbishment of existing gas turbines. MND(SE) estimated that the project – Operation AMPERE – would produce an additional 16.5MW by 1 July. It would only be a temporary solution. DFID’s IISP would help to maintain existing capacity, but substantive improvement would only come through long-term restructuring, institutional reform and major capital investment. That agenda would be pursued with the ITG.

**275.** The effect of Op AMPERE is considered later in this Section.

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<sup>154</sup> [Letter Straw to Blair, 24 March 2005, ‘Iraq: Ad Hoc Ministerial Meetings’.](#)

<sup>155</sup> Manuscript comment Blair on Note Quarrey to Prime Minister, 30 March 2005, ‘Iraq’.

<sup>156</sup> Telegram 47 Basra to FCO London, 30 March 2005, ‘Iraq: Meeting Peak Power Demands in the South this Summer’.

**276.** Gen Riley reported on 5 April that a fire had completely shut down the main power station in Nasiriyah, which supplied 50 percent of the electricity to the MND(SE) area.<sup>157</sup> He commented:

“This simply serves to point up the fragility of the national supply and to illustrate that DFID and MND(SE) alone are never going to solve the electricity problem in southern Iraq. While I still believe that DFID’s US\$10m will make a small difference this summer the symbolic nature of the money is as important as the power it will produce.”

**277.** Gen Riley concluded that “more drastic action” was needed to prevent an even bigger problem in summer 2006.

### **DFID reviews its Interim Country Assistance Plan**

**278.** DFID had published its Interim Country Assistance Plan for Iraq (I-CAP) in February 2004, at a time when the UK was a joint Occupying Power in Iraq and security was improving.<sup>158</sup>

**279.** The I-CAP re-stated DFID guidance that progress against a CAP should be assessed annually, and that a CAP should be subject to a “major review” every three or four years. The I-CAP stated that, given the rapidly changing situation in Iraq, it would need a “substantial” review after one year.

**280.** Mr Anderson circulated a note on the programme management issues identified during his 14 to 19 March visit to Iraq to DFID colleagues only on 4 April 2005.<sup>159</sup>

**281.** Mr Anderson highlighted the next 12 months as a critical period for DFID’s Iraq programme and a “key window for donor impact”. US and UK development spending was set to reduce after 2006 and the UK military presence, upon which donor activities in the South relied, might draw down.

**282.** Mr Anderson also highlighted two DFID policy papers with implications for DFID’s programme in Iraq. The first, on fragile states, emphasised the importance of realistic expectations of host government capacity and of prioritising and sequencing activities to avoid overwhelming it. The second, on security and development, highlighted the importance of personal safety and security for the poor, and emphasised that activities to promote effective security systems were integral to development work. The DFID Iraq team would meet to consider the implications of the papers in the next few months.

**283.** Mr Anderson detailed the work required to bring DFID’s programme for 2005/06 within the new budget. Current commitments exceeded the new budget “by several tens of millions of pounds”.

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<sup>157</sup> Report Riley, 5 April 2005, ‘GOC MND(SE) southern Iraq Update – 5 April 2005’.

<sup>158</sup> Department for International Development, *Iraq: Interim Country Assistance Plan*, February 2004.

<sup>159</sup> [Minute Anderson to DFID \[junior official\], 4 April 2005, ‘Iraq Programme Management Issues’](#).

**284.** A review of DFID's I-CAP was under way. It was unlikely to result in major changes, but existing activities would need to be "more focused" on the four UK objectives set out in the UK paper 'Iraq: Strategy for 2005', which had been agreed on 9 February.

**285.** On 6 April, the JIC assessed the state of the insurgency in Iraq following the January election.<sup>160</sup> It judged that a significant Sunni insurgency would continue through 2005, but that there now appeared to be greater opportunities for reducing it. The ITG's early actions would be critical in changing Sunni perceptions and eroding support for the insurgency. Sunni expectations included the direction of reconstruction money to Sunni areas.

**286.** Mr Blair met President Bush on 8 April. Mr Blair's briefing for the meeting suggested that he might raise four operational points with President Bush, including power supply.<sup>161</sup> It would be very damaging for the ITG if there was no improvement in electricity supply that summer. The UK was looking to boost supply in the short term in the South through a DFID/MOD programme; the US needed to do more quick-impact work across Iraq.

**287.** The record of the meeting did not include any reference to a discussion on improving power supply, or reconstruction more broadly.<sup>162</sup>

**288.** Lt Gen Kiszely completed his tour as the Senior British Military Representative, Iraq and sent his "hauldown" report to Gen Walker on 16 April.<sup>163</sup> Lt Gen Kiszely assessed that progress in MND(SE) had been good, with all four provinces likely to be under Provincial Iraqi Security Control by March 2006, offering "the potential for considerable reductions in UK force levels".

**289.** The I-CAP review process was discussed in a meeting of DFID officials chaired by Mr Anderson on 21 April 2005.<sup>164</sup> The meeting concluded that:

"The starting point is that the I-CAP remains valid, but priorities within that have moved on in the light of the substantially changed situation in Iraq since last February [when the I-CAP was agreed], the 2005 Strategy and our budget constraints."

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<sup>160</sup> [JIC Assessment, 6 April 2005, 'Iraq: the State of the Insurgency'](#).

<sup>161</sup> Minute Phillipson to Prime Minister, 7 April 2005, 'Bilateral with President Bush: 0800-0845, 8 April'.

<sup>162</sup> Letter Sheinwald to Adams, 8 April 2005, 'Prime Minister's Meeting with President Bush, Rome, 8 April'.

<sup>163</sup> Minute Kiszely to CDS, 16 April 2005, 'SBMR-I's Hauldown Report'.

<sup>164</sup> Minute DFID [junior official] to Anderson, 22 April 2005, 'Iraq: ICAP Review and 2005/06 Programming'.

## The Iraqi Transitional Government

The Iraqi Transitional Government (ITG), led by Prime Minister Dr Ibrahim al-Ja'afari, formally took power in early May.<sup>165</sup> The ITG was mandated to govern Iraq until a government could be elected according to a new constitution in December 2005.

In his account of the Occupation of Iraq and the transition to democracy, Dr Ali A Allawi, ITG Minister of Finance and former IIG Minister of Defence, described Iraqi people's expectations of the ITG:

“The public expected that the Transitional Government would immediately start to remedy the services and security situations, and the message [delivered by Prime Minister al-Ja'afari in the National Assembly] was that conditions would rapidly improve. A realistic and cold-blooded assessment ... would have led to a different conclusion, one that might have been difficult for politicians to admit to, but which was nevertheless necessary to make if the expectations of the public were not to be raised too high.”<sup>166</sup>

Dr Allawi wrote that problems with the power supply added to the feeling of “a country under siege”.<sup>167</sup> Those problems “could not have possibly been resolved in the time-frame of the Transitional Government” and the fact that the entire sector did not collapse “was actually a sign of success”.

**290.** DFID officials in London, Baghdad and Basra held a video conference on 17 May to discuss the I-CAP review.<sup>168</sup> The presentation made to the video conference by a DFID official set out a number of “conclusions”:

- A “de-facto” review had already been completed, in the form of the exchange between Mr Blair and Mr Benn in October 2004, Mr Chakrabarti's visit to Iraq in December 2004, the 2005 UK Strategy, the “smaller than expected” budget for Iraq, and increased life support costs.
- The process could have been much better. There should be a better process for next year's review.

**291.** The official subsequently reported to Mr Anderson that the video conference had agreed that the I-CAP review had “essentially been completed”. Work was now in hand to produce a text for publication, after agreement by Mr Benn. The process had been driven by events and had not been ideal. The official set out in detail the better review process that should be undertaken the following year.

**292.** Mr Blair and President Bush spoke by video conference on 19 May. Mr Blair's brief for the conversation advised that the electricity situation in Iraq was “parlous” (six hours

<sup>165</sup> *Daily Telegraph*, 3 May 2005, *Iraq's new government sworn in*.

<sup>166</sup> Allawi AA. *The Occupation of Iraq: winning the war, losing the peace*. Yale University Press, 2007.

<sup>167</sup> Allawi AA. *The Occupation of Iraq: winning the war, losing the peace*. Yale University Press, 2007.

<sup>168</sup> Minute DFID [junior official] to Anderson, 19 May 2005, 'ICAP Review'

a day or less). It would be very damaging for the ITG if electricity supply that summer was worse than the last.<sup>169</sup>

**293.** The record of the video conference did not include any reference to a discussion on improving power supply, or reconstruction more broadly.<sup>170</sup>

**294.** Mr Blair spoke to Prime Minister Ja'afari for the first time on 26 May and said that “we stood ready to help in any way we could”, in particular on developing the ISF.<sup>171</sup>

**295.** The newly formed Sub-Committee of the Ministerial Committee on Defence and Overseas Policy on Iraq (DOP (I)) met for the first time on 26 May, chaired by Mr Blair.<sup>172</sup> Mr Benn attended the meeting.

**296.** Mr Benn's briefing for the meeting advised that, following his decision in December 2004 on priorities for 2005, DFID's programme was now “substantially re-orientated towards bilateral infrastructure support in the South”.<sup>173</sup>

**297.** It also advised that in response to a larger-than-expected charge from the FCO for life support costs and a “smaller-than-expected” budget allocation for Iraq for 2005/06:

“... we have trimmed back some work, notably consultancy, and are planning 25 percent slippage on the £40m infrastructure work [DFID's Iraq Infrastructure Services Programme – IISP]. We are also seeking co-financing, with US\$20m agreed in principle with the World Bank ...”

**298.** Even after that trimming, planned expenditure for 2005/06 exceeded the budget; DFID would need to monitor spending very closely. It was, however, reasonable to “over-programme” given the (unspecified) “uncertainties” and the potential military drawdown in the second half of 2005/06, which might significantly affect what DFID could do in the South.

**299.** The Inquiry has seen no indications that other departments were informed of or consulted on the decision to slip expenditure on the IISP.

**300.** Mr Blair's briefing for the meeting, which was produced by the Cabinet Office, recommended that he focus on three issues:

- combating the insurgency;
- improving the effectiveness of international assistance; and
- getting media messages right, both within and outside Iraq.<sup>174</sup>

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<sup>169</sup> Minute Phillipson to Prime Minister, 19 May 2005, ‘VTC with President Bush, 1220 19 May’.

<sup>170</sup> Letter Quarrey to Siddiq, 19 May 2005, ‘Prime Minister's Video-Conference with Bush, 19 May’.

<sup>171</sup> Letter Quarrey to Siddiq, 26 May 2005, ‘Prime Minister's Conversation with Ja'afari’.

<sup>172</sup> Minutes, 26 May 2005, DOP(I) meeting.

<sup>173</sup> Minute DFID [junior official] to Private Secretary [DFID], 24 May 2005, ‘Iraq Update, 25 May’ attaching Briefing MENAD, 24 May 2005, ‘Iraq Update 25 May Background Note’.

<sup>174</sup> Briefing Cabinet Office, 25 May 2005, ‘Chairman's Brief (DOP(I))’.

**301.** On the second point, the Cabinet Office briefing advised that:

- the pace of reconstruction was still too slow and therefore the “political dividend” was small;
- power supply was “parlous”; and
- UK funding for 2005/06 was almost all committed, requiring “tough Ministerial decisions” after further work by officials.

**302.** The Annotated Agenda for the meeting invited Ministers to consider:

- What impact was US and international funding for reconstruction having on the ground? Disbursement lagged behind stated international commitments. The US was focusing on short-term impact. The UN was re-establishing a presence in Iraq and was starting to “take on the role we would expect of them”. Donor efforts had lacked focus; better donor co-ordination behind an Iraqi figure was one of the planned outcomes of the Brussels International Conference in June.
- What more the UK could do, to further improve UN, World Bank and international bilateral reconstruction efforts?
- What “concrete outputs” did the UK want from the Brussels International Conference and the next donor meeting in Amman in July?
- Was the funding available for reconstruction across Government adequate?
- Was the UK investing at a level that supported its objective of creating stability such that there could be troop withdrawals?
- Was the UK delivering a short-term return which would boost the political process?
- What more the UK could do, to improve power supply over the summer and boost investment in infrastructure?
- Was the UK offering the necessary support to the ITG’s media effort?<sup>175</sup>

**303.** On funding, the Annotated Agenda stated that DFID’s allocation for Iraq was £65m for 2005/06, but that it had already “programmed” £84.3m (£63m of which would be spent in southern Iraq). The tri-departmental Global Conflict Prevention Pool (see Section 12.1) was expected to allocate £25m for Iraq in 2005/06, of which £22m had already been programmed. The MOD would be bidding to the Treasury for additional funding for QIPs, having spent £27m on QIPs since 2003. The MOD’s budget for military activity in Iraq in 2005/06 was £927m.

**304.** In discussion, Ministers commented that the power situation was serious and would get worse over the summer, but the UK was “doing what it could”.<sup>176</sup>

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<sup>175</sup> [Annotated Agenda, 26 May 2005, DOP\(I\) meeting.](#)

<sup>176</sup> Minutes, 26 May 2005, DOP(I) meeting.

**305.** Summarising the outcome of the discussion, Mr Blair asked for more advice on several issues, including a “short strategy” from DFID on engaging key donors.

**306.** DFID sent its donor engagement strategy to the Cabinet Office on 3 June.<sup>177</sup> The DFID strategy advised that a significant portion of the US\$32bn pledged at the Madrid Conference in October 2003 remained unspent. Some donors had spread their money over several years, some had offered soft loans that could only be activated after an agreement on debt relief, some had been waiting for an elected Iraqi Government, and many had experienced difficulties in implementing reconstruction projects in Iraq. One or two donors were “simply back-sliding”. The paper identified 16 countries that the UK should lobby to secure outstanding pledges.

**307.** DFID advised that the US was committed to disbursing its funds as quickly as possible. The UK had limited influence over US policy and did not question its “current thrust”, but should seek to:

- join up US and UK work in southern Iraq;
- encourage the US to participate in donor co-ordination processes in Baghdad; and
- work with the US to encourage other donors and the multilateral agencies to contribute more effectively.

**308.** The UK was lobbying Japan to allocate the bulk of its soft loans (up to US\$3.5bn) to the power sector and exploring with Australia, Denmark and Canada the possibility of co-funding DFID projects in southern Iraq.

**309.** France and Germany remained the “two missing donors”, although France had taken a constructive approach on donor co-ordination and the Brussels International Conference, and Germany was contributing to police training outside Iraq.

**310.** Implementation of reconstruction projects by UN agencies had improved and the UN was playing a valuable role supporting Iraqi-led donor co-ordination. DFID continued to press for further improvements to UN Trust Fund operations.

**311.** DFID also continued to press:

- the World Bank urgently to establish a presence on the ground in Iraq, and to find ways of implementing its projects; and
- the EC to open a permanent office in Baghdad. The EC was already making use of UK life support<sup>178</sup> and security facilities for its increasingly frequent visits to Iraq.

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<sup>177</sup> [Email DFID \[junior official\] to DFID \[junior official\], 3 June 2005, ‘Iraq donor coordination paper’ attaching Paper DFID, 2 June 2005, ‘Iraq Reconstruction: Engaging USA and Other Key Donors’.](#)

<sup>178</sup> Life support includes accommodation, medical services, catering, laundry and cleaning.

**312.** Mr Quarrey commented to Mr Blair: "... this is OK on what we want the US to do with others, but DFID seem to have given up on influencing how the US spends its own money – still by far the most important funding source".<sup>179</sup>

**313.** Mr Blair saw Mr Quarrey's note, but did not respond.<sup>180</sup>

**314.** On 7 June, Mr Blair and President Bush held talks on a range of foreign policy issues in the White House.<sup>181</sup> In their discussion on Iraq, Mr Blair judged that:

"Ultimately, without an improvement in security, little progress could be made."

**315.** Sir Nigel Sheinwald and Sir David Manning met Dr Rice and Mr Hadley on the same day.<sup>182</sup> Sir Nigel and Mr Hadley agreed that:

"... there was scope for a major US/EU/UN initiative on developing the ability of the international community to build capacity (governance, judiciary etc) in failing states and post-conflict situations. This was the lesson of the Balkans and Iraq, and we still did not have the means to deal with this. Some sort of international co-ordination was necessary."

**316.** Mr Straw visited Iraq on 9 June with the EU Troika – Mr Jean Asselborn (Presidency), Mr Javier Solana (EU Common Foreign and Security Policy High Representative) and Ms Benita Ferrero Waldner (EU External Affairs Commissioner). The British Embassy Baghdad reported that the Troika had brought three main messages:

- support for the political process, and the need for inclusion;
- the importance of the Brussels International Conference, as an opportunity for Iraq to engage with the EU and wider donor community; and
- a shift in Europe. Europe had been divided over the war but was now united in its desire to help the Iraqi people.<sup>183</sup>

**317.** The Embassy reported that, under pressure from Mr Straw, Mr Waldner had told the Iraqi Government and the media that the Commission would open an office in Iraq "in months rather than weeks".

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<sup>179</sup> Minute Quarrey to Prime Minister, 3 June 2005, 'Iraq Update'.

<sup>180</sup> Manuscript comment Blair on Minute Quarrey to Prime Minister, 3 June 2005, 'Iraq Update'.

<sup>181</sup> Letter Phillipson to Adams, 7 June 2005, 'Prime Minister's Talks with President Bush, 7 June'.

<sup>182</sup> Letter Sheinwald to Adams, 7 June 2005, 'Dinner with US Secretary of State and National Security Adviser: 7 June'.

<sup>183</sup> eGram 65/2005 Baghdad to FCO London, 10 June 2005, 'Visit of the Foreign Secretary and the EU Troika, 9 June 2005'.

## Fraud in the Southern Iraq Employment and Services Programme

DFID's Southern Iraq Employment and Services Programme (SIESP) was approved in July 2004, providing £10m for infrastructure services and £6m for employment generation.<sup>184</sup> £0.5m was allocated for programme administration.

In May 2005, the DFID Office in Basra closed the employment generation component of the SIESP after an assessment identified "worrying issues". The Office asked DFID's Internal Audit Department (IAD) to visit Basra to review the SIESP and identify lessons, in particular for the implementation of DFID's Iraq Infrastructure Services Programme (IISP).

The IAD identified several flaws in the design of the component. It concluded that:

- A "key driver" of the SIESP had been "political (and consequent senior management) pressure in Whitehall and beyond to achieve visible results ... In retrospect, these pressures appear unreasonable but at the time were generally irresistible." Warnings against proceeding with a programme of "such high fiduciary risk and intangible benefit" had not been heeded.
- There had been limited advisory input from DFID headquarters.
- The initial decision to work through the newly formed (and unelected) Iraqi Provincial Councils (PCs) had been a misjudgement. They had limited capacity and there was evidence of widespread corruption in their operation.
- A later decision to work through local NGOs had not improved performance. Many NGOs had been set up solely to secure funding from donors. They had limited capacity, lacked local knowledge, and had proved to be "largely unreliable and/or corrupt".
- The lack of physical monitoring had undermined implementation. The security situation meant that there was little chance of DFID staff visiting projects funded under the SIESP. In Maysan, where the security situation was particularly difficult, the UK military had managed the employment generation component of the SIESP directly (bypassing the PC). The military had undertaken some monitoring as part of routine patrolling, but that had not been "adequate". The IAD concluded that the inability to monitor progress indicated that Iraq "was not ready for this type of development intervention".
- Weaknesses in the DFID Office in Basra had contributed to the problems within the SIESP. The Office had been set up "hastily under pressure from UK and locally to show a DFID presence". It had proved very difficult to recruit staff for Iraq, leading to the appointment of staff with "little or no experience in managing programmes or staff".
- The DFID Office in Basra had established "good controls" over SIESP finances. The Office's decision to close the employment generation component immediately after its initial assessment had saved £3m (the amount remaining in the employment generation budget).

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<sup>184</sup> [Report DFID Internal Audit Department, 11 August 2005, 'Visit Report: Basra, Iraq 26<sup>th</sup> – 31<sup>st</sup> July 2005'](#).

- Of the £3m that had been spent, the IAD estimated that over £2m had been spent in a way “that did not meet [the SIESP’s] objectives”. The lack of physical monitoring made it difficult to be more precise.

The IAD assessed that the incident had soured the relationship between DFID and the PCs and adversely affected DFID’s reputation and credibility with Iraqi interlocutors, the UK military, other donors and “bona fide NGOs”.

The IAD report detailed a number of lessons for the IISP.

In May 2006, DFID conducted an internal review in order to determine the extent of the loss from the SIESP employment component.<sup>185</sup> The review concluded that:

- £254,105 had been spent on projects where there was clear evidence of full or partial misuse of money, based on monitoring by DFID staff.
- £296,187 had been spent on projects where there was “**no clear evidence of either good use or misuse of money** (because there was no monitoring information on file) but where anecdotal evidence from interviews suggested that some percentage of the projects were not successfully completed”.
- £1,021,223 had been spent on projects which DFID was “reasonably confident” had been successfully completed, based on information on file (in the form of photographs or visit reports) or anecdotal evidence.

The review stated that even those projects where there was evidence of misuse had “added economic value to Iraq, though less than was originally intended”.

The review set out the methodology it had used to categorise projects, including that in the absence of information to the contrary, the existence of monitoring information on a project was taken as evidence that the project had been successfully completed:

“For the remaining project ... we have no monitoring reports in the file. However, there is a CD [compact disc] in the file which shows a street with sewage and garbage, and provides a commentary (in Arabic) which explains what work needs to be done. Because we have no other information, and no reason to believe that funds were not used according to the purposes intended, we assume that this project was successful.”

Dr Nemat Shafik, DFID Permanent Secretary from March 2008, told the Inquiry how DFID had reacted to the fraud within the SIESP:

“We have a zero tolerance policy on corruption and we act on it immediately. The then Provincial Council was very unhappy with us as a result ... But on that, we don’t compromise.

“That [the SIESP] is ... the only case that we are aware of, where we had a significant fraud, which, given the scale of the funds that we were disbursing, and given the context, is, I think, a pretty good track record.

“In the case of the Iraq portfolio ... we actually had a higher level of scrutiny than our normal portfolio because of the risks involved. So we would get monthly reporting on risks, security risk, staff risk, risks to our money ...”<sup>186</sup>

<sup>185</sup> [Minute Hendrie to Dinham, 19 May 2006, ‘SIESP Employment Generation Project’.](#)

<sup>186</sup> Public hearing, 13 January 2010, pages 54-55.

**318.** A draft Cabinet Office paper entitled ‘Funding for Iraq 2005/06’ was circulated with the record of the 3 June meeting of the ISG.<sup>187</sup> The draft paper stated that:

“The UK now has a realistic prospect of reducing troop numbers over the next nine months – and should benefit from a reduction in costs in Iraq as a result. Both to ensure Iraqi capacity and consent during this process, and to meet Iraq’s development needs, reconstruction on the ground needs to continue ... However, [the UK’s] resources for Iraq are already overstretched. Ministers will therefore need either to agree a strict prioritisation of assistance, or consider whether additional funds should be made available.”

**319.** The Cabinet Office draft paper set out the funding currently available for Iraq for 2005/06:

- DFID had £65m available and had commitments of £86.6m.
- The GCPP had £23.3m available (an accurate figure for commitments was not yet available).
- The MOD forecast “military operational” costs of £927m (a figure for QIPs was not yet available).

**320.** An Annex to the draft paper advised that DFID would need to manage its programme very carefully in order to come within the £65m budget. Some (unspecified) spending could be delayed, and DFID was urgently seeking co-financing for projects from other donors, including the World Bank. An improvement in the security situation would help: £28m of the £86.6m was expected to be spent on security and life support.

**321.** Of the £86.6m committed to existing high-priority activities:

- £63.8m (74 percent ) was committed to projects in southern Iraq.
- £14.6m (17 percent) was committed to projects supporting central Government.
- £7.2m (8 percent) was committed to projects supporting political participation (“elections, media, support to civil society groups”).
- £1m was committed to multilateral organisations.

**322.** Ms Aldred told the 10 June meeting of the Iraq Senior Officials Group (ISOG) that Ministers needed to consider funding for Iraq “in the round”, and alongside funding for Afghanistan.<sup>188</sup> A Treasury official agreed, and said that any submission to Ministers on funding needed to make the link between activity and the UK’s objectives.

**323.** The ISOG agreed that officials would finalise the draft paper “to coincide with” the 14 July meeting of DOP.

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<sup>187</sup> Minute Cabinet Office [junior official] to Sheinwald, 7 June 2005, ‘Iraq: Strategy Group’ attaching draft Paper, [undated], ‘Funding for Iraq 2005/06’.

<sup>188</sup> Letter Cabinet Office [junior official] to Asquith, 13 June 2005, ‘Iraq: Senior Officials’.

**324.** A DFID official briefed the ISOG on the impact of the US reconstruction effort. He advised that “the US was well aware of its failings ... and there was little we could tell them that they didn’t already realise and were actively trying to change”. The most significant impact DFID could have on the US was by working jointly with them in the South.

**325.** The Cabinet Office paper on funding for Iraq was finalised for the 21 July meeting of DOP, chaired by Mr Blair, which considered whether or not the UK Provincial Reconstruction Team (PRT) in Afghanistan should move from the north to Helmand and what, if any, additional force package should be deployed to support it (see Section 9.4).<sup>189</sup>

**326.** The Cabinet Office paper, which was presented as an appendix to the main MOD paper, set out the estimates of financial pressures associated with the Iraq campaign for 2005/06, 2006/07 and 2007/08.

**327.** On 17 June, a junior DFID official invited Mr Benn to endorse the “annual review” of DFID’s Interim Country Assistance Plan (I-CAP).<sup>190</sup>

**328.** In his covering minute, the official advised that the I-CAP (which had been published in February 2004) had been expected to remain in place for two years, and contained a commitment to undertake a “substantial review” after one year.

**329.** However, events had “pre-empted a pro-active review”. Those events were:

- the exchange between Mr Blair and Mr Benn in October 2004 on the need to accelerate the pace of reconstruction and increase the impact of DFID’s bilateral programme in the short term;
- Mr Chakrabarti’s and Mr Drummond’s visit to Iraq in December 2004 to review DFID programmes and assess priorities for 2005;
- Mr Benn’s agreement in December 2004 to priorities for 2005;
- the agreement in February 2005 of the 2005 UK Iraq Strategy. That Strategy included “most of the items that we suggested”, and was in line with priorities agreed by Mr Benn; and
- subsequently, “unexpected and significant funding constraints” arising from a smaller than expected budget for 2005/06 and an increase in life support costs levelled by the FCO.

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<sup>189</sup> Paper MOD Officials, 19 July 2005, ‘Afghanistan: Resources and Strategic Planning’.

<sup>190</sup> [Minute DFID \[junior official\] to Private Secretary \[DFID\], 17 June 2005, ‘Iraq: Interim Country Assistance Plan: Annual Review’ attaching Paper DFID, \[undated\], ‘DFID: Iraq Country Assistance Plan Review 2004/5’.](#)

**330.** The official also advised that:

“A major constraint to DFID’s programme, not highlighted in the I-CAP review, is the limited capacity of Iraqi institutions to drive forward reform and reconstruction. This is exacerbated by the short political horizons inherent in the Transitional Administrative Law (TAL), which militate against far-reaching reform. Corruption is also becoming increasingly apparent and might become the main constraint on reconstruction and development if security were to improve significantly.”

**331.** The I-CAP review comprised short reports on:

- political and economic progress in Iraq;
- progress on reconstruction. Deteriorating security – identified as a key risk in the I-CAP – was a major constraint. Projected costs of UK staff working in Iraq for 2005/06 were more than £500,000 per person-year;
- the activities of other donors;
- key challenges for reconstruction in 2005/06. Those included the limited life-span of the IIG and the ITG, which affected their ability to implement major reforms; and
- examples of the impact of DFID projects in 2004/05.

**332.** The I-CAP review stated that:

“DFID’s work programme has evolved to take account of the difficult security situation and the absence of some traditional donors. The objectives and approach set out in our I-CAP remained valid.”

**333.** DFID would:

- continue to promote broader and more effective international support;
- continue and deepen work at the national level to build Iraqi capacity and encourage greater Iraqi leadership of reconstruction; and
- “expand and accelerate” DFID’s programme in the South, where high levels of poverty persisted.

**334.** There are no indications that other government departments or international partners contributed to the production of the I-CAP review.

**335.** The I-CAP review submitted to Mr Benn was not the “substantial review” promised in the I-CAP. In particular, it did not:

- provide a comprehensive assessment of the political, economic and social context in Iraq, reflecting the major changes since the I-CAP had been produced, including the existence of a sovereign Iraqi Government (with its own priorities and constraints) and the profound impacts of growing insecurity;

- consider the lessons that DFID had identified since the I-CAP was produced, and how it would respond to them;
- consider how the reconstruction effort could and should contribute to broader UK objectives; and
- consider whether the level of resources available to achieve DFID’s objectives in Iraq was right, and whether DFID was working in the most effective way.

**336.** In the absence of that analysis, the I-CAP review could not (and did not) test the position that DFID had reached.

**337.** Mr Anderson visited Iraq from 13 to 18 June.<sup>191</sup>

**338.** In his report to Mr Dinham, copies of which were sent to officials in DFID, the FCO and the MOD, Mr Anderson identified a number of “strategic issues”, including the expected decline in the amount of aid going to Iraq. US funding would decline from US\$18.4bn over two years (the current IRFF2 package) to around US\$1bn in 2006/07. Japanese grants were “now exhausted” and DFID’s programme would decline in 2006/07. There might be “modest increases” in UN and World Bank programmes but “even in the most optimistic scenario, there will be a dramatic decline in aid levels due to the changing US position”.

**339.** That rapid decline raised three strategic issues:

- What impact would declining aid have on security?
- Was this the right time for donors to be reducing aid? Research showed that aid during or immediately following conflict tended to be wasted. It was most effective between four and seven years after a conflict.
- Was DFID right to treat Iraq as a MIC? The planned decline in DFID’s programme was based on the “premise” that Iraq had adequate resources to fund its own development. But did that hold true when security was poor and oil revenues difficult to obtain?

**340.** DFID has not been able to provide the Inquiry with any response from Mr Dinham, or any record of a discussion of aid volumes.<sup>192</sup>

**341.** Dr John Reid, the Defence Secretary, circulated a paper on the options for future UK force posture in Iraq to DOP(I) on 16 June (see Section 9.4).<sup>193</sup>

**342.** The paper stated that there was a “clear UK military aspiration” to transfer security responsibilities to Iraqi forces in Muthanna and Maysan in October 2005, with the remaining MND(SE) provinces (Basra and Dhi Qar) following in April 2006. That was

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<sup>191</sup> [Minute Anderson to Dinham, 19 June 2005, ‘Back to Office Report: Iraq 13 – 18 June’.](#)

<sup>192</sup> Email DFID [junior official] to Iraq Inquiry [junior official], 19 June 2013, ‘Iraq Inquiry New Queries’.

<sup>193</sup> [Paper Reid, 14 June 2005, ‘Options for Future UK Force Posture in Iraq’.](#)

expected to lead to a significant reduction in the overall level of UK troops in Iraq from around 8,500 to around 3,000 personnel.

**343.** On 22 June, over 80 countries and organisations participated in the International Conference in Brussels.<sup>194</sup> The Conference was co-hosted by the EU and US.

Mr Straw led the UK delegation. The Box below describes the UK's engagement in the development of the Conference.

**344.** The UK Permanent Representation to the EU in Brussels (UKRep) reported that, at the Conference, the ITG had set out its vision for the future and asked the international community to provide more support. Iraq had received many promises in return; both the Iraqi and the US delegations had emphasised the need to translate those into action on the ground.

**345.** UKRep commented that the Conference had been “a further successful step” in enhancing EU (and wider) engagement in Iraq, following the visit of the EU Troika to Iraq earlier that month. UKRep had taken the opportunity to brief the EC on the help it could expect from the UK in opening an office in Baghdad; UKRep would keep pushing to achieve that by the end of the year.

### The International Conference on Iraq, 22 June 2005

Planning began in early 2005 for an International Conference on Iraq, to be co-hosted by the EU and US.

Mr Straw advised Mr Blair on 24 March that the UK was working closely with the US to define the scope and objectives of the Conference.<sup>195</sup> Key objectives included:

- ensuring an inclusive process to build a wide base of international support for the Iraqi political process; and
- a reformed approach to donor co-ordination.

US and UK officials discussed the Conference on 31 March.<sup>196</sup> The US saw the ITG being in the lead, and using the Conference to set out their “broad direction” and secure international support for it. Mr Crompton said that the UK agreed with that approach, and suggested that “deliverables” from the Conference should include:

- agreement on an improved mechanism for international assistance; and
- securing EU support for the rule of law.

An FCO official advised the 6 May meeting of the Iraq Strategy Group that the EU and US were not working towards the “outcome orientated” Conference that the UK had hoped for.<sup>197</sup> Sir Nigel Sheinwald said that the UK should not invest enormous effort into shaping the Conference as it was not “mission critical”.

<sup>194</sup> Telegram 7391/05 UKRep Brussels to FCO London, 23 June 2005, ‘Iraq International Conference, Brussels 22 June’.

<sup>195</sup> [Minute Straw to Prime Minister, 24 March 2005, ‘Iraq: Ad Hoc Ministerial Meeting’](#).

<sup>196</sup> Minute Cabinet Office [junior official] to Sheinwald, 1 April 2005, ‘Iraq: VTC with US Inter-Agency Team’.

<sup>197</sup> Minute Cabinet Office [junior official] to Sheinwald, 9 May 2006, ‘Iraq: Strategy Group’.

**346.** Mr Blair met Prime Minister Ja'afari on 27 June.<sup>198</sup>

**347.** Mr Quarrey's briefing for Mr Blair suggested that the main points to cover included:

- The International Conference. The UK judged that the Conference had been a success, even if concrete outcomes had been thin.
- Reconstruction. The UK was constantly pressing for the better use of reconstruction funds "so that we get a political dividend". The UK should encourage Prime Minister Ja'afari to take a similarly close interest.

**348.** Mr Quarrey's record of the meeting indicates that the discussion focused on security and the constitutional process, and that reconstruction was not raised.<sup>199</sup>

**349.** On 5 July, the British Embassy Baghdad provided an assessment on progress on donor co-ordination.<sup>200</sup> Some progress had been made before and during the International Conference, but a gap was emerging between Iraqi expectations (more money) and what was needed (better Iraqi strategy and clearer priorities). The ITG had advised donors to "do anything, because everything is a priority".

**350.** Mr Blair met President Bush in the margins of the G8 Summit on 7 July (see Section 9.4).<sup>201</sup> Mr Blair said that the US and UK objective must be to divide Sunni insurgents from foreign jihadists.

**351.** At its meeting on 13 July, the JIC reviewed the effectiveness of efforts to bring Sunni Arabs into the political process.<sup>202</sup> It judged that:

"Winning over Iraq's Sunni Arab population is key to reducing the insurgency over time ..."

**352.** Sunni political and insurgent groups did not have a unified strategy. There was a range of Sunni political objectives: demand for a timetable for MNF withdrawal and the release of detainees featured strongly. The JIC continued:

"Sunnis also want to ensure they benefit economically from Iraq's natural resources (held in predominately Shia and Kurd areas), gain access to jobs and markets, and see greater evidence of reconstruction – so far efforts to rebuild Sunni areas have been disproportionately hampered by the security situation."

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<sup>198</sup> Minute Quarrey to Blair, 24 June 2005, 'Iraq: Your meeting with Prime Minister Ja'afari, 27 July [sic]'.

<sup>199</sup> Letter Quarrey to Siddiq, 27 June 2005, 'Iraq: Prime Minister's Meeting with Jaafari'.

<sup>200</sup> eGram 8254/05 Baghdad to FCO London, 5 July 2005, 'Iraq: Donor Coordination Sitrep and Prospects for Amman Donor Conference'.

<sup>201</sup> Letter Sheinwald to Adams, 8 July 2005, 'Prime Minister's Meeting with President Bush, 7 July'.

<sup>202</sup> [JIC Assessment, 14 July 2005, 'Iraq: Outreach to Sunni Arabs'](#).

**353.** Mr Straw sent an Iraq Oil and Gas Strategy to Mr Blair on 12 July.<sup>203</sup> The strategy, which had been developed by FCO, Department of Trade and Industry (DTI) and DFID officials over the previous month, defined three UK objectives:

- “The development of an efficient, outward-looking and transparent oil and gas industry, capable of delivering sustainable export revenues to meet the development needs of the people of Iraq and meeting domestic needs for energy in an efficient, equitable and secure manner.
- Increasing involvement of the private sector, leading to sustained investment over the next five to 10 years and substantial business for UK companies ...
- To promote Iraq’s role in international oil and gas markets and as a constructive influence within OPEC.”

**354.** Mr Quarrey marked the strategy to Sir Nigel Sheinwald with the comment: “I do not intend to put in the box! Looks OK.”<sup>204</sup> Sir Nigel agreed.<sup>205</sup>

**355.** The UK revisited the strategy in March 2006, and retained those objectives.<sup>206</sup>

**356.** The strategy and the UK’s engagement on oil and gas issues are considered in Section 10.3.

**357.** Deputy Prime Minister Salih launched the ITG’s National Development Strategy (NDS) at the fourth meeting of the IRFFI Donor Committee in Amman on 18 and 19 July.<sup>207</sup> The IIG had launched an earlier national strategy in Tokyo in 2004.

**358.** In his introductory remarks, Mr Salih said that the high level of unemployment in Iraq was fuelling economic despair and insecurity. The reconstruction effort had focused on large-scale, capital-intensive infrastructure projects. Those “mega-projects”, though appropriate and essential, had not succeeded in providing Iraq’s basic needs quickly enough. The answer was to complement them with “community-level” projects that demonstrably changed people’s lives for the better.

**359.** Mr Salih highlighted the shortfall in funding for electricity supply. The October 2003 World Bank/UN Joint Needs Assessment had estimated that US\$20bn would be required to restore power to 1990 levels. Less than half that amount had been allocated. Production averaged around 5,000MW against a demand of 20,000MW.

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<sup>203</sup> [Letter Straw to Blair, 12 July 2005, ‘Iraq: Oil and Gas Strategy’ attaching Paper FCO/DTI/DFID, \[undated\], ‘Iraq: Oil and Gas Strategy’.](#)

<sup>204</sup> [Manuscript comment Quarrey to Sheinwald, 13 July 2005, on Letter Straw to Blair, 12 July 2005, ‘Iraq: Oil and Gas strategy’.](#)

<sup>205</sup> [Manuscript comment Sheinwald to Quarrey on Letter Straw to Blair, 12 July 2005, ‘Iraq: Oil and Gas Strategy’.](#)

<sup>206</sup> Paper IPU/FCO, 28 February 2006, ‘UK Objectives for Iraq’s Oil and Gas Sector’.

<sup>207</sup> International Reconstruction Fund Facility for Iraq, 18 July 2005, *Speech by H E Barham Salih Minister of Planning and Development Cooperation to the International Reconstruction Fund Facility Committee Meeting, Dead Sea, Jordan, 18-19 July 2005.*

**360.** The NDS was organised around four “key drivers of prosperity”:

- strengthening the foundation for economic growth;
- revitalising the private sector;
- improving quality of life; and
- strengthening good governance and improving security.<sup>208</sup>

**361.** DFID officials in Iraq commented on the NDS: “Better than before (Tokyo) but still weak on identification of priorities and objectives. No understanding that resource constraints will force ITG and donors to make tough choices.”<sup>209</sup>

## Preparing for transition to Iraqi control in the South

**362.** The 15 July meeting of the ISG considered a draft version of a paper from Dr John Reid, the Defence Secretary, on operational transition in Iraq (see Section 9.4).<sup>210</sup>

**363.** Dr Reid described a process in which Iraqi Security Forces would take primacy province by province. The MNF would take on a reserve role as they did so. So long as Iraqi capacity continued to increase and the security situation did not deteriorate seriously, the transfer would be implemented from October in Maysan and Muthanna. Basra and Dhi Qar would follow in spring 2006. This would lead to a reduced profile for UK forces, and reductions in numbers to around 3,000 by summer 2006.

**364.** The ISG made a number of recommendations for improving the paper, including that it needed to cover more clearly the implications for other government departments and international actors.<sup>211</sup>

**365.** DOP(I) met on 21 July, chaired by Mr Blair, and considered Dr Reid’s paper on operational transition.<sup>212</sup>

**366.** The revised paper stated:

“It is ... possible that other (FCO and DFID) activity in Iraq aimed at developing the Iraqi Police Service and reconstruction will need to be curtailed or reduced, with consequent implications for HMG’s wider effort, because of the difficulties of running projects without UK military support and protection. This will need to be looked at in more detail with Other Government Departments.”<sup>213</sup>

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<sup>208</sup> Iraqi Strategic Review Board, 30 June 2005, *National Development Strategy 2005 – 2007*.

<sup>209</sup> Report DFID, 11 July 2005, ‘DFID Iraq Weekly Summary, 11 July’.

<sup>210</sup> Letter Cabinet Office [junior official] to Iraq Senior Officials, 15 July 2005, ‘MOD Paper on Operational Transition in Iraq’ attaching Paper MOD, [undated], ‘Operational Transition in Iraq’.

<sup>211</sup> Letter Cabinet Office [junior official] to Sheinwald, 15 July 2005, ‘Iraq Strategy Group’.

<sup>212</sup> Minutes, 21 July 2005, DOP(I).

<sup>213</sup> [Paper Secretary of State for Defence, 18 July 2005, ‘Operational Transition in Iraq’](#).

**367.** The section on “handling” in the previous draft had been expanded to include “NGOs”:

“The announcement [of] any drawdown of UK forces in the South will have to be carefully managed to ensure that there is no loss of confidence by NGOs (in particular the UN agencies and the World Bank), which might lead them to postpone plans for greater engagement in Iraq.”

**368.** The section on resources had also been expanded:

“Other Government Departments operating in Iraq may ... face increased security costs as they are forced to seek commercial alternatives to military force protection.”

**369.** DOP(I) agreed Dr Reid’s recommendation that, subject to the continuation of current trends in the capacity of the Iraqi security forces and to there being no major deterioration in the security situation, the UK should plan to implement transition to Iraqi control in Maysan and Muthanna from around October 2005, and in Dhi Qar and Basra from around March 2006.<sup>214</sup>

**370.** DOP(I) commented that too much of the money allocated for reconstruction had been spent on foreign contractors and security.<sup>215</sup> The UK should now be focusing on delivering through Iraqi structures.

**371.** DOP(I) also considered an FCO paper entitled ‘Splitting the Jihadists from the National Opposition’.<sup>216</sup> The FCO recommended action on eight “lines”, the last of which was reconstruction:

“**Rapid implementation** of reconstruction projects, specifically following large scale anti-insurgency operations or local cease-fires:

“**Aims:** Demonstrate ITG/MNF ability to rebuild and compensate following operations/cease-fires. Quick support to Iraqi capacity to deliver. Installation of basic services. Establishment of political and security structures. Employment creation. Deny opportunity to insurgency to work up dissatisfaction.

“**Means:** ... Key donors and ITG to review how to reprogramme/redefine donor assistance to make available rapidly disbursable aid (eg. creation of a special fund for quick impact projects in politically sensitive areas), including from the private sector. Media (foreign and Iraq) coverage of successful redevelopment projects.”

**372.** DOP(I) agreed the “broad approach” set out in the FCO paper.<sup>217</sup>

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<sup>214</sup> Minutes, 21 July 2005, DOP(I) meeting; [Paper Secretary of State for Defence, 18 July 2005, ‘Operational Transition in Iraq’.](#)

<sup>215</sup> Minutes, 21 July 2005, DOP(I) meeting.

<sup>216</sup> Paper FCO, 18 July 2005, ‘Iraq: Splitting the Jihadists from the National Opposition’; Minutes, 21 July 2005, DOP(I) meeting.

<sup>217</sup> Minutes, 21 July 2005, DOP(I) meeting.

## Responding to the new US Clear-Hold-Build strategy

**373.** Ambassador Zalmay Khalilzad succeeded Ambassador John Negroponte as the US Ambassador to Iraq in June 2005.<sup>218</sup>

**374.** To assess the situation and propose a way forward, Ambassador Khalilzad established a Joint Civil-Military Strategic Planning Group, generally known as the Red Cell or Red Team. The Red Team was tasked to devise a plan that would break the back of the insurgency within one year and defeat it within three.

**375.** Before Ambassador Khalilzad's his arrival in Iraq, the DoD and the State Department had initiated independent reviews of reconstruction strategy (led by General Gary Luck and Ambassador Richard Jones respectively). Those reviews informed the new approach developed by Ambassador Khalilzad.

**376.** A key issue was the amount of US funding that remained available. After a slow start, the US reconstruction effort was "in high gear". Of the US\$18.4bn appropriated for IRRF2, three-quarters had been obligated and one-third disbursed.

**377.** Ambassador Khalilzad met Mr Adam Ingram, Minister of State for the Armed Forces, on 20 July.<sup>219</sup> The Ambassador raised the subject of Provincial Reconstruction Teams (PRTs), some of which had worked well in Afghanistan, and asked whether there was a role for them in Iraq. Mr Ingram wondered whether PRTs would, in many parts of Iraq, be too exposed. He also commented that "one of the problems of even considering such fresh approaches ... was the risk that they could be leaked".

**378.** Ambassador Khalilzad offered to share US thinking on PRTs with the UK, including on whether projects should be driven by "operational security" or longer-term development goals.

**379.** Mr William Patey, Mr Chaplin's successor as British Ambassador to Iraq, reported on 27 July that the availability of electricity and fuel was barely different from a year earlier.<sup>220</sup> Progress was being made, but it would be "a long haul" and managing Iraqi expectations would be key. He commented:

"Ordinary Iraqis are becoming increasingly frustrated that, over two years after Saddam's fall, there has been little discernible improvement to essential services ...

"Ultimately, the Iraqis need to plan much longer term ... There needs to be an integrated energy strategy ... The current focus – including from US advisers – is short-term. DFID is funding two advisers to help the Ministry of Electricity (and Ministry of Oil) develop a coherent longer-term strategy, including creating the legal

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<sup>218</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>219</sup> Minute Johnson to DJC DD Iraq, 22 July 2005, 'Minister(AF) Meeting with Ambassador Khalilzad'.

<sup>220</sup> Telegram 9933/05 Baghdad to FCO London, 27 July 2005, 'Iraq: Oil and Electricity: Are Things Getting Better?'.

and regulatory framework to encourage investment. We should continue to support this as the only means of creating a sustainable electricity network in Iraq.”

**380.** Mr Quarrey passed the report to Mr Blair, with the comment:

“The conclusion that the only solution is a long-term plan is consistent with DFID’s approach but fails to address the damage done in the meantime to the political process.”<sup>221</sup>

**381.** Lieutenant General Robin Brims, the Senior British Military Representative, Iraq, reported to Gen Walker on 31 July that “the US with ourselves” were establishing a “Red Cell” to examine critically counter-insurgency strategy.<sup>222</sup>

**382.** Mr Anderson advised Mr Benn’s Private Secretary on 12 August that, despite intensive efforts by DFID and MND(SE), Op AMPERE (the US\$10m point power generation project developed by MND(SE) and DFID and approved in March 2005) had not met its objective of providing additional power during the summer months.<sup>223</sup> The failure had been due primarily to inexperienced suppliers, poor security and a lack of access. Six of the planned 10 generators had now been commissioned; work continued to commission the remaining four.

**383.** The Red Team reported on 31 August.<sup>224</sup> Section 9.4 describes the report and the UK’s response in detail.

**384.** The Red Team assessed that the coalition’s current strategy – based on transitioning security responsibilities to the Iraqi Government – would enable coalition forces to disengage from Iraq but would leave Iraqi Security Forces that would not be able to defeat the insurgency in the foreseeable future.

**385.** The Red Team proposed an alternative strategy, based on what it described as the “classic ‘ink spot’ counter-insurgency model”, which sought to create success in small areas and then steadily expand outwards until the areas flowed together to form larger regions of security.<sup>225</sup> Military operations were to be more closely co-ordinated with “political-economic actions” tailored to the specific needs of local communities. Action was also needed at the national level, to set the conditions for the counter-insurgency campaign.

**386.** The report proposed that a Joint Inter-Agency Counter-Insurgency Task Force should be established to plan, co-ordinate and implement governance reform and economic sector development work in support of the counter-insurgency campaign.

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<sup>221</sup> Minute Quarrey to Prime Minister, 29 July 2005, ‘Iraq Update’.

<sup>222</sup> Minute Brims to CDS, 31 July 2005, ‘SBMR-I Weekly Report (172) 31 July 2005’.

<sup>223</sup> Minute Anderson to Private Secretary [Benn], 12 August 2005, ‘Iraq Situation Update’ attaching Report DFID, [undated], ‘Iraq Situation Report: 12 August’.

<sup>224</sup> Red Team Report, 31 August 2005, ‘An integrated Counterinsurgency Strategy for Iraq’.

<sup>225</sup> Red Team Report, 31 August 2005, ‘An integrated Counterinsurgency Strategy for Iraq’.

**387.** Sir Nigel Sheinwald’s advice to Mr Blair on the Red Team report focused on political and security aspects of the proposed strategy.<sup>226</sup> On the economic aspect of the proposed strategy, he commented:

“There is nothing new to say here. There will be no serious reconstruction effort for as long as the security situation remains bad, and political engagement at national and local levels remains poor ...

“There is little point in talking about a new surge of economic reconstruction until we see the shape of the next Iraqi Government.”

**388.** *Hard Lessons* identified the Red Team report as one important element of the US strategy review and development process initiated by Ambassador Khalilzad which, by the autumn of 2005, had produced a new approach comprising:

- A renewed focus on broadening Sunni participation in the political process.
- Defeating the insurgency using the “ink-spot” model (articulated by the Red Team and others). That required closer integration of military and civilian resources and the use of civilian reconstruction resources as part of a military-led campaign, and a shift away from large infrastructure projects towards smaller, Iraqi-led projects designed to deliver jobs and services to the most vulnerable, violent and politically significant neighbourhoods.
- Increased support for provincial governments, including through the deployment of PRTs into provinces.
- Increased support for central government institutions, including by embedding civilian advisers. The increased support for provincial and central government reflected US analysis that their strategy of “pulling back to let the Iraqis do it themselves” had failed; provincial governments remained weak and disconnected from central government.<sup>227</sup>

**389.** The new strategy would become known as “Clear-Hold-Build”.

**390.** On 19 September, two UK soldiers were arrested by the Iraqi Police Service in Basra, following an incident in which they killed one Iraqi police officer and wounded another (see Section 9.4). The soldiers, and six negotiators who had attempted to secure their release and who had also been detained, were subsequently released in an armed operation undertaken by MND(SE). The episode became known as the Jameat incident.

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<sup>226</sup> [Minute Sheinwald to Prime Minister, 19 September 2005, ‘Iraq: UK Strategy’.](#)

<sup>227</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

**391.** Mr James Tansley, the British Consul General in Basra from September 2005 to April 2006, told the Inquiry:

“The Jameat incident effectively destroyed working relationships between ourselves and Basra Council and the governorate. Although we patched things up, there was still an underlying suspicion, and it was difficult to build ... particularly constructive relations with the officialdom or the government in Basra province throughout my time.”<sup>228</sup>

**392.** Mr Tansley commented that the combination of deteriorating security and, following the Jameat incident, political constraints limited the progress that the UK could make on reconstruction, SSR and preparing for the transfer of provincial control to the Iraqi authorities.

**393.** Against a background of increasing insecurity, DFID continued to press the World Bank to accelerate disbursement from its Trust Fund and to establish a presence in Iraq.

**394.** Dr Shafik met Mr Chrik Poortman, World Bank Vice-President for the Middle East, on 20 September.<sup>229</sup> Mr Poortman argued that the rate of disbursement from the Bank’s Trust Fund was comparable with other post-conflict countries and expressed concern that faster disbursement could increase the risk of corruption. He also regretted the UK’s “continual public criticism” of the rate of disbursement, which was damaging the Bank’s ability to attract donor support.

**395.** The report of the meeting was copied to DFID and Treasury officials. Mr Anderson commented:

“Chrik’s arguments about disbursement rates are technically correct ...

“That the Bank’s disbursement in Iraq is comparable to other ... countries is beside the point – aid to Iraq is not business as usual. That Iraq requires a different approach ... is the core point that Chrik does not accept.”<sup>230</sup>

**396.** Mr Chakrabarti met Mr Poortman a few days later.<sup>231</sup>

**397.** Mr Chakrabarti’s briefing for the meeting stated that the Bank’s presence in Iraq comprised one international consultant (now funded by the Bank, formerly by DFID) and seven local staff. Of the US\$400m committed to the World Bank Trust Fund, only US\$31m had been disbursed by July. DFID still saw the Trust Fund “as an emergency fund to be disbursed quickly”.

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<sup>228</sup> Public hearing, 22 June 2010, page 57.

<sup>229</sup> Email DFID [junior official] to Dinham and Anderson, 20 September 2005, ‘Read-out from Minouche/Rain Meeting with Chrik’.

<sup>230</sup> Email Anderson to Newton-Smith, 21 September 2005, ‘Chrik’s Views’.

<sup>231</sup> Briefing DFID, [undated], ‘Chrik Poortman Meeting – Washington, 24-25 September 2005’.

**398.** The briefing also stated that the World Bank had agreed to channel US\$21m from its Trust Fund to a power project in Najibiyah, through DFID’s IISP. The Najibiyah project had, however, floundered in the absence of Iraqi Government support; DFID was exploring “all possible alternative options” for the funding.

**399.** On 30 September, Mr Dinham sent Sir Nigel Sheinwald a paper providing an “honest assessment” of progress on reconstruction, following a discussion between Mr Dinham and Sir Nigel earlier that month.<sup>232</sup>

**400.** The DFID paper listed the achievements that had been made in re-establishing the economy, electricity generation, water and sanitation, employment, education, health, and transport and communications. DFID also listed factors which had hindered reconstruction:

- insecurity, which meant that few other donors had a presence on the ground in Iraq;
- poor co-ordination and little buy-in from the Iraqi Government and local authorities;
- limited capacity of Iraqi institutions and rapid turnover of political figures;
- “large additional funds ... are unlikely to accelerate progress on reconstruction without corresponding policy and institutional reform and capacity building”;
- security costs had “eaten into” reconstruction funds;
- the US had been “distracted by hotspot cities” at the expense of a “strategic reconstruction programme”. Significant amounts of US funding had been re-allocated from basic services to tackle security and oil;
- problems with the sustainability of large-scale projects; and
- unrealistic Iraqi and international expectations. In other countries, DFID allowed between five and 15 years for “the first phase of governance projects”, to allow time for institutional culture to change. In Iraq, international partners were trying to reform institutions in less than two years.

**401.** DFID concluded:

“A carefully balanced approach is needed: on the one hand, an acceptance of the realistic pace of reconstruction will help to manage expectations and encourage more sustainable, long-term projects; on the other hand, some continuation of high-profile, short-term activity will be needed to provide signs of visible progress while longer-term activity is under way.”

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<sup>232</sup> [Letter Dinham to Sheinwald, 30 September 2005, ‘Iraq: Reconstruction Situation’ attaching Paper DFID, \[undated\], ‘DFID Information Note on Reconstruction Progress in Iraq’.](#)

**402.** Mr Quarrey passed the DFID paper to Sir Nigel with the comment:

“This has more detail than we’ve seen for a while, and in some areas looks reasonably encouraging. But overall the picture is still pretty bleak. What the paper does not give is (a) much sense of what is happening now (eg what’s getting better or worse); and (b) whether there is much we can do about it. I think we have other, more immediate priorities for No.10 effort in the short term. Do you want to do anything with this?”<sup>233</sup>

**403.** Sir Nigel was more critical:

“I take a less positive view. I see it as a lot of useless, mostly input, statistics. But there’s little on outputs, no comparison of pre-invasion and now, no case studies, no sense of Najaf then and now. ie not what I asked for.”<sup>234</sup>

**404.** The Inquiry has seen no indication that the paper was passed to Mr Blair, or that No.10 or Sir Nigel responded to DFID.

**405.** Also on 30 September, Mr Straw’s Principal Private Secretary sent Mr Quarrey a paper containing the joint advice of FCO, MOD and DFID officials on the implications of the Jameat incident.<sup>235</sup> Mr Straw had not yet seen and agreed their advice. The FCO/MOD/DFID paper advised:

“The ... incident ... highlights what was previously more opaque, that we face acute challenges in achieving our objectives in the south-east region. Stability in the south-east is being threatened by intense rivalry among political parties and their militias. Criminality, jockeying for patronage and leaders’ differing political visions are being exacerbated by tribalism and increasing religiosity.”

**406.** The paper concluded that “alternative options to our current policy are limited”:

**“Our only realistic option is to maintain our course and see the job through. But we need to make adjustments to our policy,** while sticking to our strategic approach of ensuring in due course successful transition of responsibility for rule of law in the south-east to the Iraqis.”

**407.** An immediate problem was the threat of reprisal attacks. DFID and FCO staff were “essentially locked down”.

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<sup>233</sup> [Manuscript comment Quarrey to Sheinwald, 4 October 2005, on Letter Dinham to Sheinwald, 30 September 2005, ‘Iraq: Reconstruction Situation’.](#)

<sup>234</sup> [Manuscript comment Sheinwald to Quarrey, 6 October 2005, on Letter Dinham to Sheinwald, 30 September 2005, ‘Iraq: Reconstruction Situation’.](#)

<sup>235</sup> [Letter Hayes to Quarrey, 30 September 2005, ‘Iraq: Basra’ attaching Paper FCO/MOD/DFID, 30 September 2005, ‘South-East Iraq: Impact of Security Incident in Basra’.](#)

408. The authors identified a number of “longer-term challenges” including:

- **“We may not be able to deliver, by next year, the minimum standards required in rule of law and governance.”** The UK should consider whether its aspiration to draw down troops by the middle of 2006 would be premature, and how its response to a more challenging security environment might deter organisations such as the UN and World Bank from establishing a presence in the South.
- **“We will need to allocate more resources, which might include military resources, to security.”**

409. Over the weekend of 1 and 2 October, Mr Blair considered separate pieces of advice from Sir Nigel Sheinwald and Mr Powell on the implications of the Red Team report, the FCO/MOD/DFID paper on the implications of the Jameat incident, and a 28 September JIC Assessment.<sup>236</sup>

410. Mr Blair set out his conclusions in a Note to No.10 staff on 2 October:

“I don’t think the Red Team report is advocating a different strategy; just a means of implementing the existing one ...

“The ‘ink spot’ strategy is right. It isn’t what we have done so far. What we’ve done is take a city, give it back to the Iraqis and hope. The ‘ink spot’ strategy is to take it and then only when the Iraqi civilian capability of governance is properly established with the necessary military back-up, do we withdraw.”<sup>237</sup>

411. Sir Nigel Sheinwald wrote to Mr Straw’s Principal Private Secretary on 4 October, in response to the 30 September FCO/MOD/DFID paper on the implications of the Jameat incident.<sup>238</sup> Copies of the letter were sent to Cabinet Office, MOD, DFID, FCO, Home Office and Treasury officials.

412. Sir Nigel wrote:

“The Prime Minister agrees that we do not need to change our overall strategy. He is convinced, however, that we need a major and sustained push over the next few months on the political and security lines of operation if we are to get what we need – the political process moving ahead on time and producing an effective and moderate Iraqi Government after the elections, with visible progress on the Iraqisation of security.”

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<sup>236</sup> Minute Quarrey to Prime Minister, 30 September 2005, ‘Iraq Update’.

<sup>237</sup> [Note Blair, 2 October 2005, \[untitled\]](#).

<sup>238</sup> [Letter Sheinwald to Hayes, 4 October 2005, ‘Iraq Strategy’](#).

**413.** Sir Nigel went on to set out in detail Mr Blair’s views in relation to policy on the political process and security. The single paragraph on reconstruction read:

“It is unlikely that we will be able to enhance significantly the impact of reconstruction activities in the period before elections. But he [Mr Blair] would be grateful if Hilary Benn could work hard with the World Bank and UN in particular – their future engagement is critical. We also need a more effective link-up between DFID and the US agencies involved.”

**414.** Sir Nigel reported that Mr Blair planned to chair a meeting of DOP(I) every fortnight if possible. Sir Nigel would chair weekly meetings of senior officials. Mr Straw and Dr Reid were also to chair regular Ministerial meetings in their areas.

**415.** Mr Chakrabarti and Mr Dinham visited Iraq from 4 to 6 October to review DFID’s programme and consider future plans in the light of the forthcoming Iraqi elections and UK military transition planning.<sup>239</sup>

**416.** Their report to Mr Benn, copies of which were sent to Sir Nigel Sheinwald, senior officials in the Cabinet Office, MOD, FCO and the Treasury, and UK military commanders and officials in Iraq, recommended that DFID should shift its focus from the South and infrastructure projects to building institutional capacity in Baghdad. That recommendation reflected “remarkable unanimity of advice from a range of interlocutors, including our political and military colleagues in both Baghdad and Basra” on where DFID’s comparative advantage lay in a “uniquely difficult environment”.

**417.** Mr Chakrabarti and Mr Dinham reported that UN staff were back in Iraq and playing a key role in donor co-ordination. The EC was “visible, albeit with a small and focused presence”. A key gap remained the absence of a permanent World Bank or IMF representative.

**418.** The Iraqi Government remained unenthusiastic on the Najibiyah power plant project (for which DFID had hoped to secure US\$21m in funding from the World Bank Trust Fund); there was no value in pressing this further.

**419.** On funding, the US was now looking for other donors to “pick up the tab” for reconstruction; none had yet stepped forward:

“A[n] ... immediate worry for the first year of an incoming Government is the likelihood of a funding crisis as US money thins out and the multilaterals are not yet on stream.”

**420.** If DFID was to focus on building institutional capacity in Baghdad, it would need to consider whether its current model – using international consultants, with their attendant high security costs – remained “fit for purpose”. The Iraqi Government was

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<sup>239</sup> [Minute Chakrabarti and Dinham to Secretary of State \[DFID\], 7 October 2005, ‘Iraq Visit, 4 – 6 October 2005’.](#)

starting to turn down offers of assistance, primarily on cost grounds. Mr Chakrabarti and Mr Dinham reported that their initial feeling was that alternative models now needed to be explored, including:

- a greater use of consultants drawn from the Iraqi diaspora;
- the use of current or former senior UK civil servants on short visits; and
- deployment of additional DFID advisers to Baghdad and Basra.

**421.** Mr Chakrabarti and Mr Dinham concluded that DFID should produce a new Country Assistance Plan (CAP) for Iraq, setting out its intentions.

**422.** DFID told the Inquiry that it could not find any evidence of a response from Mr Benn or of any documents relating to a consequent discussion of aid modalities, and that work to produce a new CAP was not taken forward.<sup>240</sup>

**423.** On 10 October, the Joint Committee to Transfer Security Responsibility (JCTSR) produced its “Conditions for Provincial Transfer”, which set the framework for MNF-I to transfer security responsibility to an Iraqi civilian authority (see Section 9.4).<sup>241</sup>

The document set out a series of standards in four areas:

- the insurgency threat,
- ISF capability,
- governance capacity, and
- residual support from coalition forces.

**424.** General Mike Jackson, Chief of the General Staff, visited Iraq from 10 to 13 October.<sup>242</sup> His report to Gen Walker, copies of which were sent to senior military officers only, welcomed the US proposal to deploy PRTs as they would address the critical need to build the capacity of the Iraqi Government. The UK would be expected to share “the PRT burden” in the South.

**425.** Gen Jackson agreed with the Red Team’s argument that the insurgency would only be defeated by a co-ordinated effort across all lines of operation, but cautioned that the “ink spot” concept sounded similar to the “seven cities” and “Strategic Cities” initiatives which had floundered in 2004:

“I am increasingly hearing the same strategic principles (undoubtedly sound ones) being dressed up in different initiatives, but without ever being implemented effectively on the ground. I suspect there are several reasons for this: certainly a lack of resources for non-military LOO [lines of operation], but also, perhaps, entrusting responsibility for delivering these lines of operation to the wrong type of

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<sup>240</sup> Email DFID [junior official] to Iraq Inquiry [junior official], 19 June 2013, ‘Iraq Inquiry New Queries’.

<sup>241</sup> International Mandate Republic of Iraq National Security Council, 10 October 2005, ‘Joint Committee to Transfer Security Responsibility’.

<sup>242</sup> Minute Jackson to CDS, 18 October 2005, ‘CGS Visit to Iraq: 10-13 October 05’.

people. There are many capable diplomats in both the UK and US Embassies, but are they the best people to deliver predominately 'non-diplomatic' objectives?"

**426.** The referendum on Iraq's draft Constitution took place on 15 October.<sup>243</sup>

**427.** The day after the referendum, President Talabani issued a decree announcing that Parliamentary elections would take place on 15 December, in accordance with the TAL.<sup>244</sup>

**428.** Mr Patey reported by telegram on 18 October that the new US approach to reconstruction and building Iraqi Government capacity had two strands:

- capacity-development programmes in 10 national ministries; and
- 15 PRTs and one Regional Reconstruction Team (RRT), to cover the provinces under the Kurdish Regional Government.<sup>245</sup>

**429.** MND(SE) and DFID had fed in concerns over the introduction of PRTs, centred on the lack of consultation with the Iraqi Government, coalition members and the UN.

**430.** The first three PRTs would be established on 1 November. The US expected all the PRTs and the RRT to be established by March/April 2006.

**431.** Mr Patey advised that the US expected coalition partners to bear the running costs of PRTs in their areas. Those costs would be significant.

**432.** Dr Rice told the US Senate Foreign Relations Committee on 19 October that the US strategy to "assure victory" in Iraq, working with the Iraqi Government, was to "clear, hold, and build".<sup>246</sup> She described the US strategy:

"With our Iraqi allies, we are working to:

- Clear the toughest places – no sanctuaries to the enemy – and disrupt foreign support for the insurgents.
- Hold and steadily enlarge the secure areas, integrating political and economic outreach with our military operations.
- Build truly national institutions working with more capable provincial and local authorities. Embodying a national compact – not tools of a particular sect or ethnic group – these Iraqi institutions must sustain security forces, bring rule of law, visibly deliver essential services, and offer the Iraqi people hope for a better economic future."

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<sup>243</sup> eGram 15692/05 Baghdad to FCO London, 16 October 2005, 'Iraq: Constitution: Referendum Day Passes Peacefully'.

<sup>244</sup> eGram 15761/05 Baghdad to FCO London, 17 October 2005, 'Iraq: Elections'.

<sup>245</sup> eGram 15865/05 Baghdad to FCO London, 18 October 2005, 'Iraq: Provincial Reconstruction Teams'.

<sup>246</sup> US Department of State Archive, 19 October 2005, *Iraq and US Policy: Secretary Condoleezza Rice, Opening Remarks Before the Senate Foreign Relations Committee, Washington, DC, October 19 2005.*

**433.** The strategy required deeper integration of civilian and military activities, including by restructuring part of the US Mission in Iraq as PRTs:

“These will be civil-military teams ... training police, setting up courts, and helping local governments with essential services like sewerage treatment or irrigation. The first of these PRTs will take the field next month.”

**434.** *Hard Lessons* described the difficulties the US experienced in establishing PRTs:

“Coaxing the Departments of State and Defense to set the terms of their first major operational collaboration in Iraq required a Herculean effort ... A patchwork quilt of memoranda of agreement, cables, and military orders – many of them at cross-purposes – evolved to codify policy for PRTs. More than a year elapsed before basic issues of budgets, the provision of security, and command and control relationships were resolved, delaying full deployment of the PRTs and limiting their early effectiveness in the field.”<sup>247</sup>

**435.** The 3 November meeting of DOP(I) considered an IPU discussion paper on how PRTs could be configured to “add value to current arrangements”.<sup>248</sup>

**436.** The IPU paper set out lessons from Afghanistan, and concluded that there was no “fixed template” for a PRT. PRTs were most effective when:

- they contained an appropriately resourced, integrated military and civilian team;
- they had the support of local authorities, a close working relationship with international organisations and NGOs, and sought to extend the reach of central authorities; and
- they operated in relatively benign security environments where they could seek to contain rather than confront conflict.

**437.** The IPU identified three major risks to the implementation of the US proposal:

- a lack of Iraqi “buy-in” at local and national level;
- a perception among “local Iraqis” that PRTs represented a failure to deliver a transfer of control to Iraqis; and
- a lack of resources. The success of the PRTs would be commensurate, to some degree, with the financial resources available to them. The US planned to fund the three pilot PRTs from within existing resources. The UK would need to consider whether further PRTs could be established on that basis: “In particular, we would need to ensure that PRTs did not divert ... effort from essential capacity-building efforts elsewhere. In MND(SE) existing military/

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<sup>247</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>248</sup> Paper IPU, October 2005, ‘Provincial Reconstruction Teams (PRTs) in Iraq: Discussion Paper’.

civilian teams ... could form the basis for the [PRT] teams, together with the DFID-funded single Public Administration Adviser per province.”

**438.** DFID briefing for Mr Benn for the DOP(I) meeting stated:

“We and MOD are both concerned about the risks of this approach. It is expensive, will divert funding from other priorities, and we do not believe it will make a dramatic difference in outcomes. It may slow military transition ... The agreed Whitehall approach is that we will be constructive; find out more and try and influence the US approach; and that we will repackage our effort in the South as a PRT but not do very much differently.”<sup>249</sup>

**439.** At DOP(I), Ministers commented that PRTs should be tailored to their environment, and that Iraqi ownership and the involvement of international donors were essential.<sup>250</sup>

**440.** The British Embassy Baghdad reported on 8 November that the US Embassy was happy to allow the UK time to develop its own ideas for PRTs in the South, and to be fully engaged in planning.<sup>251</sup> The strong preference of the US, however, was for individual PRTs to be established in each of the four southern provinces (in line with the US approach in the rest of Iraq). The Embassy had argued that the UK would need to take account of existing governance arrangements in the South, and the effect of PRTs on the transfer of security responsibility.

**441.** An MOD briefing for Gen Walker described that effect:

“The [US] proposal sees the establishment of a ... PRT in every Province for at least two years. This would almost certainly undermine MND(SE) transition plans, with a significant risk that UK forces would be fixed in Maysan and Muthanna into the medium term.”<sup>252</sup>

**442.** Dr Rice inaugurated the first PRT in Iraq on 11 November during a visit to Mosul.<sup>253</sup>

**443.** Dr Reid told the 15 November meeting of DOP(I) that the UK’s exit from Muthanna and Maysan had been delayed from February until May 2006, reflecting the UK’s commitment to the Japanese.<sup>254</sup> Dr Reid hoped it would be possible to complete the handover within this timescale in order to start reducing the UK’s troop commitment in Iraq during 2006.

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<sup>249</sup> Minute DFID [junior official] to Private Secretary [DFID], 1 November 2005, ‘Iraq: Oral Briefing in Preparation for DOP(I), 3 November’.

<sup>250</sup> Minutes, 3 November 2005, DOP(I) meeting.

<sup>251</sup> eGram 17627/05 Baghdad to FCO London, 8 November 2005, ‘Iraq: Provincial Reconstruction Teams (PRTs)’.

<sup>252</sup> Minute DCJO(Ops) to PSO/CDS, 14 November 2005, ‘Provincial Reconstruction Teams in MND(SE) – Implementation’.

<sup>253</sup> US Institute of Peace, 20 March 2013, *Provincial Reconstruction Teams in Iraq*.

<sup>254</sup> Minutes, 15 November 2005, DOP(I) meeting.

**444.** The British Embassy Baghdad provided further advice on US views on 22 November.<sup>255</sup> US Ambassador Dan Speckhard (Head of the IRMO) had told them that Ambassador Khalilzad had no intention of running Iraq, but would not allow the mission to fail because the Iraqi Government could not swiftly establish effective institutions at national or local level. The UK should see PRTs as providing a “one-off structural shot in the arm” to establish those institutions while international military forces remained to support civilian activities.

**445.** Ambassador Speckhard had said that the US remained content for the UK to offer a way forward in the South, but there were “clear red lines”:

- Civilian and military operations must be integrated.
- “[T]here must be a ‘genuine’ PRT in each province – satellite PRTs served by resources located in another Governorate would not be an adequate option for substantive not just political reasons.”
- PRTs must be a “new venture”, supported by additional resources. “Rebadging” existing efforts under a PRT banner would not be well received.

**446.** The Embassy commented that it should be possible to present a proposal for four PRTs transitioning to two as consistent with US objectives.

**447.** Following a visit to Iraq from 22 to 23 November, Gen Walker advised Dr Reid:

“The jury is out on the pilot PRTs – both amongst the military and the diplomats. Whatever the outcome, I recommend an early bid to run them in the four MND(SE) provinces to save us heartache later. If we don’t, they have the potential to fix us through force protection requirements at places and for periods not of our choosing.”<sup>256</sup>

**448.** The DOP(I) meeting on 1 December considered an IPU paper on how the UK should respond to the US proposal on PRTs.<sup>257</sup>

**449.** Mr Benn’s briefing for the meeting stated that, while the US wanted to see PRTs in all of Iraq’s Provinces, financial constraints made it unlikely it would be able to establish its own PRTs in the South.<sup>258</sup>

**450.** The IPU paper identified three options for the UK:

- Support four PRTs in the four southern provinces until 2008 (the US envisaged that PRTs would operate for two years with international staff, and then for a further two years with Iraqi staff only). That would “match” the US initiative, but

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<sup>255</sup> eGram Baghdad to FCO London, 22 November 2005, ‘Iraq: Update PRTs’.

<sup>256</sup> Minute CDS to SofS [MOD], 25 November 2005, ‘CDS’s Visit to Iraq 22-23 Nov 05’.

<sup>257</sup> Minutes, 1 December 2005, DOP(I) meeting.

<sup>258</sup> Minute DFID [junior official] to Private Secretary [DFID], 29 November 2005, ‘Briefing for DOP(I), 1 December 2005 Meeting’ attaching Briefing DFID, 30 November 2005, ‘Flag B: Background Briefing’.

would mean extending the UK military presence in the South beyond current planned dates for transition (PRTs would require appropriate force protection and Quick Response Forces), and require significant additional resources for programmes and security.

- Establish one PRT in Basra to cover all of MND(SE). That would not affect UK plans for transition in the other three southern provinces. The US might want to establish its own PRTs in those provinces, increasing Iraqi resentment of the US presence and raising presentational difficulties in the UK if the US was seen to take over from the UK in the UK's area.
- Transition from "(mini) PRTs" in four provinces towards a single "super-PRT" in Basra. That would ensure coverage across MND(SE) but would not affect UK plans for transition.<sup>259</sup>

**451.** The IPU assessed that while none of the options was "satisfactory", the third option was best. It would permit continued governance and capacity-building work in all four provinces, would not affect UK military transition planning, and would minimise security risks to civilian staff.

**452.** The IPU recommended that DOP(I):

- Agree that the UK establish a PRT structure in southern Iraq, with Iraqi buy-in.
- Agree that the focus of the PRT should be on improving co-ordination and delivery of UK assistance, strengthening the links between the central authorities and Governorates, and improving the UK's "strategic oversight" of southern Iraq.
- Accept that while there were "presentational advantages" in establishing a PRT in MND(SE), improvements in the effectiveness of the UK's engagement would be "marginal".
- Note that while the PRT models might encourage other coalition partners to engage in reconstruction in the South (early indications were that Germany and Japan might supply experts or funding), multilateral donors were known to be sceptical about the PRT model and were unlikely to engage fully.
- Adapt the US PRT model to suit local circumstances in the four southern provinces:
  - In Basra, the current effort should be "re-organised along PRT lines", with the addition of a UK senior civil servant as its head. This regional "super-PRT" would comprise around 30 civilian staff, 21 military officers, and between 20 and 30 locally engaged staff.
  - In Dhi Qar, the current effort should also be "re-organised along PRT lines", possibly staffed and led by Italy until transition.
  - In Maysan and Muthanna, the current effort should continue "under a PRT banner" until UK military transition, at which time Iraqi teams could

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<sup>259</sup> [Paper IPU, 28 November 2005, 'Iraq: Provincial Reconstruction Teams'](#).

be supported by surge capacity from Dhi Qar and Basra (and eventually just Basra).

**453.** The IPU described this as the “4-2-1” model, as four PRTs reduced to two (Basra and Dhi Qar) and then one (Basra) over time.

**454.** The IPU advised that the US would need to agree the UK model, which might require Ministerial-level discussions with US counterparts.

**455.** At the meeting, Mr Straw said that the IPU paper “proposed that we went along with the United States’ proposal but without disrupting our own plans for military transition”.<sup>260</sup> Dr Reid agreed that the UK response should be positive, but stressed the need to keep control of and tailor developing PRT plans in the provinces where the UK was directly involved.

**456.** DOP(I) agreed the paper.<sup>261</sup>

**457.** Officials revisited the decision to adopt a 4-2-1 model in January 2006.

**458.** Mr Straw wrote to Mr Benn at the end of November, reporting that the Deputy Governor of Basra and members of the Basra Provincial Council had pressed for more visible UK development projects, and had drawn attention to a number of DFID projects that had recently been closed.<sup>262</sup>

**459.** Mr Straw understood that those projects had been funded from the employment generation component of the southern Iraq Employment and Services Programme (SIESP), which DFID had closed down in August 2005. Mr Straw recognised the security constraints and the need to ensure funds were properly used, but asked that DFID officials look for some way to respond to the Councillors’ request for “highly visible, ‘flagship’ projects”.

**460.** Mr Benn replied on 9 December, highlighting the work DFID was doing in Basra and with the Provincial Council.<sup>263</sup> He did not offer new proposals and cautioned that DFID had to be “extremely careful” about publicising reconstruction projects, in case such publicity made workers and projects more attractive targets for insurgents.

**461.** The Iraqi elections took place on 15 December.<sup>264</sup> Mr Patey reported that the day had passed off peacefully with no major security events.

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<sup>260</sup> Minutes, 1 December 2005, DOP(I) meeting.

<sup>261</sup> Minutes, 1 December 2005, DOP(I) meeting.

<sup>262</sup> Letter Straw to Benn, 28 November 2005, ‘Basra Development Projects: My Meeting with Basra Provincial Council, 11 November’.

<sup>263</sup> Letter Benn to Straw, 9 December 2005, ‘Basra Development Projects: Your Meeting with Basra Provincial Council, 11 November’.

<sup>264</sup> eGram 20961/05 Baghdad to FCO London, 16 December 2005, ‘Iraq: Elections: Election Day’.

**462.** Papers for the final DOP(I) meeting of 2005, on 20 December, included a post-election work plan by the IPU, an update on progress with Iraqisation and a note on the handover of security responsibility.<sup>265</sup>

**463.** The IPU work plan described the UK's immediate objectives post election as:

- “• A short and well-managed interregnum between Transitional Government and the next Government, leading to;
- Rapid formation of a competent and representative Government, legitimate in the eyes of all Iraq's communities, followed by;
- A limited number of key decisions (which serve the Iraqi people and partnership between Iraq and the Coalition) taken quickly and visibly, in parallel with;
- Increasing Sunni Arab political participation and;
- Smooth progress in the South-East towards transition
- Visible international commitment, in context of 2006 partnership with Iraq.”<sup>266</sup>

**464.** The IPU hoped that it might be possible for an Iraqi government to be formed by the end of January, six weeks after the election.

**465.** Negotiations to form a new government continued into spring 2006. Section 9.4 describes UK efforts to encourage the formation of a broad and inclusive government of national unity.

**466.** One month after the DOP(I) decision to adopt a 4-2-1 model for PRTs in the South, the UK adopted a new model which focused on Basra and Dhi Qar only.

**467.** Air Chief Marshal Glenn Torpy, the Chief of Joint Operations, advised Lt Gen Fry on 21 December that the 4-2-1 model appeared to satisfy the US.<sup>267</sup> The UK now needed to press ahead quickly to keep the initiative. First indications were that neither the FCO nor DFID could find additional financial resources; the MOD would have to “bridge the gap”. Initial funding requirements might be “modest” and could be generated by making savings elsewhere in MND(SE). The MOD would also need to push the other departments to deploy the staff necessary to get the PRTs off the ground quickly.

**468.** The 29 December IPU update for DOP(I) members stated that, faced with logistical and financial difficulties, US enthusiasm for the PRT model was waning and their roll-out timetable was slipping.<sup>268</sup> US officials were “increasingly flexible” about UK plans for the PRT structure in the South and would “not look too closely at implementation (especially in Maysan and Muthanna)”. That provided the UK with an opportunity to establish the

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<sup>265</sup> Paper Cabinet Office, 19 December 2005, ‘DOP(I) Meeting: Agenda’.

<sup>266</sup> Paper IPU, 16 December 2005, ‘Iraq: Post-Election: UK Work Plan’.

<sup>267</sup> Minute CJO to DCDS(C), 21 December 2005, ‘Key Operational Issues for Early 2006’.

<sup>268</sup> Letter Siddiq to Quarrey, 29 December 2005, ‘Iraq: Update as at 29 December’ attaching Paper IPU, 29 December 2005, ‘Iraq: Update as at 29 December’.

PRT structure which best fitted the situation in the South and to ensure that the PRTs assisted rather than hindered “our main transition effort”.

**469.** The Cabinet Office chaired a video conference of officials in London, PJHQ, Basra and Baghdad on 5 January 2006 to discuss how to establish PRTs in the South.<sup>269</sup> The record of the meeting stated that:

“With the US in disarray over PRTs, and following further UK scoping work in theatre, a 4-2-1 approach to PRTs no longer appears to be either a necessary or best solution.”

**470.** There was a fundamental mismatch between:

- the timelines for UK military transition in Maysan and Muthanna (planned for May 2006, only five months away);
- the civilian and military resources available; and
- the time needed to recruit, train, deploy and get value from staff posted into a new PRT.

**471.** A focus on Basra and Dhi Qar was likely to be “sellable to the US”.

**472.** The meeting concluded that Ministers should be invited to agree a revised approach that focused on Basra and Dhi Qar.

**473.** Ministers approved the new approach, comprising a UK-led PRT in Basra and an Italian-led PRT in Dhi Qar, later that month.<sup>270</sup>

**474.** A DFID official briefed Mr Benn on 31 January that:

“We [DFID] are working to ensure that management mechanisms and funding remain shared responsibilities between the three departments [MOD, FCO and DFID]. We would welcome a discussion with you about our ideas on how to remain helpful and engaged, while avoiding being asked to lead on PRTs.”<sup>271</sup>

**475.** The UK-led PRT in Basra was established in May 2006.

**476.** In her evidence to the Inquiry, Ms Cameron, who had visited Iraq over Christmas 2005 to help develop the UK’s response to the US PRT proposal, suggested that the need to see off the “bad ideas” encapsulated in the proposal, and the need to develop a response which did not undermine the UK’s plans for transition in the South, had meant that the UK had not had the time to stand back and think through what it needed to deliver in Basra.<sup>272</sup> She concluded that the PRT model was an improvement on the

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<sup>269</sup> [Minute Cabinet Office \[junior official\] to Cabinet Office \[junior official\] 5 January 2006, ‘Iraq: PRTs’.](#)

<sup>270</sup> Paper DFID, 10 January 2006, ‘Iraq Update’.

<sup>271</sup> Paper DFID, 10 January 2006, ‘Iraq Update’.

<sup>272</sup> Public hearing, 22 June 2010, pages 100-101.

previous, more fragmented, arrangement, but less of a “step-change” than it might have been.

**477.** Mr Tansley agreed with that assessment.<sup>273</sup>

## **Preparing for the transfer of security responsibility in Maysan and Muthanna**

**478.** Section 9.4 describes planning and preparations for the transfer of lead responsibility for security in Muthanna and Maysan to the Iraqi authorities (scheduled for May 2006).

**479.** Mr Patey issued his annual review of the state of Iraq on 10 January.<sup>274</sup> He characterised 2005 as a “year of democracy”, despite the persistent violence. The development of the Constitution and elections had diverted attention from establishing “effective governance”, and in a number of areas Iraq had regressed:

“The year ended with Baghdad on three hours of power a day and falls in oil exports. The Government did just enough (courtesy of a high degree of flexibility from the IMF and much help from us) to achieve an interim SBA [Stand-By Arrangement] that keeps the debt relief programme in track but there is not much else to report by way of achievements.”

**480.** Mr Straw visited Iraq on 6 and 7 January. His report to Mr Blair focused on progress in forming a new Iraqi Government but also highlighted the need to consider how to increase international engagement.<sup>275</sup>

**481.** The key would be to persuade the UN to play a more active role. The UK and US were working on the problem of providing the UN with air assets and security. The UK also needed to persuade the US “to take the UN more seriously into its confidence”: the US had been receptive at official level but the message needed to be reinforced at a political level.

**482.** In discussion with President Bush on 10 January, Mr Blair said that it would help to unlock outstanding aid pledges if the new Iraqi Government set out a “forward programme” covering security, coalition posture and reconstruction, which the UN and coalition could get behind.<sup>276</sup>

**483.** The 12 January meeting of DOP(I) discussed Mr Straw’s report.<sup>277</sup>

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<sup>273</sup> Public hearing, 22 June 2010, page 101.

<sup>274</sup> eGram 384/06 Patey to FCO London, 10 January 2006, ‘Iraq: Annual Review’.

<sup>275</sup> Letter Straw to Prime Minister, 11 January 2006, ‘Iraq: Post-Elections and Government Formation’.

<sup>276</sup> Letter Quarrey to Siddiq, 10 January 2006, ‘Prime Minister’s VTC with President Bush: Middle East Issues’.

<sup>277</sup> Minutes, 12 January 2006, DOP(I) meeting.

**484.** Mr Straw’s briefing for the meeting stated that the obstacles to deeper UN engagement were “acute scepticism” within UN headquarters about Iraq and “justifiable” UN concern that it lacked the transport and security assets it needed to do a decent job.<sup>278</sup> On the latter point, only the US had sufficient resources to help. The UK was lobbying the US to engage with and support the UN, using the argument that an empowered UN leading international engagement in 2006 offered the US (and the UK) a way of gradually reducing their commitment.

**485.** At the DOP(I) meeting, Ministers commented that a “new effort” was needed to increase UN engagement in Iraq in 2006.<sup>279</sup>

**486.** Mr Blair’s Private Secretary advised him on 17 January that the power situation in Baghdad was “dire”, with only two hours of electricity a day.<sup>280</sup>

**487.** In discussion with President Bush on 17 January, Mr Blair suggested that there should be a big push on the UN.<sup>281</sup> The UN had to show leadership.

**488.** The Italian Government announced on 19 January that it hoped to withdraw Italian troops from Dhi Qar by the end of the year.<sup>282</sup>

**489.** The Cabinet agreed on 26 January to deploy UK troops to Helmand province, Afghanistan (see Section 9.4).

**490.** Mr Straw sent two IPU papers to Mr Blair on 7 February.<sup>283</sup> Copies of Mr Straw’s letter and the IPU papers were sent to DOP(I) members and Sir Gus O’Donnell, the Cabinet Secretary.

**491.** The first paper considered how the UN should transform its role in Iraq.<sup>284</sup> The UK wanted the UN to:

- contribute to the new international partnership that the UK envisaged;
- act as an honest broker between Iraqi communities, before and after government formation;
- support provincial elections and the constitutional review;
- help reduce the risk of conflict in Kirkuk; and
- scale up their reconstruction and development presence.

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<sup>278</sup> FCO [junior official] to Foreign Secretary, 10 January 2006, ‘Iraq: DOP-I Meeting, 12 January’.

<sup>279</sup> Minutes, 12 January 2006, DOP(I) meeting.

<sup>280</sup> Minute Phillipson to Prime Minister, 17 January 2006, ‘VTC with President Bush, 1220 17 January 2006’.

<sup>281</sup> Letter Quarrey to Siddiq, 17 January 2006, ‘Prime Minister’s VTC with President Bush: Middle East Issues’.

<sup>282</sup> *BBC News*, 19 January 2006, *Italy to pull out of Iraq in 2006*.

<sup>283</sup> Letter Straw to Prime Minister, 7 February 2006, ‘Iraq: International Partnership and the UN’s Role in 2006’ attaching Paper IPU, 3 February 2006, ‘Iraq: UN Role in 2006’ and Paper IPU, 1 February 2006, ‘Iraq: Implementing the Concept from Security Coalition to International Partnership’.

<sup>284</sup> [Paper IPU, 3 February 2006, ‘Iraq: UN Role in 2006’](#).

**492.** On reconstruction and development, the UN was now a “key player”. UN development agencies wanted to increase their presence in Iraq, but with a UN ceiling of 125 staff and priority consistently given to constitutional and political specialists, the UN could “at best” accommodate only three development or humanitarian specialists at any one time. The UK also wanted the UN to do more to help improve Iraqi observance of human rights; at present, the UN appeared reluctant to engage.

**493.** The UK would help secure increased UN engagement through Ministerial and official level lobbying of the UN (to encourage them to play a greater role), the US (to underline the value of the UN), and the EC, Japan and European countries (to get them to lobby the UN to play a greater role, and to fund it to do so).

**494.** In his letter to Mr Blair, Mr Straw described a transformed UN effort as “a catalyst to broader and deeper international engagement”.<sup>285</sup>

**495.** The second paper considered how the UK could support transition in Iraq from a “primarily security based coalition” to a broader international partnership.<sup>286</sup> The UK’s strategic objective would be to enable the Iraqi Government to assume more effective control over Iraqi territory and the security, political and economic agendas. The UK would seek to develop a broader international partnership, which would require improved security and an increased UN presence.

**496.** Mr Tansley reported from Basra on 20 January that the situation in Maysan and Muthanna was likely to allow a transfer of security responsibilities in May.<sup>287</sup> Muthanna was the poorest province in Iraq but essential services were “adequate” and “basic governance structures” were functioning. Maysan had a weak economy but enjoyed better essential services and more effective governance than Muthanna. Securing effective links with central Government would be critical for both provinces.

**497.** Mr Tansley commented on the decision not to establish PRTs in those provinces:

“The situation ... in Maysan and Al-Muthanna underlines why PRTs in those provinces are not required. Military transition will mean no international staff will be stationed in Maysan and Muthanna, and travel there by them is likely to be only possible with military escort (it would likely require a battle group). This will also affect our international partners including the UN ... and USAID ... (this will need to be factored into our discussions with the Americans on the 2-1 PRT formula).”

**498.** The DOP(I) meeting on 2 February discussed transfer of security responsibility for Maysan and Muthanna.<sup>288</sup>

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<sup>285</sup> Letter Straw to Prime Minister, 7 February 2006, ‘Iraq: International Partnership and the UN’s Role in 2006’.

<sup>286</sup> [Paper IPU, 1 February 2006, ‘Iraq: Implementing the Concept from Security Coalition to International Partnership’.](#)

<sup>287</sup> eGram 1266/06 Basra to FCO London, 20 January 2006, ‘Iraq: Military Transition in Maysan and Muthanna’.

<sup>288</sup> Minutes, 2 February 2006, DOP(I) meeting.

**499.** Ministers commented that the UK needed to consider transition in the wider context of the legacy that the UK would leave behind in those provinces.

**500.** Ministers also commented that it would not be possible to retain DFID international staff in Maysan and Muthanna after transition. In practice, their contribution was “useful but not vital” and infrastructure projects would continue. Civilian control of both provinces had been in the hands of the Iraqis since the dissolution of the Coalition Provisional Authority (CPA) and even without the transition, the intention was to focus the reconstruction effort in the South on Basra and Dhi Qar. The security challenges posed by the transition have a significant impact on other donors, including the UN.

**501.** DOP(I) commissioned the MOD to produce a paper on the transition reflecting cross-departmental concerns about the transition, “based on a robust assessment of the conditions in the two provinces”.

**502.** Dr Reid presented that paper to DOP(I) on 15 February (see Section 9.4).<sup>289</sup>

**503.** The MOD paper recommended that both provinces should transition as soon as possible, with the end of May as a target date.

**504.** The MOD stated that the withdrawal of coalition forces would reduce the amount of development assistance that could be provided to Muthanna and Maysan by the UK and other donors, and confirmed that DFID was “content with this, recognising that their existing support is useful, but not essential, to provincial stability”. The MOD continued:

“DFID will encourage other donors (e.g. the Japanese) to ensure that any unfinished ... projects are completed before closure of permanent bases or able to be completed by local staff and contractors in slower time, and that plans for operation and maintenance of completed projects have been made ... DFID will encourage donors with large numbers of local staff (USAID, the UN) to consider how best they could deploy these in Maysan and Muthanna to continue capacity building and governance support.”

**505.** Commanders in MND(SE) were confident that they could facilitate travel by FCO, DFID and international personnel into the provinces after transition.

**506.** The MOD assessed that the UK’s legacy would be “considerable”. ISF development was on track and would complete in October 2006. In addition:

“UK support has also helped Provincial Governments get on their feet. Working with ministries in Baghdad, Provincial Councils are able to take decisions, deliver services, manage budgets and work with donors at a basic level. They are functioning, but fragile. Increased capacity and recent reforms may not survive political rivalries and reduced levels of donor support. But in both Provinces we have

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<sup>289</sup> Paper Secretary of State [Defence], 14 February 2006, ‘Iraq: Handover of Security in Maysan and al Muthanna Provinces’.

reached a point where we will achieve diminishing returns if we stay much longer. The Iraqis are in a position to assume the mantle.”

**507.** At the meeting, Dr Reid said that the political and developmental issues associated with the transfer of security responsibility in Muthanna in May had been resolved.<sup>290</sup>

**508.** DOP(I) agreed the approach set out in the paper.

**509.** Also on 15 February, at the request of the ISOG, the JIC assessed Iraq’s expected development in 2006.<sup>291</sup> The JIC concluded that the new Iraqi Government would be judged largely by its ability to deliver security, fuel, electricity, jobs and a timeline for MNF withdrawal, but that there would be little progress on the first four issues over the next 12 months. The main obstacles to progress were:

“The security situation is the greatest immediate obstacle to economic recovery ...

“The new government will be no more competent or united than its predecessor, at least initially. The new Prime Minister ... will have to develop policy within a more complex political landscape ... The tendency of new Ministers to replace the top tier of officials with friends, family or tribal members will add to the difficulties.

“The Iraqi civil service lacks the ability to deliver at all levels ... Although there are talented individuals, institutional capacity was effectively destroyed under Saddam’s dictatorship and in the aftermath of his overthrow: de-Ba’athification, which removed many experienced bureaucrats, has been especially damaging ... Endemic corruption is a significant brake on economic development, pervading the highest levels of government, but also reaching into provincial and local levels.”

**510.** The JIC concluded that:

- The new government would come under international pressure to revitalise its oil sector and push ahead with economic reforms (including the reduction of domestic fuel and food subsidies), but would proceed cautiously given the potential for public discontent.
- The fragile state of Iraq’s energy infrastructure and continuing insurgent and criminal attacks would preclude any early progress on energy supplies. Electricity production currently met only about 45 percent of demand.
- There could be no “international solution” to improving essential services in Iraq. The Iraqi government needed to adopt a strategy to increase growth and invest in services and infrastructure. Bilateral and multilateral donors could play a supporting role, for example by strengthening the budget process and providing technical advice.

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<sup>290</sup> Minutes, 15 February 2006, DOP(I) meeting.

<sup>291</sup> [JIC Assessment, 15 February 2006, ‘Iraq’s Development: Expectations and Delivery in 2006’.](#)

**511.** On 22 February, the al-Askari mosque in Samarra, the fourth most revered shrine in Shia Islam and the only major Shia shrine under sole Sunni protection, was bombed.<sup>292</sup>

**512.** Section 9.4 describes increasing concerns within the UK Government on the level of sectarian violence in Iraq and the possibility of civil war.

**513.** On 15 March, at the request of the FCO and MOD, the JIC assessed the security situation in southern Iraq.<sup>293</sup>

**514.** Key Judgements included:

“I. Levels of violence in southern Iraq are much lower than in Baghdad and Sunni areas in the centre and north ...

...

“III. Across the South, there is no strong administrative machinery to promote security and stability. Government structures and capacity are fragile. The lack of central authority has encouraged protracted, and occasionally violent, local squabbles over power. Multiple sources of authority persist and carry equal weight ...”

### DFID’s Portfolio Quality Review, March 2006

DFID undertook an internal review of the performance and “value-for-money” of its projects in Iraq in March 2006.<sup>294</sup>

The review’s main conclusions were:

- 71 percent of current, large (over £4m) projects in Iraq were “high risk”, compared with just over 10 percent of DFID projects globally. Most projects were subject to the same (political and security) risks, so scope to balance risk was limited.<sup>295</sup>
- Of the 14 current, large projects, nine were likely to completely or largely achieve their objectives and five were likely to partly achieve their objectives or to achieve their objectives only to a very limited extent.
- 44 percent of all DFID projects in Iraq had achieved or were likely to completely or largely achieve their objectives, compared with 68 percent of DFID projects globally.
- Many projects had benefits beyond their stated objectives, for example in terms of setting policy agendas, leveraging in other donors’ resources, and “giving DFID credibility to influence Whitehall”.

<sup>292</sup> Minute Banner to Prime Minister, 23 February 2006, ‘Samarra Shrine Bombing – Background and Update’.

<sup>293</sup> [JIC Assessment, 15 March 2006, ‘Iraq: the Security Situation in the South’.](#)

<sup>294</sup> [Minute Hendrie to PS/Secretary of State \[DFID\], 27 March 2006, ‘Iraq: Portfolio Quality Review’.](#)

<sup>295</sup> Not all the figures used in the text of the Portfolio Quality Review are consistent with the information presented in the supporting graphs and table. Where there is inconsistency, the Inquiry has drawn information directly from the supporting graphs and table.

The review identified the strategies that DFID had pursued to improve project performance:

- constant monitoring and management (though that was hampered by insecurity);
- using innovative techniques to deliver projects, such as working through local Iraqi engineers and helping the Ministry of Finance to set up an office inside the International Zone (within which international consultants could work);
- using the fragile states analysis to focus on a few immediate priorities. In Iraq, DFID had focused on strengthening central Government and getting economic reform on track;
- systematically tracking poor performance;
- adapting delivery methods to inside fiduciary risk;
- building clear exit strategies into projects, including dedicating significant effort to leveraging in other donors; and
- working closely with Whitehall.

**515.** Mr Asquith advised the 7 April meeting of the ISG that following rocket attacks on Basra Palace on 4 April, and given the continuing non-co-operation by the local authorities in Basra with UK officials following the Jameat incident, some UK civilian staff were unable to operate.<sup>296</sup> The FCO and DFID planned to recommend to their Ministers a drawdown of civilian staff from Basra Palace until conditions on the ground had improved.

**516.** Mr Benn was briefed on 19 April that significant numbers of Shia were moving south and Sunnis moving north.<sup>297</sup> MND(SE) was providing some (unspecified) short-term support to Internally Displaced People (IDPs).

**517.** Mr Benn was also briefed that running costs for the Basra PRT continued to be a “major sticking point”. No government department (or other country) had a budget for this. The Post-Conflict Reconstruction Unit (PCRU) was “holding the fort”, and departments were exploring whether they might be able to continue leading in the longer term.

**518.** Late on 21 April, four months after the December 2005 elections, the United Iraqi Alliance announced the selection of Mr Nuri al-Maliki as its candidate for Prime Minister (see Section 9.4).<sup>298</sup>

**519.** The British Embassy Baghdad reported on 22 April that the new Government had produced a “100-day plan”, focusing on urgent measures to improve security, oil, electricity, employment, agriculture and housing.<sup>299</sup>

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<sup>296</sup> Letter Cabinet Office [junior official] to Sheinwald, 10 April 2006, ‘Iraq Strategy Group: 7 April 2006’.

<sup>297</sup> Minute DFID [junior official] to PS [DFID], 19 April 2006, ‘DOP(I) Briefing 19 April 2006’.

<sup>298</sup> eGram 13011/06 Baghdad to FCO London, 24 April 2006, ‘Iraq: Formation of the New Government: Al-Maliki Nominated by UIA as Prime Minister’.

<sup>299</sup> eGram 13036/06 Baghdad to FCO London, 22 April 2006, ‘Iraq: Preparations for Government’.

**520.** The Embassy commented that on both security and electricity, the plan adopted a “Baghdad-first” approach (Baghdad had a third of the country’s population and was suffering more than other areas).

**521.** The Embassy reported that the Iraqi Government had discussed the 100-day plan with the British and US Embassies. As a result of those discussions, the Minister of Planning had agreed:

- a UK recommendation to include Iraqi signature to the Extractive Industries Transparency Initiative (EITI) in the plan; and
- to “play up” the monetarisation of the food subsidy, bank restructuring and civil service reform as priorities for the new Government.

**522.** Sir Nigel Sheinwald met Mr Maliki in Baghdad on 24 April.<sup>300</sup> Mr Maliki said that his priorities were security, the economy and services. There would have to be the toughest possible penalties for corruption.

**523.** Sir Nigel said that the UK’s ability to help with reconstruction in Basra was hampered by the security situation. Mr Maliki said that he knew little of the detail of the situation in Basra, but had heard that the population felt the UK had achieved very little for them, even before security deteriorated. He advocated patience, waiting for local elections that might bring change, and doing what the UK could to improve the economy. Employment would reduce the security threat.

**524.** Sir Nigel’s report of his visit to Mr Blair focused on government formation (see Section 9.4).<sup>301</sup> Sir Nigel confirmed that, as Mr Blair had suggested, the UK and US had offered to help Mr Maliki establish his Government. The UK’s main contributions would be:

- two officials (one FCO, one DFID) in the British Embassy working on the substance of the Iraqi Government’s programme;
- one official to advise the British Ambassador and the Iraqi Government on media and political strategy;
- No.10, FCO and MOD press officers to help with communications in key ministries;
- three Adam Smith Institute Ltd consultants to advise on the structure and operation of the Prime Minister’s Office and other key institutions; and
- a substantial MOD advisory team for the new Defence Minister.

**525.** Mr Blair commented: “[W]e must make sure this team is strong enough.”<sup>302</sup>

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<sup>300</sup> Telegram 13126/06 Baghdad to FCO London, 24 April 2006, ‘Iraq: Government Formation: Maliki’s Views’.

<sup>301</sup> Minute Sheinwald to Prime Minister, 27 April 2006, ‘Visit to Iraq’.

<sup>302</sup> Manuscript comment Blair to Sheinwald on Minute Sheinwald to Prime Minister, 27 April 2006, ‘Visit to Iraq’.

**526.** Mr Blair spoke to Mr Maliki on 28 April, to congratulate him and assure him of the UK's support.<sup>303</sup> Mr Blair said that it was important that Mr Maliki had good, capable people around him, and that the UK stood ready to offer advice and assistance, on both policy and communications.

**527.** The Cabinet Office circulated a draft FCO paper on Basra, which had been produced for DOP(I), to members of the ISOG on 28 April.<sup>304</sup> The draft FCO paper stated that:

“Security and governance in Basra are bad and worsening. Attacks on us, and both criminal and sectarian violence, are rising. Basic services are not being delivered. Basra is one of the four provinces in Iraq judged by MNF(I) to be furthest away from transition to full Iraqi control.

“The UK civilian effort in Basra is increasingly hunkered down. We face a lack of co-operation from the local authorities and severe restrictions on our movement. Our local staff ... suffer growing intimidation. Against this background, much of our effort – notably the Provincial Reconstruction Team we are standing up in May – can make little headway.”

**528.** The FCO paper was not submitted to DOP(I), but did inform discussions on 22 May between senior officials on how to achieve UK objectives in Basra.

**529.** Mr Blair held a Cabinet reshuffle in early May 2006. Mr Benn remained Development Secretary; Mr Des Browne replaced Dr Reid as Defence Secretary; and Mrs Margaret Beckett replaced Mr Straw as Foreign Secretary.

**530.** Mr Mark Lowcock, DFID Director General Policy and Programmes, and Mr Anderson visited Baghdad from 2 to 5 May.<sup>305</sup> They reported to Mr Chakrabarti that the new Iraqi Government faced a daunting economic reform agenda. The 100-day plan contained some of the necessary reforms, but it seemed unlikely that it would garner wider political support given the fragile political deals underpinning the new Government.

**531.** Iraq had enjoyed a “massive windfall” from the rising oil price, possibly an additional US\$20bn a year. That dwarfed the amount of aid provided to Iraq. While some of that windfall had been used to increase the budget:

“... billions – some people say tens of billions – has been lost through large-scale corruption and other leakage. Who has got the money and what do they plan to do with it? And how is the Government going to regain control?”

**532.** Mr Lowcock and Mr Anderson confirmed that DFID should “continue to move towards more capacity building and ... internationalising the effort in Iraq”.

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<sup>303</sup> Letter Banner to Siddiq, 28 April 2006, ‘Nouri al-Maliki’.

<sup>304</sup> Paper FCO [draft], 27 April 2006, ‘DOP(I): Basra’.

<sup>305</sup> [Minute Lowcock and Anderson to Chakrabarti, 5 May 2006, ‘Visit to Baghdad 2-5 May’](#).

**533.** They also stated that the “refocusing” of the US effort from infrastructure to capacity-building might have (unspecified) implications for DFID.

**534.** The British Embassy Baghdad reported the following week that, according to a report issued by the Iraqi Oil Inspector General, some US\$4.2bn worth of oil products had been smuggled out of Iraq in the previous year.<sup>306</sup>

## Turning Basra around

**535.** The Basra PRT was established on 14 May 2006, and was expected to be fully operational within three weeks.<sup>307</sup> Its first Head was Mr Mark Etherington (a consultant contracted by PCRU).

**536.** PCRU funded three new posts in the Basra PRT (its Head, a Communications Manager and an Office Manager).<sup>308</sup> It was otherwise staffed by bringing together the existing US, UK and Danish teams.<sup>309</sup>

**537.** Mr Etherington wrote to a Cabinet Office official on 17 May outlining the challenges facing the Basra PRT, the most significant of which was a lack of “operational coherence”:

“Military and civilian lines of activity are not integrated, and the separation between military headquarters ... and the Consulate in Basra Palace [the British Embassy Office Basra] has made the formulation and execution of sophisticated unitary approaches ... very difficult. Our outputs are hence fragmentary, prone to duplication and intrinsically wasteful of resources; and neither are they subsumed to an over-arching strategy.

“This is because no over-arching, integrated strategy has yet been articulated, although the need for one has been identified ... UK ‘policy’ in S[outhern] Iraq is hence little more than an aggregation of departmental approaches ...”<sup>310</sup>

**538.** While the PRT’s work “must focus overwhelmingly upon Basra”, it should have a “low-key southern Iraq co-ordination role”.

**539.** Mr Etherington advised that “reporting was fragmented and lines of authority divided”. He therefore intended to establish a “Basra Steering Group”, bringing together MND(SE), the British Embassy Office Basra and the PRT. Its aim would be to “create a

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<sup>306</sup> eGram Baghdad to FCO London, 9 May 2006, ‘Iraq: Corruption – Inspector General’s Report’.

<sup>307</sup> [Minute Etherington to Cabinet Office \[junior official\], 17 May 2006, ‘Basra PRT: Challenges and Opportunities’](#).

<sup>308</sup> Minute Teuten to PCRU [junior official], 31 July 2006, ‘Visit to Baghdad and Basra, 19 – 25 July’; [Minute Etherington to Cabinet Office \[junior official\], 17 May 2006, ‘Basra PRT: Challenges and Opportunities’](#).

<sup>309</sup> Minute DFID [junior officials] to Mr Anderson, 31 July 2006, ‘Iraq: Allocation of Governance Resources to PRT in southern Iraq’.

<sup>310</sup> [Minute Etherington to Cabinet Office \[junior official\], 17 May 2006, ‘Basra PRT: Challenges and Opportunities’](#).

comprehensive strategy across all lines of activity, to prosecute it in detail and to review it monthly”.

**540.** Mr Etherington highlighted the need adequately to fund PRT running and programme costs. The PRT had been allocated £350,000 for “start-up” costs; a request for additional funding had been sent to PCRU. Mr Etherington estimated that the cost of running the PRT (including the cost of the three consultants provided by PCRU) would be US\$1.74m per year. The US had allocated US\$15m to each PRT for programme costs but those funds were unlikely to appear before the summer and would in any case be insufficient for a province of Basra’s size and challenges. In the meantime, the PRT might be able to access US CERPs funding and some £190,000 from DFID’s Governorate Capacity Building Project.

**541.** Gen Jackson visited Iraq from 15 to 18 May.<sup>311</sup> He reported to Air Chief Marshal Sir Jock Stirrup, Chief of the Defence Staff, that there appeared to be some confusion about the role of the Basra PRT. Mr Etherington believed that its role was to deliver the “coherent UK cross-government approach” in the South that was currently lacking. Others believed that the PRT should limit itself to reconstruction. Gen Jackson commented:

“I sense that we, the UK, have not really thought what we want our PRT to achieve. If we have, it is not clear in theatre.”

**542.** Gen Jackson reported that his meetings in Basra had caused him to “reflect once again on the extent to which our military progress in Iraq is mortgaged against the economic and political LOO [line of operation]”. The constraints imposed on the economic line of operation by the UK’s International Development Act were an “enduring concern”:

“To be involved in two campaigns simultaneously [Iraq and Afghanistan] where one of our three levers of national power is not sufficiently agile or flexible to deliver immediate campaign effort seems absurd.”

**543.** Prime Minister Maliki appointed his Cabinet (minus the Ministers for Interior, Security and Defence) on 20 May. The remaining Ministers were appointed on 8 June. Sections 9.4 and 9.5 describe the formation of Prime Minister Maliki’s Government.

**544.** The 22 May meeting of the ISOG discussed how to draw together a strategic plan to deliver the UK’s objectives in Basra, in the light of the “serious problems” that the UK faced.<sup>312</sup>

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<sup>311</sup> [Minute Jackson to CDS, 22 May 2006, ‘CGS Visit to Iraq: 15-18 May 06’.](#)

<sup>312</sup> [Letter Aldred to Lamb, Cooper & Kavanaugh, 23 May 2006, ‘Basra: The Way Forward’ attaching Paper, \[undated\], ‘Getting Basra Better: A Strategic Agenda for Action’.](#)

**545.** Ms Aldred sent a “strategic agenda for action” to UK military officers and officials working in Basra the following day, seeking advice which:

- “• ... looks innovatively and ambitiously at options to deliver our strategic objectives, including potential resources implications; and
- clearly indicates ... a critical path to success”.

**546.** Mr Blair met President Talabani and, separately, Prime Minister Maliki in Iraq on 22 May.<sup>313</sup> Both men asked Mr Blair whether media reports that the UK was looking to withdraw from Iraq were accurate.

**547.** Mr Blair’s Private Secretary recorded that Prime Minister Maliki had highlighted the contribution that “economic reform and prosperity” could make to tackling terrorism and insecurity.<sup>314</sup> Terrorists were exploiting the lack of basic services to create dissatisfaction. Prime Minister Maliki hoped the international community, including Iraq’s neighbours, would help achieve rapid progress in this area and asked for Mr Blair’s help to mobilise international support. Mr Blair said that he would be happy to do this.

**548.** Mr Blair proposed, and Prime Minister Maliki agreed, that one element to mobilising international support would be to show results in one or two key areas, such as security and electricity supplies in Baghdad. Prime Minister Maliki said that he was working with MNF-I and ISF to develop a Baghdad security plan, which would allow an increase in electricity supply.

**549.** A joint statement issued by the two Prime Ministers at a press conference after their meeting stated that they had “discussed the situation in Basra and agreed to work closely on ensuring greater security and stability there”. A high level Iraqi delegation would visit Basra soon.

**550.** The day after Mr Blair left Iraq, Sir Nigel Sheinwald wrote to Mr Straw’s Principal Private Secretary to set out Mr Blair’s view of priorities for Iraq.<sup>315</sup> The key elements were:

- “• Drawing up a **timetable with conditions** setting out the potential path to MNF withdrawal ...
- To ensure improved **ISF build-up ...**
- Backing the **Baghdad security and electricity** plans. As the PM [Mr Blair] set out to Maliki, the new Iraqi Government will need to show early progress on these priority issues ...

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<sup>313</sup> Letter Banner to Siddiq, 22 May 2006, ‘Iraq: Prime Minister’s Meeting with Talabani’; Letter Banner to Siddiq, 22 May 2006, ‘Iraq: Prime Minister’s Meeting with Nouri al-Maliki’.

<sup>314</sup> Letter Banner to Siddiq, 22 May 2006, ‘Iraq: Prime Minister’s Meeting with Nouri al-Maliki’ attaching Paper, [undated], ‘Joint Statement about the Visit of the UK Prime Minister’.

<sup>315</sup> [Letter Sheinwald to Hayes, 23 May 2006, ‘Iraq’](#).

- Turning around the situation in **Basra**, following the Prime Minister's private conversation with Maliki. This will require
  - a political understanding with parties representing the spectrum of political opinion there;
  - a package of UK and international reconstruction assistance;
  - a larger role and presence for the Iraqi forces, working alongside UK forces ...
- Promoting **international support** for the new Government ...
- Ensuring that **Arab countries** respond positively to requests for assistance from the new Iraqi Government ...
- Stepping up our **outreach** activities to both Sunni and Shia militants ... to ensure that they are given opportunity and incentives to participate in the political process ...
- **Capacity building** for Iraqi ministries. We need a paper setting out our and the US's current assistance ... and a plan for addressing the gaps."

**551.** Sir Nigel's letter alerted members of DOP(I) that Mr Blair was likely to want to discuss these issues the next time they met.

**552.** Mr Dinham told the Inquiry that Mr Blair's visit took place at a point when security was deteriorating and "there wasn't an awful lot that was strongly visible" on reconstruction.<sup>316</sup> Work to build the capacity of the Iraqi Government was progressing but was "below the radar" and DFID's infrastructure and essential services projects had taken some time to "get off the ground":

"So I think what he [Mr Blair] wanted was – I think what we all wanted – was to have some visible effect."

**553.** DOP(I) met on 25 May.<sup>317</sup> Mr Blair told the meeting that the UK should focus on:

- the development of the ISF;
- seeing progress in Basra; and
- supporting the Iraqi Government's efforts to restore security and electricity provision in Baghdad.

**554.** Ministers commented that:

- DFID was seconding two officials to Deputy Prime Minister Salih's office, to help with planning and preparation for a donor conference in September.
- The key to further progress on electricity production lay in co-operation between Iraqi ministries and the development of realistic plans, rather than donor funding.

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<sup>316</sup> Public hearing, 17 December 2010, pages 65-66.

<sup>317</sup> Minutes, 25 May 2006, DOP(I) meeting.

- Mr Benn had spoken to Mr Paul Wolfowitz, the President of the World Bank, the previous day and there was now agreement that the World Bank would open a permanent office in Baghdad. Mr Benn had pressed Mr Wolfowitz to provide assistance to the energy sector.

**555.** DOP(I) agreed that the action points set out in Sir Nigel Sheinwald’s letter of 23 May should be pursued.

**556.** A Cabinet Office official chaired a meeting to discuss Mr Etherington’s letter of 17 May on 25 May.<sup>318</sup> The meeting:

- agreed the “**light-touch regional role for the PRT**” proposed by Mr Etherington;
- endorsed the proposal to create a Steering Group “to discuss strategic issues”. The scope of the Steering Group would be informed by “wider work under way on Basra”;
- on running costs, agreed that “in principle, [the] FCO could look to fund security and life support costs ... and that PCRU could fund staff costs”;
- on programme funding, asked departments to provide details of their current and proposed programmes to the PRT; and
- discussed but did not reach a conclusion on to whom the PRT should report in Iraq and in London.

**557.** Prime Minister Maliki and Vice President Tariq Hashemi visited Basra on 31 May.<sup>319</sup> During his visit, Prime Minister Maliki declared a state of emergency in Basra, lasting one month.<sup>320</sup>

**558.** Mr Patey reported on 2 June that the new Iraqi Minister of Electricity, Dr Karim Wahid, had asked for UK assistance in funding two power projects in the South, at a combined cost of US\$60m.<sup>321</sup>

**559.** Mr Blair held a private meeting with Mr Browne on 6 June.<sup>322</sup> He asked Mr Browne to focus on the situation in Basra, and to:

“... make sure that the political and military strategies were aligned and proceeding together. This required micro-management. We had been slow to grip the situation there ...”

**560.** In mid-June, Prime Minister Maliki formally launched the Baghdad Security Plan (see Section 9.5).

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<sup>318</sup> Minute Cabinet Office [junior official] to Aldred, 25 May 2006, ‘Ad Hoc Discussion on PRTs’.

<sup>319</sup> Minute Cooper, 1 June 2006, ‘MND(SE) – southern Iraq Update – 1 June 2006’.

<sup>320</sup> *The Guardian*, 31 May 2006, *State of emergency for Basra*.

<sup>321</sup> eGram 21675/06 Baghdad to FCO London, 2 June 2006, ‘Iraq: Meeting with Minister of Electricity’.

<sup>322</sup> [Minute Sheinwald to Banner, 8 June 2006, ‘Iraq and Afghanistan’](#).

**561.** The Cabinet Office produced an update on work on the “review of policy” requested by Mr Blair following his 22 May visit, “including in response to serious concerns over the situation in Basra”, for the 15 June meeting of DOP(I).<sup>323</sup>

**562.** On electricity, the Cabinet Office paper stated that following positive early meetings with the new Electricity Minister, DFID was focusing on “demand issues and planning” by:

- getting the World Bank and other donors including the EU and Japan engaged. DFID was funding a World Bank adviser on energy sector management, and part-funding the new World Bank Country Office;
- leveraging World Bank loans for power projects in response to specific requests from the Electricity Minister; and
- offering a consultant to the Ministry of Electricity to advise on an electricity plan.

**563.** On international support, US and UK officials were discussing options for a compact between Iraq and the international community.

**564.** The UK’s role in the development of the International Compact is described later in this Section.

**565.** On capacity building, the UK was supporting a number of key Iraqi institutions but that effort was “**dwarfed by a very large ... often overambitious US programme**”. The US had offered to share work it was undertaking to map and improve its capacity-building effort. That would provide a basis for discussions on a complementary approach.

**566.** On Basra, officials had been undertaking a “major review of policy” in MND(SE), in response to concerns (shared by the US) that Basra was not on track to meet the proposed transition timelines. The “work plan for Basra” had been organised around four strands: political framework; security; Rule of Law and governance; and economic development and reconstruction.

**567.** On the economic development and reconstruction strand, departments had been reviewing their programmes to ensure that:

- key short-term requirements were met;
- plans were in place for the Iraqi Government and the wider donor community to tackle Basra’s medium- and long-term requirements; and
- all projects were delivering a visible dividend to Baswaris.

**568.** Funding had been found from existing resources for a number of new initiatives, but departments were still scoping the cost of further short-term measures. An initial estimate was that an additional £85m might be required.

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<sup>323</sup> [Paper Cabinet Office, 13 June 2006, ‘Follow-up to the Prime Minister’s Visit, Including Delivering a Step-Change in Basra’.](#)

**569.** DOP(I) agreed that Mr Browne should take the lead in pulling together a strategy for Basra, with the support of the Cabinet Office and assistance from other departments.<sup>324</sup> Mr Benn would monitor developments on electricity and power supply.

**570.** Prime Minister Maliki announced on 18 June that Muthanna would transfer to Provincial Iraqi Control (PIC) on 13 July.<sup>325</sup>

**571.** Mr Browne visited Iraq from 18 to 22 June.<sup>326</sup> He wrote to Mr Blair while in transit between Baghdad and Basra:

“There is a tension between, on the one hand, our growing conviction that reconstruction and better governance must be delivered alongside improved security, rather than coming a few months down the track, and on the other, the difficulties our FCO and DFID representatives face in getting out on to the ground to do this.”

**572.** The British Embassy Washington reported on 30 June that senior US officials had confirmed that in response to UK lobbying, the Basra PRT was likely to receive more than the US\$15m allocated to other PRTs.<sup>327</sup> The US Embassy Baghdad was considering the exact amount.

**573.** The US provided US\$30m for the Basra PRT in 2007.<sup>328</sup> The amounts allocated to other PRTs for that period varied from US\$80m (for Baghdad) to US\$18m.

**574.** Mr Browne sent Mr Blair an update on Basra on 4 July.<sup>329</sup> Mr Browne advised that he would be asking DOP(I) to agree a number of new projects which would be required to support the “Better Basra Action Plan”, at a total cost of £30.7m for the remainder of the financial year. That was “a relatively small sum given the strategic importance of Basra”. The total comprised:

- £14.3m for additional UK support for the police (see Section 12.1);
- £11.4m for additional UK support for the judiciary, prisons and witness protection (see Section 12.1); and
- £5m for a Rapid Response Fund for the southern Iraq Steering Group, to support good governance and other priority areas.

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<sup>324</sup> Minutes, 15 June 2006, DOP(I) meeting.

<sup>325</sup> Minutes, 6 July 2006, DOP(I) meeting.

<sup>326</sup> Letter Browne to Blair, 22 June 2006, ‘Update on Visit to Iraq’.

<sup>327</sup> eGram 28036/06 Baghdad to FCO London, 30 June 2006, ‘US-Iraq: Basra’.

<sup>328</sup> Email Cabinet Office [junior official] to Hendrie, 18 February 2008, ‘US Economic Surge Information’ attaching Paper, [undated], ‘Snapshot of PRT Engagement in Iraq’.

<sup>329</sup> [Letter Browne to Blair, 4 July 2006, \[untitled\], attaching Paper, \[undated\], ‘Background on Additional Basra Work’.](#)

**575.** Mr Browne also advised that in response to Mr Blair's visit to Iraq in late May:

“... the southern Iraq Steering Group has been set up, chaired by [the] Consul General with participation from across departments and agencies to co-ordinate delivery of a coherent strategy for southern Iraq, focused on Basra. Much of the work on governance, rule of law and infrastructure will now be delivered in a coherent fashion through the new UK-led Provincial Reconstruction Team in Basra, drawing together inputs from the US, Danes and other international partners.”

**576.** The Basra PRT was now fully staffed, but lacked funding for project work and would need funding for running costs from December 2006. US funds had not yet arrived.

**577.** The 6 July meeting of DOP(I) discussed Mr Browne's letter to Mr Blair and agreed his proposals in principle.<sup>330</sup>

**578.** Mrs Beckett and Mr Benn said that their budgets for Iraq were fully committed, but were asked to look again at reprioritising their spending to fund the Better Basra projects.

**579.** Ministers agreed that there was a need for a comprehensive communications plan to highlight UK activity on reconstruction to politicians in Baghdad and Basra. The plan should include other donors' activity, to give a clear picture of the totality of development assistance that the UK presence was bringing to southern Iraq.

**580.** Ministers also recognised the risk to locally engaged staff, who were being targeted. At least three locally engaged members of staff working for the Coalition had been killed. FCO and DFID locally engaged staff were being offered the chance to resign, work at home, or work at a different location.

**581.** Discussions on funding the Better Basra Action Plan continued into August.

**582.** A Treasury official advised Mr Stephen Timms, Chief Secretary to the Treasury, on 15 August that departments had agreed to provide a total of £20.4m from existing resources to fund the Better Basra Action Plan, now costed at £26.5m (due to the later start for some of the work).<sup>331</sup> The FCO had contributed £12.4m (of which £7m was from the GCPP Reserve), the MOD £4m and DFID £4m. Negotiations had been difficult, with the MOD offering “considerable resistance” to the need to find its contribution from the core defence budget.

**583.** Mr Timms wrote to Mr Browne the same day, welcoming the successful conclusion of negotiations and agreeing to provide an additional £4m for the Plan from the central Reserve.<sup>332</sup>

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<sup>330</sup> Minutes, 6 July 2006, DOP(I) meeting.

<sup>331</sup> [Minute Treasury \[junior official\] to Chief Secretary, 15 August 2006, 'Better Basra Plan'](#).

<sup>332</sup> Letter Timms to Browne, 15 August 2006, 'Better Basra'.

**584.** Mr Dinham told the Inquiry that the Better Basra Action Plan was a “proper, agreed, bought-into, cross-Whitehall plan”, which had led to greater unity of purpose across the UK effort.<sup>333</sup> He added that the Plan did not seek to reflect the totality of the UK effort; for example, major DFID projects to increase power supply were starting to come on stream and contributed to achieving the UK’s objectives.

**585.** Mr Etherington told the Inquiry that the Better Basra Action Plan was “a set of aspirations” rather than a plan.<sup>334</sup>

**586.** Mrs Beckett told Cabinet on 13 July that responsibility for security in Muthanna had been handed from British to Iraqi forces earlier that day.<sup>335</sup>

**587.** On 19 July, the JIC judged that violence was at the highest sustained level since April 2003, outpacing the Iraqi Government’s ability to respond.<sup>336</sup> “Spiralling sectarian violence” was the most immediate threat to Iraq’s progress.

**588.** Mr Patey’s valedictory report from Baghdad on 20 July opened with the warning: “Strategic failure in Iraq a distinct possibility but not inevitable.”<sup>337</sup>

**589.** Mr Patey advised that:

“Without progress on security the encouraging start made by DPM [Deputy Prime Minister] Barham Salih and his economic team will be stillborn. The exodus of businessmen and the Iraqi middle class continues due to security concerns. They will take some persuading to return a second time but their entrepreneurial skills will be vital if the country is to thrive.”

**590.** Mr Patey’s valedictory report was passed to Mr Blair on 21 July.<sup>338</sup>

**591.** The ISG reflected on reporting from Baghdad, and its implications for the existing strategy, on 27 July.<sup>339</sup> The ISG agreed that although success or failure in Baghdad would be critical to overall campaign success in Iraq and was therefore the coalition’s highest priority, the “best way for the UK to contribute to the wider military campaign was to continue to focus our limited resources on MND(SE), in particular, on Basra”.

**592.** At the meeting, Mr Dinham argued that the UK should focus its future support on central government and in particular on budgetary management and critical economic reforms. Iraq was now enjoying increased revenue as a result of higher oil prices and slowly rising exports; the challenge was to ensure those revenues were redirected from wasteful and damaging subsidies to investment in public services. The security situation

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<sup>333</sup> Public hearing, 17 December 2009, page 67.

<sup>334</sup> Public hearing, 9 July 2010, page 26.

<sup>335</sup> Cabinet Minutes, 13 July 2006.

<sup>336</sup> [JIC Assessment, 19 July 2006, ‘Iraq: Insurgency, Sectarianism and Violence’.](#)

<sup>337</sup> [eGram 31514/06 Baghdad to FCO London, 20 July 2006, ‘Iraq: Valedictory’.](#)

<sup>338</sup> Minute Banner to Prime Minister, 21 July 2006, ‘Iraq: Update and Maliki Meeting’.

<sup>339</sup> Minute Cabinet Office [junior official] to Sheinwald, 27 July 2006, ‘Iraq Strategy Group, 27 July.’

meant that undertaking major new infrastructure projects had become impossible. The ISG agreed that this was:

“... an entirely sound approach, but noted the large gap between what we planned to offer and Iraqi expectations. This would need careful management.”

**593.** Dr Rosalind Marsden, the newly arrived Consul General in Basra, reported on 24 August that her first impression of the Basra political scene was of “stasis”.<sup>340</sup> The Provincial Government had yet to show itself capable of responding to Basra’s major security and economic challenges. Local leaders were comfortable blaming each other and the coalition for the lack of progress, while pursuing their “criminal interests”. The Better Basra Plan had “most of the ingredients” to break the log-jam, but the UK’s influence was diminishing.

**594.** Section 9.5 describes the development in August and September of Operation SALAMANCA, the operation to implement the military elements of the Iraqi Government’s Basra Security Plan.

**595.** Major General Richard Shirreff, who took over as GOC MND(SE) in mid-July,<sup>341</sup> told the Inquiry that Op SALAMANCA comprised three major elements:

“... what we did was select different areas of the city, and ... surging with concentration of force, secure the area, put teams into the police stations to go through the police stations with a fine-toothed comb, to establish the state of police stations ...

“We surged police training teams in, Royal Military Police and contract policemen from elsewhere. At the same time we conducted a number of pre-planned reconstruction and other projects, everything from levelling football pitches to playgrounds, to refurbishing schools.”<sup>342</sup>

**596.** Mr Martin Howard, MOD Director General Operational Policy, told the 25 August ISOG meeting that Mr Browne would want to be reassured that “arrangements for delivering civilian activities” were in place and robust before approving Op SALAMANCA.<sup>343</sup>

**597.** The British Embassy Office Basra issued a detailed brief on Op SALAMANCA (which it described as “the security pillar of Better Basra”) by eGram on 12 September.<sup>344</sup> The brief identified the importance of exploiting the conditions created by Op SALAMANCA. Short-term projects under Op SALAMANCA should be linked to longer-term initiatives. Funding (primarily Iraqi funding) was available, “most of the right

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<sup>340</sup> eGram 36964/06 Basra to FCO London, 24 August 2006, ‘Iraq: Basra: Political Overview’.

<sup>341</sup> Report Cooper, 13 July 2006, ‘GOC MND(SE) – southern Iraq Update – 13 July 2006’.

<sup>342</sup> Public hearing, 11 January 2010, pages 19-20.

<sup>343</sup> Minute Blake to Banner, 25 August 2006, ‘Iraq Senior Officials Group’.

<sup>344</sup> eGram 42792/06, Basra to FCO London, 12 September 2006, ‘Iraq: Basra: Operation Salamanca/Date Palm’.

people” were in place (the PRT had “marshalled an impressive array of UK and partners’ talent”), and teams in Basra were working together “more closely than ever” through the southern Iraq Steering Group.

**598.** The transition to PIC in Dhi Qar province took place on 21 September.<sup>345</sup>

**599.** Maj Gen Shirreff reported on 28 September that Operation SINBAD (the new name for Op SALAMANCA) had at last begun, after a “tortuous” round of final negotiations with Iraqi politicians.<sup>346</sup>

**600.** On 5 October, at the request of the FCO, the JIC assessed the performance of the Iraqi Government, its level of popular support and its prospects over the year ahead.<sup>347</sup> The JIC judged that after five months in office:

“... the faction-based Iraqi Government is proving ineffective ... Co-ordination between and within Government ministries is poor. None of this looks likely to improve in the near future. Meanwhile, sectarian and insurgent violence is at a record high, and fuel, water and electricity shortages persist across much of the country.”

**601.** The 12 October meeting of DOP(I) received a paper by officials on the medium-term prospects for Iraq.<sup>348</sup>

**602.** A DFID official advised Mr Benn in advance of the meeting that the paper had been “inspired by” Mr Patey’s valedictory telegram (which had assessed that strategic failure in Iraq was a distinct possibility but not inevitable), and was set in the context of increasing insecurity.<sup>349</sup>

**603.** The official advised Mr Benn that discussions around the paper provided a good opportunity for DFID to reassure departments – especially the MOD – that it was “shouldering our share of the burden” in Iraq. DFID’s two current projects in the South, the IISP and the Governorate Capacity Building Project, were due to finish in March 2007, when DFID would aim to close its office in Basra. Deteriorating security meant no new projects could be designed or implemented. There was “little/no expectation” from the MOD or FCO that DFID would continue to invest in infrastructure, given the flow of US CERPs money and anticipated investments by Japan, the World Bank and the Iraqi Government itself. The official concluded:

“We have largely won the argument that DFID should shift focus from physical investments in Basra to technical assistance in Baghdad to maximise our impact, and the [medium-term] paper reflects this in its recommendations.”

<sup>345</sup> Report Shirreff, 21 September 2006, ‘GOC MND(SE) – southern Iraq Update – 21 September 2006’.

<sup>346</sup> Report Shirreff, 28 September 2006, ‘GOC MND(SE) – southern Iraq Update – 28 September 2006’.

<sup>347</sup> [JIC Assessment, 5 October 2006, ‘Al-Maliki’s Government: Interim Progress Report’](#).

<sup>348</sup> [Paper, 10 October 2006, ‘Iraq: Medium Term Prospects and Implications’](#).

<sup>349</sup> Minute DFID [junior official] to Private Secretary [DFID], 6 October 2006, ‘Iraq: Future for DFID Programme from 2007’.

**604.** The medium-term prospects paper assessed that Iraq had reached a critical juncture, with violence at its highest ever level, reconciliation making little headway and public services still in a parlous state.<sup>350</sup> The UK's existing goal for Iraq was:

“A democratic, stable, united and law-abiding Iraq ... providing effective, representative and inclusive government for all its people.”

That was now likely to be the “best case outcome”, and unlikely to be achievable in full. The best achievable outcome was likely to be:

“... an Iraq which can govern and sustain itself nationally and provincially, and where sectarian and other violence is contained short of the point where it would overwhelm Iraq's institutions and precipitate chaos and/or civil war.”

Achieving that outcome lay primarily in the hands of the Iraqi Government. The UK's ability to influence its decisions would continue to decline. The coalition's current strategy of direct support combined with building Iraqi capacity remained the only credible way to exert influence.

**605.** The paper argued that Iraq's economic success depended more on the policies and actions of the Iraqi Government than on the backing of the international community. High oil prices had bolstered Iraq's finances, but the Iraqi Government needed assistance in managing the economy, bringing about structural reforms, and unblocking domestic investment to improve public services. The implications for the UK were:

- The UK's effort in Basra should be channelled as far as possible through the PRT, which might need to continue work into 2008 in line with the planned UK military effort.
- DFID's programme should increasingly be directed at enabling the Iraqi Government to tackle key challenges at the centre, including reconciliation, economic management and critical capacity deficits.

**606.** The DOP(I) meeting touched only very briefly on the paper, as Mr Browne indicated he would like more time to discuss and agree it formally at a later date.<sup>351</sup>

**607.** DOP(I) discussed the medium-term prospects paper at their next meeting, on 20 October.<sup>352</sup> Mr Blair was not present, so Mr Browne chaired the meeting.

**608.** Mr Browne began by saying that the existing goal would be difficult to achieve, but Ministers had to be certain that there was not more the UK could do before accepting anything less.

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<sup>350</sup> [Paper DOP\(I\), 10 October 2006, 'Iraq: Medium Term Prospects and Implications'](#).

<sup>351</sup> Minutes, 12 October 2006, DOP(I) meeting.

<sup>352</sup> Minutes (revised), 20 October 2006, DOP(I) meeting.

**609.** Mr Browne also said that DFID’s aspiration to move its focus to Baghdad was well understood, but the UK had a significant stake in the South and needed a clearer understanding of the impact of such a move on activity there.

**610.** In discussion, a member of DOP(I) said that most DFID projects in the South were likely to be completed by spring 2007 and that no new projects could be started under current security circumstances. The UK’s medium-term legacy depended on getting economic management and reconciliation going and Baghdad functioning, which meant building capacity in central ministries.

**611.** DOP(I) agreed that the UK should keep the existing policy goal, but recognise that the best outcome achievable might fall short of it.

**612.** It also agreed that a progressive reduction of UK forces to 4,500 in 2007, in concert with US and other allies, was possible, with more ambitious reductions being considered at the end of November.

**613.** The medium-term prospects paper was discussed again at the 26 October meeting of DOP, alongside an update from Mr Browne on security developments in Iraq.<sup>353</sup>

**614.** ACM Stirrup advised that Op SINBAD “could not be going better, although there had been an increase in the number of indirect fire attacks on the Basra Palace Compound”. The main concern of Basrawis was whether the success of the operation could be sustained, which “would require engagement and funds from the Government in Baghdad”.

**615.** DOP agreed the analysis and recommendations contained in the medium-term prospects paper.

**616.** Section 15.1 describes the increasing threat posed by rocket and mortar fire to Basra Palace Compound (BPC), and the discussions within the UK Government on how to respond.

**617.** At the 27 October meeting of the ISG, Mr Simon McDonald, FCO Director Iraq, reported that the security situation in Basra had deteriorated to the point where Mrs Beckett had decided it was necessary to withdraw the majority of civilian staff from the BPC to Basra Air Station (BAS) or out of theatre.<sup>354</sup>

**618.** The BPC housed the British Embassy Office Basra, the DFID Basra Office, elements of the police and prisons teams, and the PRT.<sup>355</sup> MND(SE) was already located at BAS.

**619.** The lack of hardened accommodation suitable for civilian staff at BAS meant that not all staff could be relocated immediately.

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<sup>353</sup> Minutes, 26 October 2006, DOP meeting.

<sup>354</sup> Minute Cabinet Office [junior official] to Sheinwald, 30 October 2006, ‘Iraq Strategy Group, 27 October’.

<sup>355</sup> [Paper Iraq Policy Unit, 25 October 2006, ‘Iraq: Basra Palace Site’.](#)

**620.** The PRT withdrew to Kuwait and redeployed to BAS in mid-December, when sufficient hardened accommodation had been constructed.<sup>356</sup>

**621.** Mr Blair was advised by his Private Secretary later that day that “this move is likely to be seen as a victory by those attacking us”.<sup>357</sup> Dr Marsden and four FCO civilian staff would remain in the BPC, while other staff would relocate elsewhere (the majority to the BAS).

**622.** The US Office of the Special Inspector General for Iraq Reconstruction (SIGIR) published its audit of PRT capability on 29 October.<sup>358</sup> The audit, which had been conducted over the summer, concluded that while the creation of 10 PRTs and eight satellite offices was a “noteworthy achievement”, many obstacles to effective operation remained. Those included insecurity, delays in providing funding, the difficulty of recruiting and retaining qualified civilian personnel, and the difficulty of integrating civilian and military personnel.

**623.** On the Basra PRT, SIGIR assessed that the unstable security situation meant that PRT members had not been able to interact personally with their Iraqi counterparts, significantly limiting the PRT’s ability to achieve its mission. It questioned “whether the continued deployment of PRT personnel to ... Basra ... makes operational sense at this time”.

**624.** The Inquiry has seen no indications that the UK Government discussed the SIGIR audit.

**625.** The 2 November weekly update from GOC(MND)SE, which was sent by Maj Gen Shirreff’s Chief of Staff, reported that the withdrawal of civilian personnel had come as a surprise to MND(SE).<sup>359</sup> It was expected to have an adverse impact, including by disrupting long-term reconstruction because of the “haste with which the PRT has been evacuated”.

**626.** On 7 November, the British Embassy Baghdad and the British Embassy Office Basra responded to an IPU request for accounts of what life was like for ordinary Iraqi citizens. Their replies warned that they could offer only an impressionistic view due to the constraints under which they operated.

**627.** The Embassy reported that:

“Our protected circumstances constrain our ability to interact with ordinary Iraqis or even visit Baghdad. Our impressions can only be gleaned through the press, or piecemeal, anecdotally and at second or third hand.”<sup>360</sup>

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<sup>356</sup> [Report PCRU/DFID, 19 December 2006, ‘Refocusing Civilian Efforts in Basra in the Run Up to PIC’.](#)

<sup>357</sup> Minute Banner to Blair, 27 October 2006, ‘Iraq Update, 27 October’.

<sup>358</sup> Office of the Special Inspector General for Iraq Reconstruction, 29 October 2006, *Status of the Provincial Reconstruction Team Program in Iraq*.

<sup>359</sup> Report Everard, 2 November 2006, ‘GOC MND(SE) – southern Iraq Update – 2 November 2006’.

<sup>360</sup> Letter Gibson to IPU [junior official], 7 November 2006, ‘Life in Baghdad for Ordinary Iraqis’.

**628.** The British Embassy Office Basra offered a similar view:

“We cannot go into ordinary Iraqi homes, shops and schools or move freely around the city (or even our own compound). Nearly all our local staff have left because of death threats and intimidation.”<sup>361</sup>

**629.** The accounts were passed to Mr Blair on 10 November.<sup>362</sup>

**630.** DOP(I) considered the impact of the withdrawal of civilian personnel on 16 November.<sup>363</sup> Mrs Beckett and Sir Suma Chakrabarti reported that the impact of the withdrawal of civilian personnel from the BPC on the Better Basra Action Plan and on DFID’s programmes had been “marginal”.

**631.** Mrs Beckett summed up that officials should develop some clear and agreed forward planning on the future of the civilian and military presence in Basra.

**632.** A December 2006 joint DFID/PCRUC report assessed that the impact of the PRT’s withdrawal from the BPC to Kuwait on its work was “significant but not catastrophic”.<sup>364</sup> Little of its work required face-to-face contact with Iraqi citizens.

**633.** The relocation of the PRT from Kuwait to BAS was under way, and the benefits of co-location with MND(SE) were already apparent. The PRT’s access to military partners went some way to overcoming problems caused by the lack of a common secure communication system between civilians and the military. Informal contacts were also helping to build mutual understanding of objectives and aims.

**634.** A number of witnesses told the Inquiry that the move to BAS led to much greater contact between UK civilian personnel and Iraqi citizens. Mr Robert Tinline, Deputy Consul General in Basra, described BAS as a “neutral venue”:

“Because we were next to the airport, which was Iraqi obviously, but close enough to our security ... that meant they [our Iraqi interlocutors] didn’t have to come and see us and we didn’t have to go and see them. So it was actually very good.”<sup>365</sup>

**635.** Section 9.5 describes the wider implications of the withdrawal of civilian personnel, including for US/UK relations.

**636.** Mr Gordon Brown, the Chancellor of the Exchequer, visited Basra on 18 November.<sup>366</sup> During that visit, Maj Gen Shirreff expressed his concern that long-term economic and development work was being prioritised above short-term interventions that would yield more immediate results. He proposed that the UK should establish a

<sup>361</sup> [Letter Marsden to IPU \[junior official\], 7 November 2006, ‘Iraq: Basra; Life for Ordinary Iraqis’.](#)

<sup>362</sup> Minute Banner to Prime Minister, 10 November 2006, ‘Iraq Update: 10 November’.

<sup>363</sup> Minutes, 16 November 2006, DOP(I) meeting.

<sup>364</sup> [Report PCRUC/DFID, 19 December 2006, ‘Refocusing Civilian Efforts in Basra in the Run Up to PIC’.](#)

<sup>365</sup> Public hearing, 24 June 2010, pages 10-11.

<sup>366</sup> Minute Treasury [junior official] to Chancellor, 13 December 2003, ‘Basra Visit: Responding to Major General Shirreff’s Concerns’.

joint (civilian and military) taskforce, under a single (unspecified) command, to plan such short-term interventions.

**637.** Section 9.5 describes the development in October and November of the UK's Forward Plan, at Mr Blair's request.

**638.** Mr McDonald sent a draft Plan to Mr Blair's Private Secretary on 24 November.<sup>367</sup> Copies of the draft were sent to Mrs Beckett, Mr Browne and SIS, but not Mr Benn.

**639.** The draft Plan recognised that:

"The wider context ... is the growing reality of Iraqi sovereignty. The Iraqi Government and political class have their own priorities, which are not the same as ours. Maliki's highest priority now is accelerating the pace of security transition."

**640.** The draft Plan included proposed actions under three headings:

- Political accommodation;
- Governance and economic development; and
- Security.

**641.** On governance and economic development, the draft Plan identified the "core problems" as a lack of political will and leadership and weak capacity across the Iraqi Government to drive forward a reform agenda and spend its budget. The immediate objective was to impress upon Prime Minister Maliki and his senior Ministers and advisers that economic management and reform required sustained attention and visible leadership, as a strategic and security issue. Prime Minister Maliki also needed to ensure that provincial governments were properly resourced and held to account, as part of the process of forging a political settlement.

**642.** Immediate actions that Prime Minister Maliki might take included:

- striking a deal on oil revenue sharing and starting to restructure the oil sector so it behaved more like a business;
- striking a deal on fiscal federalism, and getting Iraqi resources flowing to the provinces to improve services; and
- by early 2007, adopting the International Compact as a key part of the Iraqi Government's reform agenda.

**643.** The UK would also press Prime Minister Maliki to:

- establish and chair an "economic Task Force" to give strategic direction on economic management and reform and hold Ministers and provincial governments to account;

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<sup>367</sup> [Minute McDonald to Banner, 24 November 2006, 'Iraq Forward Plan' attaching Paper \[draft\], \[undated\], 'Iraq: Forward Plan'](#).

- appoint effective technocrats to replace the “most egregiously partisan” and underperforming ministers;
- take personal responsibility for Iraq’s engagement with the International Compact;
- secure agreement on a Hydrocarbons Law;
- push for a full and effective multilateral presence in Iraq;
- start reforming key ministries; and
- get Iraqi resources to the provinces to improve local services and create jobs.

**644.** The draft Plan stated that that was an ambitious and complex agenda. Progress on reform had so far been limited and the UK needed to be realistic about chances of “widespread success” in the next six months, although traction was improving in some areas as the quality of Ministers and political leadership improved.

**645.** Responding to Mr McDonald, Mr Blair’s Private Secretary reported that he had described the Forward Plan as “an excellent piece of work”.<sup>368</sup> The Private Secretary asked for the Plan to be finalised and implemented.

**646.** No.10 sent the White House a copy of the Forward Plan on 25 November, stressing that it remained “work in progress”.<sup>369</sup>

**647.** Maj Gen Shirreff’s weekly report of 30 November offered an assessment of progress on Op SINBAD (two months into the Operation).<sup>370</sup> He reported that a great deal had been achieved:

- Over US\$50m had been committed to more than 150 short- and medium-term projects, creating over 12,000 jobs. The projects had been selected with the relevant Iraqi authorities; that approach had won public and political consent at the local, regional and national level.
- There had been an improvement in the general security situation and in the confidence and capability of the ISF. Further action was needed to reduce indirect fire and tackle corruption in the Iraq Police Service.

**648.** On reconstruction, Maj Gen Shirreff commented:

“... the area that will underwrite the success of Op SINBAD is reconstruction and economic development. I have previously mentioned the need to fill the gap between the immediate impact projects of Op SINBAD and whatever longer-term activity is undertaken by the PRT as well as the requirement to co-ordinate the efforts of the MOD, FCO and DFID in southern Iraq better, hence recent efforts to breathe life back into the comprehensive approach before it is completely moribund.”

<sup>368</sup> [Letter Banner to McDonald, 27 November 2006, ‘Iraq: Forward Plan’.](#)

<sup>369</sup> Letter Sheinwald to Hadley, 25 November 2006, [untitled], attaching [Note Blair, 27 November 2006, ‘Iraq Forward Plan’ and Paper, \[undated\], ‘Iraq: Forward Plan’.](#)

<sup>370</sup> Report Shirreff, 30 November 2006, ‘GOC(MND)SE – southern Iraq Update – 30 November 2006’.

**649.** Maj Gen Shirreff reported that he had agreed with Dr Marsden and the Head of the DFID Office in Basra that to address that gap, the PRT needed to be directed to work more closely with MND(SE), and that it needed clearer direction from London to ensure it focused on delivering short-term projects rather than on long-term projects to build Iraqi capacity. Those steps might “obviate the need for a JIATF [Joint Inter-Agency Task Force] under command MND(SE)”.

**650.** The report was sent to No.10 on 1 December and passed to Mr Blair the same day.<sup>371</sup>

**651.** Lt Gen Shirreff told the Inquiry that the US had agreed to provide “significant amounts” of US funding for the reconstruction component of the operation, of which he spent US\$80m.<sup>372</sup>

**652.** Lt Gen Shirreff also told the Inquiry that while MND(SE) worked with the PRT as much as it could, the PRT was in “some state of disarray” at that time.<sup>373</sup> He had “pretty close links” with Dr Marsden and the British Embassy Office Basra, including through a forward headquarters in Basra Palace, but effective co-ordination was difficult as long as MND(SE) and the British Embassy Office Basra were not co-located.

**653.** Lt Gen Shirreff concluded that the “inter-governmental piece” had failed by the time of Op SINBAD.

**654.** In response to the concerns that Maj Gen Shirreff had raised with Mr Brown on 18 November, the Treasury convened a meeting with DFID, FCO and MOD officials on 7 December to consider whether the UK should prioritise short-term economic interventions in Basra.<sup>374</sup>

**655.** A Treasury official advised Mr Brown on 13 December that the meeting had concluded that:

- Money was not a “binding constraint” in the South. The “potential pool” comprised US\$176m from the Iraqi Government, US\$260m from the US and US\$550m in soft loans from the Japanese. Money was available for short-term interventions: only £1.1m of the £5m Rapid Reaction Fund (part of DFID’s SIESP) had so far been spent.
- The inability to generate good project ideas was a constraint.
- Bringing the southern Iraq Steering Group under a single command would be possible and could be effective but might prove contentious.

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<sup>371</sup> Letter McNeil to Banner, 1 December 2006, ‘Iraq: Update’ attaching Report Shirreff, 30 November 2006, ‘GOC(MND)SE – southern Iraq Update – 30 November 2006’; Minute Banner to Prime Minister, 1 December 2006, ‘Iraq Update: 1 December’.

<sup>372</sup> Public hearing, 11 January 2010, page 16.

<sup>373</sup> Public hearing, 11 January 2010, pages 20-21.

<sup>374</sup> Minute Treasury [junior official] to Chancellor, 13 December 2006, ‘Basra Visit: Responding to Major General Shirreff’s Concerns’.

- PCRU officials were visiting Iraq to explore how civil/military co-ordination could be improved.

**656.** The official commented:

“... it is important to be realistic about what can be achieved and in what timeframe. The Armed Forces can interpret ‘short-term’ to be 48 hours but for DFID it means 6 months.”

**657.** The Inquiry has seen no indications that Mr Brown or Treasury officials replied to Maj Gen Shirreff.

**658.** Maj Gen Shirreff raised his concerns with Mr Blair at the end of December.

### UK plans for 2007, and the US surge

**659.** Section 9.5 describes President Bush’s decision in late November to deploy additional US troops to Iraq to conduct a full-scale counter-insurgency campaign in Baghdad, the UK’s response to that decision, and US concerns over UK plans to draw down troops in the South.

**660.** In preparation for the 7 December meeting of DOP(I), officials prepared a paper on military plans for southern Iraq in 2007 and a paper on the UK’s objectives and presence in Basra.

**661.** The MOD paper on military plans for southern Iraq reported that Op SINBAD could create the conditions to achieve PIC in Basra as early as March 2007.<sup>375</sup> The intention was to “re-posture” UK troops from bases in Basra City to BAS at the end of Op SINBAD. From there, UK forces would perform a “Military Assistance Mission”. That would lead to a reduction in troop numbers from 7,100 to 4,500 in May 2007, and possible further reductions later in the year.

**662.** The Basra paper, which was produced by the FCO, considered the implications of that re-posturing and of the continuing security threat to civilian operations.<sup>376</sup> The FCO paper recommended aiming for PIC in Basra at some point between March and June 2007. The civilian effort would be led from BAS as there was no prospect of being able to return to the BPC. Although this meant a limit on the number of civilian staff and tougher conditions, there would be “significant advantages in co-location with the military – making possible a more cohesive approach”.

**663.** The FCO recommended that the main objectives of the civilian effort during 2007 should be to:

- help deliver PIC in Basra;

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<sup>375</sup> Paper MOD, 5 December 2006, ‘UK Military Plans for southern Iraq in 2007’.

<sup>376</sup> Paper FCO, 1 December 2006, ‘Basra: Objectives and Presence in 2007’.

- continue political engagement, SSR, and capacity-building in the provincial government; and
- ensure that Baghdad delivered the resources that Basra needed.

**664.** At the DOP(I) meeting, Mr Benn advised that the UK's major development projects were now reaching completion.<sup>377</sup> The arrival of a gas pumping plant in the next few days would significantly increase gas supply and leave a positive legacy. Although the water towers projects had been delayed by security risks, DFID planned to move its focus to capacity-building. The main challenge now would be ensuring the Provincial Council received the necessary funds from Baghdad.

**665.** Mr Benn also said "a silent crisis" was unfolding in Iraq, as Iraqi citizens fled from sectarian violence. That was putting increasing pressure on Iraqi services. DFID had provided £1.4m to the International Committee of the Red Cross (ICRC).

**666.** DOP(I) agreed the overall intent of the MOD and FCO papers.

**667.** Mr Blair wrote to President Bush on 20 December.<sup>378</sup> He emphasised the importance of support for Prime Minister Maliki, through increasing the speed at which the Iraqi Army was developing, supporting the reconciliation and outreach work, and helping to create a more effective system for the disbursement of money within Iraq.

**668.** On 5 January 2007, President Bush briefed Mr Blair ahead of his speech on Iraq the following week.<sup>379</sup> During the call he described a significant increase in US and Iraqi troops, and a number of personnel changes.

**669.** Mr Blair said that it was vital to break the back of the violence in Baghdad. He urged President Bush to focus on reconciliation and reconstruction as well as security, suggesting that it might be helpful to designate individuals who would be accountable for leading work on those areas.

**670.** Mr Blair's Private Secretary wrote to Mrs Beckett's Private Secretary on 8 January:

"We are entering an important new phase in the Coalition effort in Iraq, as – following the US review and in the light of our plans in Basra – we and the US attempt to help the Iraqi Government entrench genuine change and progress in the areas of security, reconstruction and reconciliation. The Prime Minister judges that our present level of effort should be stepped up in response. He would like to see a qualitative change in our ability to monitor progress in these key areas, to identify blockages to progress, and to take rapid action to fix these."<sup>380</sup>

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<sup>377</sup> Minutes, 7 December 2006, DOP(I) meeting.

<sup>378</sup> [Note \[Blair to Bush\], \[20 December 2006\], 'Note'](#).

<sup>379</sup> Letter Phillipson to Hayes, 5 January 2007, 'Prime Minister's Phonecall with President Bush, 5 January: Iraq'.

<sup>380</sup> Letter Banner to Siddiq, 8 January 2007, 'Iraq'.

**671.** The letter asked for detailed reports and weekly updates on key areas, including:

- a detailed report on reconstruction; and
- a weekly report on political development, security and economic activity in Basra.

**672.** Mr Blair and President Bush spoke again on 9 January.<sup>381</sup> Mr Blair said that he had asked for changes in the way that the UK system monitored and chased up progress in Iraq. Information, for example on reconstruction, was incomplete. The US and UK needed to be sure that everything that could be done on reconstruction was being done. Mr Blair said that he wanted someone on the UK side “such as a senior military figure” to travel around Iraq and report on what was actually happening, for example in Najaf. The US and UK needed to improve delivery of assistance in calmer areas, to demonstrate that peace brought dividends.

**673.** An 11 January JIC Assessment judged that:

- There continued to be real economic growth in Iraq, but the Iraqi Government had shown little commitment to economic reform and large-scale job creation was highly unlikely in the next two years.
- The Iraqi Government was not short of funds (the JIC estimated that the Government had accumulated some US\$12bn since 2003 as a result of unspent budget allocations), but public investment was hampered by weak central Government ministries and a lack of competent staff at all levels of Government.
- The security situation remained the main obstacle to private sector development and foreign investment.<sup>382</sup>

**674.** President Bush announced the new US strategy in an address to the nation on 10 January:

“The situation in Iraq is unacceptable to the American people – and it is unacceptable to me ...

“It is clear that we need to change our strategy in Iraq.”<sup>383</sup>

**675.** President Bush said that a successful strategy needed to combine robust military operations with visible improvements in Iraqi neighbourhoods and communities. As well as providing 20,000 additional US troops and increasing efforts to build the capacity of the ISF, the US would also increase its efforts to build the capacity of the Iraqi Government, including by doubling the number of PRTs and giving US military commanders and PRT leaders greater flexibility in how they used resources for economic assistance.

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<sup>381</sup> Letter Banner to Hayes, 9 January 2007, ‘Prime Minister’s Phonecall with President Bush, 9 January: Middle East Issues’.

<sup>382</sup> [JIC Assessment, 11 January 2007, ‘Iraq: Economic Prospects’](#).

<sup>383</sup> The White House Archive, 10 January 2007, *President’s Address to the Nation*.

**676.** The result of the new strategy set out by President Bush is often referred to in contemporary documents as the new Baghdad Security Plan.

**677.** The British Embassy Baghdad reported on 11 January that the new Iraqi-led Baghdad Security Plan was under way.<sup>384</sup> In contrast to previous plans, there was greater emphasis on reconstruction, with a focus on job creation. Five “mini-PRTs” had been embedded with troops in Baghdad to assist with reconstruction operations. The US also planned to inject funds into Iraqi State-owned enterprises to generate rapid job creation (the Bradley Initiative).

**678.** The British Embassy Baghdad reported on 26 March that the US had spent US\$1.6bn on 1,678 reconstruction projects as part of the new Baghdad Security Plan.<sup>385</sup>

### **Major General Shirreff’s proposal for a military-led UK effort in the South**

**679.** In parallel with discussions on the new US strategy, the UK Government considered and rejected Maj Gen Shirreff’s proposal for a military-led Joint Inter-Agency Task Force in the South.

**680.** Maj Gen Shirreff wrote to Mr Blair on 29 December to offer, in response to Mr Blair’s request during his recent visit to Iraq, “some thoughts on how a Joint Inter-Agency Task Force would deliver concentrated British effect in SE Iraq and improve the prospects of achieving strategic success”.<sup>386</sup>

**681.** Surveys indicated that Op SINBAD was having a positive effect, but it could do no more than:

“... create a window of opportunity that must be filled by mass economic effect, a Rooseveltian New Deal for Basra. Only thus will the militia be defeated. This requires the mass injection of Iraqi Government funds ...”

**682.** Maj Gen Shirreff proposed that to achieve that:

- the Iraqi Government should establish a reconstruction committee for Basra with authority and capability to spend central Government money; and
- the coalition should establish an organisation capable of providing the right advice and planning capability.

**683.** The current arrangement lacked unity of command and purpose. HQ MND(SE) had the planning muscle, the energy, the staying power and the unity of command to execute an overarching plan (such as Op SINBAD), but it lacked expertise on reconstruction. The

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<sup>384</sup> eGram 1160/07 Baghdad to FCO London, 11 January 2007, ‘Iraq: Reinvigorated Baghdad Security Plan’.

<sup>385</sup> eGram 12261/07 Baghdad to FCO London, 26 March 2007, ‘Iraq: Update on the ‘Economic Surge’.

<sup>386</sup> [Letter Shirreff to Blair, 29 December 2006, \[untitled\]](#).

PRT, currently below strength and operating out of a hotel in Kuwait, preferred to focus on long-term capacity-building. Co-location in the new year, when the PRT moved to the BAS, would help but would not solve the underlying problems.

**684.** Maj Gen Shirreff recommended that the UK should establish a Joint Inter-Agency Task Force (JIATF) with coalition partners, combining military and reconstruction expertise under single military command.

**685.** Lt Gen Shirreff told the Inquiry that his proposal for a JIATF under military command was a response to the fragmented UK effort at the time:

“... this was sort of desperate times and desperate measures. I’m not sure I would necessarily propose the same solution today ... But at the time, it seemed to be the only way ...”<sup>387</sup>

**686.** The ISG discussed Maj Gen Shirreff’s letter on 5 January 2007.<sup>388</sup> Vice Admiral Charles Style, Deputy Chief of Defence Staff (Commitments), said the letter did not reflect the “MOD corporate view”, but that he had some sympathy for the need for better co-ordination and command: the southern Iraq Steering Group had met only five times since May 2006, which was not good enough. Co-location at the BAS should solve much of the problem, and the organisation needed to be tauter and more focused, but not necessarily military-led.

**687.** Sir Nigel Sheinwald told the ISF that Iraq was “entering a new phase, which required a coherent structure under a single point of contact” and asked for the ISOG to work on new structures.

**688.** Sir Nigel reported to Mr Blair after the meeting that Maj Gen Shirreff’s views:

“... represent his frustration, shared by the MOD, that the civilian reconstruction effort is uneven. We all agree that we need to make sure that we have an effectively led Basra operation for the next year (at least).”<sup>389</sup>

**689.** Sir Nigel advised that co-location of HQ MND(SE), the PRT and the British Embassy Office Basra at BAS from late February would help co-ordination enormously. He had asked the departments concerned, led by PCRU, to advise on the right structure for the British effort. The balance of opinion was that “it should be civilian-led, with strong military input and follow-up”.

**690.** Sir Nigel added that both DFID and the FCO were:

“... very fed up with Shirreff’s disparaging comments about the civilian effort ... But the fact is that there have been constant problems between the military

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<sup>387</sup> Public hearing, 11 January 2010, page 42.

<sup>388</sup> Minute Cabinet Office [junior official] to Sheinwald, 5 January 2007, ‘Iraq Strategy Group, 5 January’.

<sup>389</sup> [Minute Sheinwald to Prime Minister, 5 January 2007, ‘Iraq: Weekly Update’ attaching Paper Cabinet Office, 5 January 2007, ‘Basra’.](#)

and civilian people in Basra from the start. We must make a last effort to get a joined-up operation.”

**691.** Mr Blair wrote on Sir Nigel’s minute: “Put Shirreff in charge. The Army gets things done.”<sup>390</sup>

**692.** A No.10 official wrote to Mrs Beckett’s Private Secretary on 8 January, advising that Mr Blair retained an open mind on how to improve civilian/military co-operation in Basra.<sup>391</sup> He looked forward to receiving advice from officials, and was “if necessary ... content that this should be delivered via a task force under military leadership”.

**693.** At DOP(I) on 11 January, Ministers commented that “unbalanced reporting from the military in theatre, disparaging the civilian effort” was “extremely unhelpful”.<sup>392</sup> It was not the right time to create a new UK military-led structure when the UK was trying to put the Iraqi Government in the lead.

**694.** Mr Dinham, who attended the DOP(I) meeting, reported to DFID colleagues that Mr Benn had spoken strongly against Maj Gen Shirreff’s proposal, arguing that the UK should let existing, Iraqi-led organisations find their feet, accept that the Iraq Government might not be that interested in our continued advice and help, and recognise that the time for further UK bilateral pushes on reconstruction was coming to an end.<sup>393</sup> Mr Dinham added that ACM Stirrup had “agreed absolutely with everything that Hilary [Benn] had said”.

**695.** After receiving a further update from Basra on 12 January, Mr Blair wrote: “I still need more info on Basra and have we established the Joint Working yet, led by the military?”<sup>394</sup>

**696.** The meeting of the ISOG on the same day discussed the problems with civilian/military co-ordination.<sup>395</sup> The ISOG agreed that there were a number of contributing factors, “including personalities, departmental differences in duty of care, and too infrequent meetings of the southern Iraq Steering Group”. There was a need to revise structures, to balance the military effort with the civilian, to balance long- and short-term efforts, and that “a military lead was not the right way to go at this time”. Dr Marsden and Maj Gen Shirreff, supported by PCRU, were preparing recommendations on a revised structure.

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<sup>390</sup> [Manuscript comment Blair on Minute Sheinwald to Prime Minister, 5 January 2007, ‘Iraq: Weekly Update’.](#)

<sup>391</sup> Letter Banner to Siddiq, 8 January 2007, ‘Iraq’.

<sup>392</sup> Minutes, 11 January 2007, DOP(I) meeting.

<sup>393</sup> Email Dinham to DFID [junior official], 11 January 2007, ‘Restricted: DOP(I)’.

<sup>394</sup> Manuscript comment Blair on Minute Banner to Blair, 12 January 2007, ‘Iraq Update, 12 December’[sic].

<sup>395</sup> Minute Cabinet Office [junior official] to Sheinwald, 12 January 2007, ‘Iraq Senior Officials Group’.

**697.** On 16 January, Mr Blair raised the issue of civilian/military structures in Basra during a meeting with ACM Stirrup and senior officials from the FCO, SIS, the MOD, DFID and the Cabinet Office.<sup>396</sup>

**698.** ACM Stirrup said he did not agree with Maj Gen Shirreff's proposals. It was too late to establish a JIATF; the UK's focus should be on building Iraqi capacity to deliver assistance. The military should not lead that work. Mr Dinham agreed. The No.10 record of the meeting did not report Mr Blair's view.

**699.** Mr Dinham reported separately to DFID colleagues only that Mr Blair had nodded, "seeming to accept" the argument against a move to a military-led reconstruction effort.<sup>397</sup>

**700.** Maj Gen Shirreff told the Inquiry:

"... it was pretty clear to me that ... looking over the period as a whole of my time in command – we had a strategy that involved extraction rather than necessarily achieving mission success. It was, in a sense, an exit strategy rather than a winning strategy. A winning strategy was going to require significant additional resources."<sup>398</sup>

**701.** Major General Jonathan Shaw succeeded Maj Gen Shirreff as GOC MND(SE) in January.

**702.** At the 25 January meeting of the ISG, Sir Nigel Sheinwald asked the FCO and Dr Marsden for a note on the new civilian/military structure in Basra for Mr Blair.<sup>399</sup> That note was issued on 2 March.

## Preparing for Provincial Iraqi Control in Basra

**703.** Sections 9.4 and 9.5 describe the sharp rise in sectarian violence after the bombing of the al-Askira mosque in Samarra in February 2006, and the consequent displacement of Iraqi citizens along sectarian lines. The Government's response to that displacement is addressed later in this Section.

**704.** Section 9.5 describes the discussions between UK and US senior military officers and officials on UK plans for the drawdown of UK troops from MND(SE), and continuing US concerns that UK plans were premature given the security situation in MND(SE).

**705.** Mr Etherington completed his tour as Head of the Basra PRT in January 2007.<sup>400</sup> Two PCRU officials provided short-term cover as Head of the PRT between January and April 2007.

<sup>396</sup> [Letter Banner to Siddiq, '16 January 2007', 'Iraq: meeting with officials'](#).

<sup>397</sup> Email Dinham to DFID [junior official], 16 January 2007, 'Iraq'.

<sup>398</sup> Public hearing, 11 January 2010, page 7.

<sup>399</sup> Minute Cabinet Office [junior official] to Sheinwald, 26 January 2007, 'Iraq Strategy Group, 25 January'.

<sup>400</sup> [Minute DFID \[junior official\] to Private Secretary \[DFID\], 13 March 2007, 'Iraq: Future of DFID's Presence and Programme in Basra'](#).

**706.** At DOP(I) on 11 January 2007, Ministers commented that Internally Displaced People (IDPs) were “principally an Iraqi Government responsibility – it should address the violence and push forward reconciliation, and had the resources to address the needs of the displaced”.<sup>401</sup>

**707.** Mr Benn wrote to Mr Blair on 24 January to provide an update on the situation:

“Displacement is causing a de facto geographical separation along sectarian lines, as different ethnic groups move to areas in which they will be the majority.

“There is clearly a strong political dynamic to the situation and it is essential that we address both the cause and the symptoms ... We should press the Iraqi Government to address displacement issues as part of reconciliation, and to do more itself to provide basic services to meet humanitarian needs. The picture is unpalatable for the Iraqi Government ... and indeed for the coalition (hence the largely silent nature of the humanitarian crisis so far) ...

“It is clear that while not letting the Iraqi Government off the hook, we must also continue to respond to humanitarian needs in Iraq ... ”<sup>402</sup>

**708.** The first set of reports requested by Mr Blair’s Private Secretary on 8 January was passed to Mr Blair on 19 January.<sup>403</sup> It included a report from Dr Marsden on developments in Basra.<sup>404</sup>

**709.** On the economy, Dr Marsden reported that the PRT “continues to focus on building the capacity of the Provincial Council to identify priority investment, secure funding and spend it in a transparent way”.

**710.** DFID produced its first fortnightly update on reconstruction for Mr Blair on 25 January.<sup>405</sup> The paper, which he welcomed,<sup>406</sup> highlighted the need to persuade Prime Minister Maliki to see reconstruction as a strategic issue:

“As the sectarian conflict in Iraq deepens, the coalition’s ability to buy consent through quick impact reconstruction projects is waning. Alongside security, Prime Minister Maliki’s Government must start providing basic services to help it win back legitimacy from the militias and other armed groups ...

“There are some signs that the Government is at last starting to grasp this agenda. It has set up an economic committee ... and a basic services committee ... These committees, with US support, aim to co-ordinate civil-military action to build local

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<sup>401</sup> Minutes, 11 January 2007, DOP(I) meeting.

<sup>402</sup> [Letter Benn to Blair, 24 January 2007, \[untitled\]](#).

<sup>403</sup> Minute Banner to Prime Minister, 19 January 2007, ‘Iraq Update, 18 January’.

<sup>404</sup> Letter Marsden to Aldred, 18 January 2007, ‘Basra: Weekly Report’.

<sup>405</sup> Paper DFID, 25 January 2007, ‘Iraq: Reconstruction Update’.

<sup>406</sup> Paper DFID, 25 January 2007, ‘Iraq: Reconstruction Update’; Letter Banner to Siddiq, 29 January 2007, ‘Iraq’.

support by delivering a reconstruction ‘peace dividend’. As yet, it is too early to judge how successful this approach is likely to be.”

**711.** DFID also reported that its aim in the run up to PIC in Basra was to help the Provincial Council demonstrate that it was in charge and delivering services. The first step was to secure Baghdad’s approval for Basra’s provincial strategy and associated budget. The second was to get Baghdad to release the funds. The third was to help the Council to communicate and deliver services. The US had adopted a similar focus.

**712.** DFID’s second fortnightly update on 8 February expanded on the problems that the Iraqi Government had in spending its money.<sup>407</sup> With oil prices topping US\$60 per barrel, the Iraqi Government was “cash rich”, but in the nine months to October 2006, it had spent just 14 percent of the US\$8.2bn allocated to public investment. The Ministry of Oil had spent only one percent of the US\$3.5bn allocated to it. DFID attributed the underspend to:

- poor security;
- poor planning by line ministries (and failure at the centre to demand plans); and
- paralysis resulting from distrust between the Ministry of Finance (responsible for disbursing and accounting for funds) and the Ministry of Planning (responsible for reviewing plans and agreeing allocations).

**713.** The Iraqi Government was considering setting up a National Council for Reconstruction and Development, chaired by the Prime Minister, to accelerate disbursement. The US was setting up a “Budget Execution Cell” in the Deputy Prime Minister’s Office, which might increase disbursement in the short term but was unlikely to be sustainable or to lead to significant improvements in services. DFID commented: “In reality, there are few quick fixes to improving services in Iraq.”

**714.** DFID also reported that the World Bank would open an office in Baghdad the following week. It would have three full-time staff, “supported by DFID and protected under the [UK] security umbrella”. As the coalition scaled back during 2007, the Bank was likely to become the Iraqi Government’s “partner of choice”.

**715.** On the Iraqi Government’s failure to disburse, Mr Blair commented, “we must get this sorted out”; on Iraqi and US action to increase disbursement, he asked, “can’t we provide the competence?”<sup>408</sup>

**716.** Dr Marsden reported on 9 February that the centre of a “revamped” Better Basra Action Plan would be a political plan for getting Basra to PIC and beyond. That political plan would be supported by the other lines of operation (“military, police, reconstruction etc”).<sup>409</sup>

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<sup>407</sup> [Paper DFID, 8 February 2007, ‘Iraq: Reconstruction Update’.](#)

<sup>408</sup> [Manuscript comment Blair on Paper DFID, 8 February 2007, ‘Iraq: Reconstruction Update’.](#)

<sup>409</sup> Letter Marsden to Aldred, 9 February 2007, ‘Basra: Weekly Report’.

**717.** Dr Marsden commented that it was important to acknowledge that the UK did not have a sufficiently clear picture of Basrawi politics and their connection to Baghdadi politics to be confident that any plan was credible.

**718.** The MOD sent No.10 a report on the effects of Op SINBAD on 16 February, as background material for Mr Blair's statement to the House of Commons the following week.<sup>410</sup> It concluded that "quick impact projects, short-term employment, and the demolition of the Jameat police building" had improved consent levels and provided an opportunity to make progress towards PIC.

**719.** MND(SE) had spent US\$77m on quick impact projects during Op SINBAD, generating 25,000 short-term jobs. Those economic results had not been decisive; many of the economic problems in southern Iraq stemmed from a lack of national and Provincial Government capacity to prioritise and spend resources:

"The Provincial Council need to start leading and delivering projects for decisive and sustained economic effect to be felt."

**720.** Mr Blair told the House of Commons on 21 February that the UK hoped that Maysan could be transferred to full Iraqi control "in the next few months", and Basra in the second half of 2007.<sup>411</sup> The transfer of security responsibility would result in a reduction in the level of UK forces from 7,100 to roughly 5,500. With the exception of those troops which would remain at Basra Palace, UK forces would be based at the BAS and be in a support role.

**721.** At the end of February, at Mr McDonald's request, Dr Marsden produced a second report on life for ordinary Iraqis in Basra.<sup>412</sup>

**722.** Drawing on over 100 interviews carried out in and around Basra by a member of the PRT, poll data and other sources, she reported that life was "still grim". Violence and lawlessness were Basrawis' overwhelming concern. Women were increasingly afraid to leave the house, fearing kidnap, harassment or sexual violence. Many had been forced to give up their jobs. The police were not trusted, with many interviewees telling stories of intimidation, kidnapping and death squads.

**723.** Support for the national Government and Prime Minister Maliki was high, support for the Provincial Government low. Local politicians were seen as corrupt, unqualified and linked to militias. No interviewee was able to give an example of something that the Provincial Government had done to improve the lives of ordinary people. After security, unemployment was the most commonly cited concern: polling indicated that some 30 percent of Basrawis were employed. Few interviewees saw any improvements in basic services: what work had been done was of poor quality. Most Basrawis had

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<sup>410</sup> [Letter Beadle to Banner, 16 February 2007, 'The Effects of Op SINBAD 20 September 2006 to 14 January 2007'](#).

<sup>411</sup> House of Commons, *Official Report*, 21 February 2007, columns 261-280.

<sup>412</sup> [Letter Marsden to McDonald, 28 February 2007, 'Basra: everyday life for ordinary Iraqis'](#).

electricity for between seven and 12 hours a day. Mains water was not suitable for drinking; families that could afford it bought bottled water. Hospitals were dirty and poorly staffed and equipped. Experienced doctors had left the country or been killed. Medicine was expensive and in short supply. School standards were low.

**724.** More positively, Dr Marsden reported that people still rejoiced in their greater political freedom. Civil society was growing. The better off could enjoy new consumer goods and the freedom to travel outside Iraq. There were signs of growth in the local economy and public sector salaries had steadily increased.

**725.** Dr Marsden sent Ms Aldred the third iteration of the Better Basra Action Plan (BBP3) on 2 March.<sup>413</sup> In her covering letter, Dr Marsden advised that:

“For the first time we have got a fully integrated plan that has been drafted jointly by the Consulate [British Embassy Office Basra], the PRT and MND(SE).”

**726.** Dr Marsden also advised that BBP3 had also been discussed in detail with the Head of the US Embassy Regional Office in Basra, who was content with it (though he did not intend to clear it formally with Washington).

**727.** BBP3 stated that it was “a comprehensive strategy for bringing Basra to the point where it can transition to Provincial Iraqi Control (PIC)”. It sought to ensure that all nine “lines of operation” (political, security, rule of law, the judiciary, prisons, governance, infrastructure, economic development and strategic communications) were integrated under a single, overarching political strategy. BBP3 set out for each line of operation, key benchmarks for March and June 2007, a detailed work plan, and an estimate of the cost of implementing proposed new projects (which totalled some £21m in 2007/08). Delivery of BBP3 would be “driven by” the southern Iraq Steering Group (SISG).

**728.** The political and security lines of operation are described in Section 9.5 and the rule of law, judiciary and prisons lines of operation in Section 12.1.

**729.** On governance, BBP3 stated that the UK’s focus would continue to be to help the Provincial Council to plan for, access and spend resources in a prioritised, transparent and accountable way, and to develop an effective working relationship with Baghdad to ensure that Basra got its share of the national budget.

**730.** On infrastructure, the UK’s objective was to support the Provincial Council to deliver better services using Iraqi resources, while continuing to use CERPs funding, where appropriate, for “last mile service provision”.

**731.** On economic development, the UK’s priorities were to boost job creation, lay the foundations for more entrepreneurial activity and cross-border trade, support the agricultural sector, and build the Provincial Government’s capacity to support economic

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<sup>413</sup> [Letter Marsden to Aldred, 2 March 2007, ‘Better Basra’ attaching Paper Basra Consulate/PRT/MND\(SE\), 1 March 2007, ‘Better Basra Mark 3: The 2007 plan’.](#)

development. Activities included the establishment of a Basra Provincial Development Agency and Development Fund.

**732.** BBP3 stated that:

“We have to be realistic about what we can achieve. With the time and resources available, we cannot address all Basra’s problems nor every falling in its public administration and security forces. ‘Better Basra’ seeks to address those identified as most critical to making progress against established transition readiness indicators.”

**733.** Mr Rob Tinline, Deputy Consul General in Basra from February 2007 to February 2008 and one of the authors of BBP3, told the Inquiry:

“... one of the great debates was: is it [BBP3] a British plan or is it a coalition plan? And obviously with GOC MND(SE) saying, ‘Well, if it’s going to be mine, it’s going to have to be a multi-national plan’, the Consul General saying, ‘Well, hang on, we can’t clear this through the State Department, it will take forever’, what do you do? I think I’m right in saying 90, 95 percent of the money that was spent in Basra was American money. So if we wrote a British plan with five per cent of the money, well ...

“So how you wrote a plan was actually a ridiculously complicated thing, and we ended up ... with a sort of compromise where we’d shown it to the Americans and they sort of said, ‘Yes, this is more or less right’, but it was a British plan ... We would never have got a multi-national plan for the South through the American system.”<sup>414</sup>

**734.** A September 2008 review of the Basra PRT undertaken by the Stabilisation Unit, the successor to the PCRU, offered a view on the Better Basra planning process at this time:

“There is no [UK Government] wide strategy for Iraq ... Although the Better Basra Plans did go some way towards addressing this absence in 2006 and 2007, these evolved in an incremental bottom-up way, hampered by a lack of strategic guidance from Whitehall, and frequent change-over of personnel in theatre, and so eventually fell by the wayside during the course of 2007.”<sup>415</sup>

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<sup>414</sup> Public hearing, 24 June 2010, page 27.

<sup>415</sup> [Report Stabilisation Unit, 3 September 2008, ‘Review of the Basra Provincial Reconstruction Team’.](#)

**735.** Also on 2 March, Dr Marsden and Maj Gen Shaw wrote to Ms Aldred, in response to Sir Nigel Sheinwald’s 25 January request for a note on civilian/military structures in Basra.<sup>416</sup> They advised that:

“The profile of the security concerns in southern Iraq should not obscure the fundamentally political nature of the end state we are pursuing. Military action must be supportive of the political and civilian lines of operation.”

**736.** Consistent with that assessment, the SISG, chaired by Dr Marsden, would oversee delivery of the strategic objectives identified in BBP3. The SISG would take strategic direction from and report to the ISG and the ISOG in London.

**737.** Maj Gen Shaw told the Inquiry:

“... I had inherited a situation where the military commander and the Consul General had joint ownership of the southern Iraq Steering Group.

“Well, I’ve always adhered to the principle that ... if you can’t identify who is in charge, you are in trouble, and joint ownership strikes me as a recipe for disaster because you don’t know who is in charge.

“I said to the Consul General [Dr Marsden], ‘Listen, this is a political problem, not a military one now. We’re supporting you in achieving a political end state for Iraq. So you are in charge, I’m in support. What do you want me to do?’ ...”<sup>417</sup>

**738.** Dr Howells briefed Ministers on the finalisation of BBP3 and the process for implementing it at the 8 March meeting of DOP(I).<sup>418</sup> BBP3 would be circulated out of committee the following day for Ministers “to note”.

**739.** The 8 March meeting of DOP(I) also considered the deteriorating humanitarian situation in Iraq.<sup>419</sup> The Government’s response to the humanitarian situation is addressed later in this Section.

**740.** A DFID official advised Mr Benn on 13 March that Mr Tinline (the Deputy Consul General) would “double-hat” as the PRT Team Leader from 1 April.<sup>420</sup> That should ensure better co-ordination between civilian and military elements. PCRU officials had covered the post since Mr Etherington’s departure in January.

**741.** Mr Tinline told the Inquiry that, during his time in Iraq, the British Embassy Office Basra had an (international and local) staff of 100 and the PRT a staff of 30.<sup>421</sup>

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<sup>416</sup> [Letter Marsden and Shaw to Aldred, 2 March 2007, ‘The Comprehensive Approach: Application in southern Iraq’.](#)

<sup>417</sup> Private hearing, 21 June 2010, pages 20-21.

<sup>418</sup> Minutes, 8 March 2007, DOP(I) meeting.

<sup>419</sup> Minutes, 8 March 2007, DOP(I) meeting.

<sup>420</sup> [Minute DFID \[junior official\] to Private Secretary \[DFID\], 13 March 2007, ‘Iraq: Future of DFID’s Presence and Programme in Basra’.](#)

<sup>421</sup> Public hearing, 24 June 2010, page 106.

**742.** Mr Benn was also advised that the final component of DFID's IISP, the Basra water towers, should be completed in October; that would conclude DFID's direct infrastructure work.

**743.** Maysan transferred to PIC on 18 April. Maysan was the third province within MND(SE) to transfer, Muthanna and Dhi Qar having done so in July and September 2006 respectively. This left Basra as the only province for which the UK retained security responsibility.

**744.** Section 9.5 describes the UK's focus in early 2007 on encouraging the Iraqi Government to do more to promote reconciliation in Iraq, against a background of continuing sectarian violence. The UK saw a Hydrocarbons Law as one element of an effective reconciliation process.

**745.** Mr Richard Jones, Dr Marsden's successor as the British Consul General in Basra, reported on 19 April that "out of the blue", a demonstration against Governor Waili "throws open the political future of Basra".<sup>422</sup> Mr Jones assessed that the demonstration had been motivated in large part by "a straight power struggle" in Basra drawing on concerns over corruption, and in part by national politics.

**746.** Mr Robert Tinline, Acting Consul General in Basra, reported on 26 April that the ongoing power struggle in Basra, centred on Governor Waili, was diverting energy from other activity.<sup>423</sup> Several key meetings on development had been postponed. If the uncertainty dragged on, the UK would begin to lose momentum on key strands of work.

**747.** Mr Browne briefed Cabinet on 3 May that the political vacuum in Basra threatened to undermine UK efforts and the gains made by Op SINBAD.<sup>424</sup> Governor Waili was assailed on all sides and was ineffective. Militias were vying for political power.

**748.** On the same day, members of the international community gathered in Sharm el-Sheikh, Egypt, to launch the International Compact with Iraq.<sup>425</sup> It was formally launched by Prime Minister Maliki and UN Secretary-General Ban Ki-moon. The UN described the Compact as:

"... a five-year national plan that includes benchmarks and mutual commitments from both Iraq and the international community, all with the aim of helping Iraq on the path towards peace, sound governance and economic reconstruction."

**749.** At the launch, Mrs Beckett announced that the UK would spend at least an additional £100m on rebuilding Iraq.<sup>426</sup>

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<sup>422</sup> Letter Jones to Aldred, 19 April 2007, 'Basra: Weekly Report'.

<sup>423</sup> Letter Tinline to Aldred, 26 April 2007, 'Basra: Weekly Report'.

<sup>424</sup> Cabinet Conclusions, 3 May 2007.

<sup>425</sup> United Nations, 27 April 2007, *Fact Sheet on the International Compact with Iraq*.

<sup>426</sup> *BBC News*, 3 May 2007, *UK pledges extra £100m for Iraq*.

**750.** A DFID official advised Mr Benn that that commitment, added to the £544m pledged at the Madrid Donors Conference in October 2003 and the £100m announced by Mr Brown in November 2006 (when it had been thought the launch of the Compact was imminent), brought the UK's total "Iraq reconstruction pledge" to £744m.<sup>427</sup> £660m of that had already been spent and £730m was forecast to be spent by the end of 2008. The pledge therefore required only very modest expenditure on Iraq between the end of 2008 and 2012 (the end of the Compact period).

### **The International Compact with Iraq, May 2007**

The International Compact with Iraq was formally launched by Prime Minister Maliki and UN Secretary-General Ban Ki-moon on 3 May 2007.<sup>428</sup>

Preparatory work on the Compact began in early 2006. The UK hoped that the Compact would draw in international support (with the UN and World Bank at the centre) to help Iraq deliver its National Development Strategy.<sup>429</sup> Delivery of residual Madrid Donor Conference pledges and non-Paris Club debt relief would complement the Compact.

The UK progressively lowered its expectations. Mr McDonald reported to ISOG on 3 November 2006 that there was a "clash of objectives", with Iraq asking for funding and the international community requesting "evidence of progress".<sup>430</sup> ISOG agreed the UK should focus its effort on the period after the launch, to ensure "robust implementation".

Later that month, a DFID official advised Mr Benn that the Compact was likely to have "very little developmental value".<sup>431</sup> It did not reflect Iraq's slide into sectarian conflict, and Iraqi ownership of and commitment to reform was limited.

Deputy Prime Minister Barham Salih discussed the launch of the Compact with Sir Nigel Sheinwald on 12 April 2007.<sup>432</sup> Mr Salih requested the "UK's leadership" in urging Europe to commit resources to Iraq over the next four to five years. Sir Nigel agreed. Mr Salih also asked the UK to lobby European partners to agree to write off 100 percent of Iraqi debt.

Mr Blair was advised the following day that departments were considering what more the UK and other European countries could do, but that encouraging investment in the current security climate and in the absence of progress on the reconciliation agenda would be difficult.<sup>433</sup>

**751.** Mr Blair announced on 10 May that he was standing down as Leader of the Labour Party and would be resigning as Prime Minister on 27 June.<sup>434</sup>

<sup>427</sup> [Minute Winterton to Private Secretary \[DFID\], 27 April 2007, 'Iraq: Compact launch and UK statement'](#).

<sup>428</sup> United Nations, 27 April 2007, *Fact Sheet on the International Compact with Iraq*.

<sup>429</sup> Minute Asquith to Private Secretary [FCO], 24 May 2006, 'Iraq: DOP-I: 24 May'.

<sup>430</sup> Minute Cabinet Office [junior official] to Sheinwald, 6 November 2006, 'Iraq Senior Officials Group'.

<sup>431</sup> Minute DFID [junior official] to Private Secretary [DFID], 13 November 2006, 'Iraq: briefing' attaching Paper DFID, November 2006, 'Iraq: International Compact'.

<sup>432</sup> Letter No.10 [junior official] to Hickey, 12 April 2007, 'Iraq: Nigel Sheinwald's conversation with Barham Saleh, 12 April'.

<sup>433</sup> Minute No.10 [junior official] to Prime Minister, 13 April 2007, 'Iraq Update, 13 April'.

<sup>434</sup> *BBC News*, 10 May 2007, *Blair will stand down on 27 June*.

**752.** Mr Jones reported on 23 May that he understood that the Iraqi Minister of Finance had instructed the Iraqi Central Bank to freeze all development funds in its Basra accounts until the conflict between Governor Waili and the Provincial Council had been resolved.<sup>435</sup> He had done so because Governor Waili had written to the Central Bank requesting that those funds be transferred from both his own and the Provincial Government's accounts to another, unspecified, bank account. The Provincial Council had protested. Mr Jones commented that the UK had been working for months to persuade Baghdad to provide the finance that Basra deserved for development work. The freeze was another incentive to resolve the political impasse as soon as possible.

**753.** Mr Jones also reported that:

“All of our contacts speak of deterioration in the security situation ... The electricity supply has also deteriorated ... The lack of power has stopped the electric water pumps from working. Potable water is scarce and 70 percent of the city is without a mains supply (worst affected are poorer areas such as the Shia flats).”

**754.** In his evidence to the Inquiry, Mr Jones characterised the poor relations between Prime Minister Maliki and Governor Waili, and between Governor Waili and the Provincial Council, as a challenge to UK engagement in Basra but not a constraint.<sup>436</sup>

**755.** On 12 May, Mr Brown's Principal Private Secretary commissioned advice for Mr Brown on how the UK might increase support for economic development and reconstruction in Iraq and, in particular, Basra.<sup>437</sup>

**756.** A Treasury official provided that advice on 24 May.<sup>438</sup> Economic growth and job creation had a vital part to play in building sustainable peace and stability and reconciling Iraq's divided communities. The three priorities which would do most to boost economic growth were:

- building on existing macroeconomic stability;
- improving the efficiency and effectiveness of the public sector; and
- expanding and improving the efficiency of the oil industry. That required a Hydrocarbons Law, improved security and an integrated energy strategy covering investment and reform.

**757.** The UK could also consider shorter-term initiatives (although those would become harder to implement after the drawdown of UK forces), including:

- further initiatives on the lines of Op SINBAD; and
- initiatives which aimed to revitalise Iraqi industry.

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<sup>435</sup> [Letter Jones to Aldred, 23 May 2007, 'Basra: Weekly Report'](#).

<sup>436</sup> Public hearing, 24 June 2010, page 81.

<sup>437</sup> Email Treasury [junior official] to Treasury [junior official], 12 May 2007, 'Iraq – latest situation/economic development'.

<sup>438</sup> [Paper Treasury, 24 May 2007, 'Economic Aspects of Stability in Iraq'](#).

**758.** The official also advised that there was a limit to the number of jobs that could be created in the short to medium term and that “whilst more jobs may help to divert some energies away from conflict, it will only be a small contributory factor to reducing the violence, whose root causes are multifaceted”.

**759.** Mr Brown and Mr Browne made a joint visit to Baghdad on 11 June and met a number of key individuals, including Prime Minister Maliki.<sup>439</sup> Mr Brown told Prime Minister Maliki that:

“... the UK was keen to support the Prime Minister on changes to the Constitution, new laws and reforms and economic infrastructure and support.”

### Responding to the displacement crisis

**760.** Sections 9.4 and 9.5 describe the sharp rise in sectarian violence after the bombing of the al-Askari mosque in Samarra in February 2006.

**761.** The International Organization for Migration (IOM) reported that the violence caused hundreds of thousands of families to flee their homes; displacement peaked in June 2006 when over 16,000 families fled their homes.<sup>440</sup>

**762.** A No.10 official sent Mr Blair a UN High Commissioner for Refugees (UNHCR) update on the situation on 1 December 2006.<sup>441</sup> UNHCR advised that approximately 425,000 Iraqi citizens had been internally displaced since the Samarra bombing. In total, there were at least 1.6m Iraqi citizens displaced within Iraq and between 1.6m and 1.8m Iraqi refugees in the region; there were also 50,000 refugees from other countries in Iraq. The needs of Internally Displaced People (IDPs), returnees, refugees and their host communities were “dramatic and to a large extent unmet”.

**763.** On 11 January 2007, the British Embassy Baghdad reported that UNHCR had launched an appeal for US\$60m to meet the humanitarian needs of Iraqi refugees and IDPs in 2007.<sup>442</sup> UNHCR estimated that, of the 1.7m IDPs in Iraq, one million had been displaced before 2003 and up to 490,000 since the Samarra bombing. Obtaining accurate figures was difficult as many IDPs were living with extended family or not registering with the Government. UNHCR expected that it would be difficult to raise funds from donors, given Iraq’s budget surplus.

**764.** At the 11 January meeting of DOP(I), Ministers commented that IDPs were “principally an Iraqi Government responsibility – it should address the violence and push forward reconciliation, and had the resources to address the needs of the displaced”.<sup>443</sup>

<sup>439</sup> Letter Bowler to Banner, 13 June 2007, ‘The Chancellor and Defence Secretary’s Visit to Baghdad’.

<sup>440</sup> International Organization for Migration, [undated], *Iraq Displacement 2007 Year in Review*.

<sup>441</sup> Minute Banner to Prime Minister, 1 December 2006, ‘Iraq Update, 1 December’ attaching Paper, [undated], ‘UNHCR Update on the Iraq Situation’.

<sup>442</sup> eGram 1267/07 Baghdad to FCO London, 11 January 2007, ‘Iraq: Update on the Situation with Internally Displaced People’.

<sup>443</sup> Minutes, 11 January 2007, DOP(I) meeting.

**765.** Mr Dinham, who attended the DOP(I) meeting, reported to DFID colleagues that Mr Benn had said that he would be urging the UN to use unspent donor funds to meet the UNHCR appeal.<sup>444</sup> Mr Browne had favoured pressing the Iraqi Government to contribute to the UNHCR appeal; this was a problem for which the Iraqi Government was responsible and there was no shortage of Iraqi money.

**766.** The 11 January report from the British Embassy Baghdad was passed to Mr Blair on 12 January.<sup>445</sup> A No.10 official commented on the report: “We are encouraging the Gol [Iraqi Government] to get its act together, given that these are its citizens.”

**767.** Mr Benn wrote to Mr Blair on 24 January, providing an update on the humanitarian situation in Iraq:

“Displacement is causing a de facto geographical separation along sectarian lines, as different ethnic groups move to areas in which they will be the majority.

“There is clearly a strong political dynamic to the situation and it is essential that we address both the cause and the symptoms ... We should press the Iraqi Government to address displacement issues as part of reconciliation, and to do more itself to provide basic services to meet humanitarian needs. The picture is unpalatable for the Iraqi government ... and indeed for the coalition (hence the largely silent nature of the humanitarian crisis so far) ...

“It is clear that while not letting the Iraqi Government off the hook, we must also continue to respond to humanitarian needs in Iraq ...”<sup>446</sup>

**768.** Mr Benn advised that he had therefore decided to contribute £4m to the International Committee of the Red Cross (ICRC).

**769.** On 23 February, a No.10 official advised Mr Blair that there had been little improvement in the humanitarian situation, and that the Iraqi Government remained “largely silent” on the issue.<sup>447</sup> The Iraqi Ministry of Displacement and Migration was trying to help but it had little capacity to respond; its budget was “woefully inadequate”. Meanwhile, the international community was stepping up its response. DFID continued to look at ways of unlocking unspent donor funding.

**770.** The 8 March meeting of DOP(I) returned to the issue of the humanitarian situation in Iraq.<sup>448</sup>

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<sup>444</sup> Email Dinham to DFID [junior official], 11 January 2007, ‘DOP(I)’.

<sup>445</sup> Minute Banner to Blair, 12 January 2007, ‘Iraq Update, 12 December [sic]’.

<sup>446</sup> [Letter Benn to Blair, 24 January 2007, \[untitled\]](#).

<sup>447</sup> Minute Fletcher to Prime Minister, 23 February 2007, ‘Iraq Update, 23 February’ attaching Paper DFID, 22 February 2007, ‘Iraq: Reconstruction Update’.

<sup>448</sup> Minutes, 8 March 2007, DOP(I) meeting.

**771.** In a briefing paper for the meeting, DFID reported that the number of people displaced since the Samarra bombing had risen to 650,000.<sup>449</sup> UNHCR estimated that the total number of IDPs in Iraq could rise to 2.3m by the end of 2007. The number of Iraqi refugees in the region had risen from 1.8m to over 2m.

**772.** The trend was of “increasing polarisation” along sectarian and geographical lines, which would have a considerable impact on the political landscape and made a national response more complex. In contrast to previous displacements, the moves were permanent.

**773.** In Iraq, security had compromised delivery mechanisms, and weak Iraqi public services had not been able to keep up with demand. The Iraqi Government had failed to recognise that this was a strategic issue with long-term political consequences. There was an increasing risk that militias were being seen by Iraqi communities as guarantors of local security. The UK’s objective remained to build Iraqi capacity to provide security and basic services; however:

“It will take years for Iraq to undertake the necessary reforms and develop the systems for effective service delivery. There is therefore a humanitarian imperative for the international community to assist in the short term.”

**774.** DFID stated that it would contribute a further £5m to humanitarian relief operations in Iraq and the region (bringing DFID’s total contribution to the crisis for 2007 to £9m).

**775.** Other major contributions were:

- Japan had pledged US\$104m;
- the EC had pledged €20m; and
- the US had pledged US\$23m.

**776.** Introducing the DFID paper at the DOP(I) meeting, Mr Benn said that Prime Minister Maliki remained more focused on security and his own political concerns, but the UK continued to push the Iraqi Government to allocate adequate resources to the problem.<sup>450</sup>

**777.** The DOP(I) meeting concluded that the UK should lobby the Iraqi Government, UN, ICRC and the IOM to step up their actions to address the crisis.

**778.** DFID made further contributions to the international humanitarian response later in March and in November, bringing the UK’s total contribution for 2007 to £15m.<sup>451</sup>

**779.** On 18 April, a No.10 official advised Mr Blair that the UN assessed that the refugee and IDP situation was becoming more acute.<sup>452</sup> The Iraqi Government had pledged

<sup>449</sup> Paper DFID, 7 March 2007, ‘The Humanitarian Situation in Iraq’.

<sup>450</sup> Minutes, 8 March 2007, DOP(I) meeting.

<sup>451</sup> Paper DFID, 4 November 2009, ‘Iraq – DFID Timeline and Financial Commitments: 2003 – 2009’.

<sup>452</sup> Minute Phillipson to Prime Minister, 18 April 2007, ‘VTC with President Bush – 1800 18 April’.

US\$25m to the UN, but that amount was “fairly minimal, given the resources required, and that it has primary responsibility for the well-being of Iraq’s citizens”.

**780.** The IOM’s review of displacement in Iraq in 2007 reported that displacement had slowed over the course of the year, due to improved security in some areas and the “sectarian homogenization” of previously mixed neighbourhoods: “in other words, there were fewer and fewer people to force out”.<sup>453</sup> Conditions continued to deteriorate for the 2.4m IDPs in Iraq.

**781.** On 12 March 2008, a DFID official advised Mr Douglas Alexander, who had succeeded Mr Benn as International Development Secretary, that the UN estimated that there were now 2.2m IDPs in Iraq.<sup>454</sup> The Iraqi Government had recently announced a US\$40m contribution to the UN’s US\$265m Consolidated Appeal (which had been launched in February), but was doing little to support vulnerable people inside Iraq.

**782.** DFID contributed a further £29m to the international humanitarian response in 2008.<sup>455</sup>

**783.** A study by The Brookings Institution-University of Bern Project on Internal Displacement, published in December 2008, suggested that smaller minority groups in Iraq comprised a disproportionately large percentage of displaced people, due to the harassment they had experienced after 2003.<sup>456</sup> The study offered a comparison of the estimated numbers of minority groups in Iraq in 2003 and 2008:

Table 1: Displacement of minority groups within Iraq

Group	2003	2008
Christians	1.0 to 1.4m	600,000 to 800,000
Jews	A few hundred	10 to 15
Mandaeans	30,000	Fewer than 13,000
Palestinians	35,000	15,000
Turkomans	800,000 claimed	As low as 200,000
Yazidis	Not known	About 550,000

<sup>453</sup> International Organization for Migration, [undated], *Iraq Displacement 2007 Year in Review*.

<sup>454</sup> [Minute DFID \[junior official\] to PS/Secretary of State \[DFID\], 12 March 2008, ‘Iraq: Humanitarian Assistance’](#).

<sup>455</sup> Paper DFID, 4 November 2009, ‘Iraq – DFID Timeline and Financial Commitments: 2003 – 2009’.

<sup>456</sup> The Brookings Institution-University of Bern Project on Internal Displacement, December 2008, *Minorities, Displacement and Iraq’s Future*.

## Reconstruction under Mr Gordon Brown's Premiership

**784.** Mr Gordon Brown took office as Prime Minister on 27 June 2007. He appointed Mr Douglas Alexander as Development Secretary, replacing Mr Benn, and Mr David Miliband as Foreign Secretary, replacing Mrs Beckett. Mr Des Browne remained Defence Secretary.

**785.** The most pressing issues facing the UK in Iraq remained the timing of the withdrawal of UK forces from Basra Palace, and Basra's transition to PIC (see Section 9.6).

**786.** The introductory briefing produced by DFID officials for Mr Alexander described Iraq as a wealthy country (with oil revenues of US\$37bn in the current year) which was unable to spend or manage its resources effectively to deliver public services because of poor security, poor political leadership and a lack of technical ability.<sup>457</sup>

**787.** DFID's priority was to build the capacity of the Iraqi Government to deliver public services, by providing high-level policy and technical advice in Baghdad on economic reform. DFID was also looking at options to provide further support for reconciliation, and providing humanitarian assistance to the four million people displaced in Iraq and neighbouring countries.

**788.** In Basra, DFID's power and water infrastructure programmes would end in late 2007, having delivered improved access to water for over one million people and added or secured enough power to provide 700,000 people with 24-hour electricity.

**789.** DFID was also seeking to promote economic growth and private sector investment in Basra by supporting:

- the creation of a Basra Development Commission (BDC);
- the creation of a Basra Investment Promotion Agency (BIPA);
- the creation of a Basra Development Fund; and
- those institutions' priorities, including a Basra Economic Development Strategy, investor visits and youth employment initiatives.

**790.** Mr Alexander's briefing for a trilateral meeting with Mr Miliband and Mr Browne in early July highlighted the constraints on reconstruction, including the politicisation of ministries and deteriorating security:

“The Ministry of Finance does not function effectively and is subject, like many Ministries, to partisan control. Combined with an almost total lack of transparency, the Ministry is able to withhold funding to certain ministries.

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<sup>457</sup> [Paper DFID, \[undated\], 'Iraq: Briefing for New Ministers, June 2007'](#).

“We are increasingly unable to visit key ministries in Baghdad ... We need to be realistic about what is achievable.”<sup>458</sup>

**791.** The briefing also stated that DFID’s budget for Iraq for 2007/08 was £30m, down from £45m in 2006/07. Officials anticipated a “further tapering” over the next few years, although that had not yet been announced.

**792.** Mr Brown spoke to Prime Minister Maliki on 5 July.<sup>459</sup> On Basra, Prime Minister Maliki said that he hoped it would be possible to reduce the burden on UK forces and for Iraqi forces to take the lead within three months.

**793.** Mr Brown said that he would like to discuss the scope for economic initiatives, and promised to send suggestions in the next few days. No.10 asked DFID for a draft letter for Mr Brown to send to Prime Minister Maliki “setting out draft proposals for an economic initiative”.

**794.** Mr Brown discussed Iraq with President Bush by video link on 9 July.<sup>460</sup> Mr Brown commented that the Iraqi Government was making slow progress. Faster action was needed on the Hydrocarbons Law and on “democratisation”.

**795.** In an interview on the *BBC’s Today Programme* on 11 July, Mr Brown described the UK’s strategy in Iraq as:

- establishing security;
- promoting reconciliation; and
- “to get people, and this is often forgotten, a stake in the future by helping the economic development of Iraq”.<sup>461</sup>

**796.** Mr Brown continued:

“... I think one of the failures at the beginning was that we didn’t put the resources and the help in to economic reconstruction that was necessary ... we can do a lot better in the future.”

**797.** Mr Brown said that as the UK moved from a combat role to overwatch, it would bring in the resources that were necessary for economic development.

**798.** The Overseas and Defence Sub-Committee of the Committee on National Security, International Relations and Defence (NSID(OD)), the successor to DOP(I) as the principal forum for Ministerial discussion on Iraq, was scheduled to meet for the first time on 19 July to discuss transition in Basra.

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<sup>458</sup> Minute DFID [junior official] to PS/Secretary of State [DFID], 29 June 2007, ‘Iraq: Briefing for DFID/FCO/MOD Ministerial Trilateral’ attaching Paper DFID, [undated], ‘DFID/FCO/MOD Ministerial Trilateral on Iraq and Afghanistan’.

<sup>459</sup> Letter Banner to Hickey, 5 July 2007, ‘Conversation with Iraqi Prime Minister’.

<sup>460</sup> Letter Henderson to Hayes, 9 July 2007, ‘Iraq/Afghanistan: Prime Minister’s VTC with President Bush’.

<sup>461</sup> *BBC Radio 4*, 11 July 2007, *Today Programme*.

**799.** In advance of the meeting, FCO and MOD officials produced a joint paper setting out the latest “assessments and plans on security transition and the associated re-posturing and drawdown of UK troops in Basra” (see Section 9.6).<sup>462</sup>

**800.** The FCO and MOD assessed that the UK had achieved “only some” of its objectives in Iraq. Iraq had “the forms of democracy” but the constituent parts of the Iraqi Government were not working together to a genuine national unity agenda and there was no commitment to reconciliation. In that context, the paper reported that:

“Ministers treat their Ministries as party and personal fiefdoms, sources of funds and patronage. The writ of central Government runs weakly outside the Baghdad International Zone.”

**801.** The FCO and MOD set out the process by which judgements were reached (by MNF commanders and Prime Minister Maliki) on whether provinces were ready for PIC, and an assessment of Basra’s progress against the four PIC conditions (security conditions and threat levels, ISF capacity, the Governor’s capacity to take responsibility for security, and the coalition’s ability to re-intervene if necessary). The UK was also monitoring progress against an additional condition, which it judged to be important:

“capability of the provincial authorities to direct reconstruction, and to spend their budgets wisely and accountably”.

**802.** The last UK military base in Basra city was the Basra Palace Compound (BPC), which the paper described as “the most heavily mortared and rocketed place in Iraq”. The UK planned to hand over the BPC to the Iraqi authorities, and withdraw UK troops based there to Basra Air Station (BAS), on 31 August. That would represent the “de facto handover of responsibility” to the Iraqi authorities, as UK forces would only be able to intervene from BAS “in extremis”.

**803.** PIC should take place as soon after the handover of the BPC as possible: a long gap would place the UK in a difficult position, “responsible for security in Basra city, but unable to deliver it except at high risk”.

**804.** The FCO and MOD advised that the UK should stick to its transition strategy, including PIC in Basra in the autumn.

**805.** Looking ahead to Basra after PIC, the FCO and MOD advised:

“Our planning should assume that the UK civilian presence in Basra will have to be wound up shortly before the removal of the UK military envelope which enables it to operate (though if the US were to decide to move a military presence of their own to Basra Air Station, and to retain a US civilian presence, we could expect US pressure for us to maintain some sort of ongoing commitment to the Basra Provincial Reconstruction Team).”

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<sup>462</sup> [Paper FCO/MOD, 12 July 2007, ‘Iraq: Transition in Basra’.](#)

**806.** The FCO and MOD argued for “a long-term UK commitment in Iraq”, which would include influencing the Iraqi Government and supporting the long-term development of its capacity, in particular through the provision of advice to ministries in Baghdad.

**807.** The 19 July meeting of NSID(OD) was cancelled and not reinstated.<sup>463</sup>

**808.** On 11 July, a DFID official sent Mr Simon McDonald, Mr Brown’s Foreign Policy Adviser, a draft letter for Mr Brown to send to Prime Minister Maliki.<sup>464</sup>

**809.** The draft letter reflected guidance from Mr Alexander that the UK should be realistic about the role of economic reform and only propose initiatives that had a good chance of being realised.<sup>465</sup>

**810.** Mr McDonald passed the draft letter to Mr Brown on 27 July, after consulting the FCO and the British Embassy Baghdad.<sup>466</sup> Mr McDonald commented that the approach set out in the draft letter was:

“... sensible and realistic but not particularly ambitious ... But the Embassy argue that, taking into account the security situation and the lack of political will ... this is as much as we would be able to get Maliki to consider.”

**811.** Mr Brown wrote to Prime Minister Maliki on 29 July.<sup>467</sup> While establishing security remained the “abiding priority”, it was vital that people were given a stake in their future. Mr Brown suggested that the UK could help the Iraqi Government to:

- secure a new IMF Stand By Arrangement by the end of 2007;
- develop an integrated energy strategy, alongside the World Bank;
- reform the banking sector, also alongside the World Bank;
- strengthen financial management, by continuing to fund an economic reform team; and
- establish the BIPA to identify and promote investment opportunities throughout the province. The UK had allocated funds to help establish the Agency. If successful, it could be replicated in other Provinces and inform the creation of a National Investment Commission.

**812.** Mr Brown told the Inquiry:

“... if you can show people that their economic prosperity is possible, then the risks of returning to violence are seen by people to be too great to put at risk something that they were now about to enjoy. So I wanted to show in Basra ... that the chance

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<sup>463</sup> Minute Cabinet Office to NSID(OD) members, 11 February 2010 [sic], ‘Ministerial Meeting on Iraq, Cancellation Note’.

<sup>464</sup> [Letter DFID \[junior official\] to McDonald, 11 July 2007, ‘Iraq: Prime Minister’s Economic Initiative’.](#)

<sup>465</sup> Minute DFID [junior official] to PS [Alexander], 11 July 2007, ‘Iraq: ‘Economic Initiative’ – Prime Minister’s Letter to Prime Minister Maliki’.

<sup>466</sup> [Minute McDonald to Prime Minister, 27 July 2007, ‘Iraq: Economic Initiative’.](#)

<sup>467</sup> Letter Brown to Maliki, 29 July 2007, [untitled].

of prosperity was something that people should value and should not put at risk by allowing the militias to have control in the area.”<sup>468</sup>

**813.** Mr Brown discussed Iraq with President Bush at Camp David on 30 July.<sup>469</sup> The meeting note produced by Mr Brown’s Private Secretary recorded only that Mr Brown welcomed the common ground between himself and President Bush on Iraq and had outlined the UK’s proposals for a “development agency” in Basra.

**814.** Mr Asquith called on Prime Minister Maliki on 1 August, to deliver Mr Brown’s 29 July letter on economic reconstruction and to discuss politics in Basra and nationally.<sup>470</sup>

**815.** Mr Asquith reported that Prime Minister Maliki warmly welcomed Mr Brown’s letter, which was in line with his desire to deepen co-operation with the UK on issues other than security and with his own Government’s focus on economic development. Prime Minister Maliki said that he would approve a request from the Basra Provincial Council to establish the BIPA.

**816.** Prime Minister Maliki said that he was also interested in bigger projects in the Basra region which were national in scope such as the Grand Port project in the oil sector, which would attract large-scale international investment.

**817.** Prime Minister Maliki also advised that the “troublesome” Governor Waili had been legally dismissed but was appealing that decision, causing a delay in his removal.

**818.** Mr Jones’ weekly report of the same day advised that the Deputy Prime Minister’s Office had identified bringing Basra International Airport up to international standards as its top economic priority in the province, and had requested UK advice on how to achieve that.<sup>471</sup> Mr Jones was pursuing the issue with the RAF and the US.

**819.** Prime Minister Maliki replied to Mr Brown’s letter on 7 October.

**820.** Jaysh al-Mahdi (JAM) in Basra called a month-long cease-fire, beginning on 13 August.<sup>472</sup> Sir John Scarlett, Chief of SIS, told the Inquiry that:

“... the cease-fire for a month on 13 August worked straight away. There was an immediate falling away of attacks, and it then carried on. It went beyond the month and it became effectively a permanent feature. So it was remarkably successful.”

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<sup>468</sup> Public hearing, 5 March 2010, pages 38-39.

<sup>469</sup> Letter Clunes to Gould, 31 July 2007, ‘Prime Minister’s Meeting with President Bush: Iraq [...]’.

<sup>470</sup> eGram 32637/07 Baghdad to FCO London, 1 August 2007, ‘Iraq: Meeting with Prime Minister Maliki, 1 August’.

<sup>471</sup> Letter Jones to Aldred, 1 August 2007, ‘Basra: Weekly Report’.

<sup>472</sup> Private hearing, 10 June 2006, page 41.

**821.** Mr Jon Day, MOD Director General (Security Policy), told the Inquiry that the cease-fire not only brought a reduction in attacks on coalition forces in Basra:

“But the critical strategic dividend, as far as we were concerned, was that the overall decline in violence helped encourage the resurgence of real political activity ...

“Another consequence, which ... was felt to be quite important by those on the ground at the time ... is that prior to the understandings, coalition-sponsored reconstruction work in Basra had almost come to a stop. The understandings reduced the threat to military and civilian workers and that allowed work on projects such as the Basra Children’s Hospital to start up again and to enable us to plan to do more work elsewhere in Basra.”<sup>473</sup>

**822.** Section 9.6 describes negotiations between the UK and JAM1.

**823.** Mr Asquith’s 16 August valedictory letter to Mr Miliband focused on security and the political process, but also reflected on the UK’s role in reconstruction:

“Outside the military contribution, our favoured route has been through providing expertise. That will remain necessary, but insufficient. The Iraqis prize lasting legacies ... We should consider with an open mind taking a leaf out of the Japanese book, making use of some of the savings on the defence side to establish a joint or soft loan financial development fund for specific projects in the education or health sectors. Easier, and more realistic, would be to establish a large trust fund for a permanent scholarship scheme to supplement Chevening. Or we should switch our ... focus to an area where we can operate – namely the Kurdish region which we have consistently and puzzlingly ignored.”<sup>474</sup>

**824.** UK troops were withdrawn from the BPC to BAS on 2 and 3 September.<sup>475</sup>

**825.** DFID advised No.10 on 5 September that since Mr Brown’s 29 July letter to Prime Minister Maliki, there had been slow but sure progress on Mr Brown’s economic initiative.<sup>476</sup> With the support of the PRT and DFID, the Basra Provincial Council had:

- Agreed a new Provincial Development Strategy. The flow of funds from Baghdad was also starting to increase.
- Agreed with the central Government the “broad shape and purpose” of BIPA, which would be to identify investment opportunities, provide advice to business and government, and implement programmes to stimulate private sector development. The UK was also helping the Council to take forward plans for the physical establishment of the BIPA.

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<sup>473</sup> Public hearing, 6 January 2010, pages 35-36.

<sup>474</sup> [Letter Asquith to Miliband, 16 August 2007, ‘Iraq: Valedictory’](#).

<sup>475</sup> Minute Binns to CJO, 6 September 2007, ‘GOC HQ MND(SE) – southern Iraq Update – 6 September 2007’.

<sup>476</sup> [Paper DFID, 5 September 2007, ‘Basra – Economic Initiative Progress Report’](#).

- Agreed to establish and fund the Basra Development Fund, which would provide investment and credit for small and medium sized enterprises.
- Begun work on an investment plan and budget to upgrade Basra International Airport, using Iraqi funds, to meet international standards.

**826.** At the national level, the Iraqi Government was establishing a National Investment Commission and had announced its intention to set up a National Development Fund to provide loans to small enterprises across the country.

**827.** General Richard Dannatt, Chief of the General Staff, visited Baghdad and Basra from 5 to 7 September.<sup>477</sup> He reported that the situation in Basra was “tentatively quiet”. There was probably only a very narrow window of opportunity to reinforce the success that had been achieved on the ground; the emphasis had to shift away from the military line of operation:

“... sustainability ... will only be possible if we now begin to deliver some results on the ground in terms of reconstruction and development. This effort cannot be delivered by the Army – the FCO and DFID must now be prepared to rapidly increase their overall effort, not draw it down ...

“Perhaps it is even time to consider whether we should be pushing the FCO or DFID into a more leading role?”

**828.** Mr Brown and Mr Miliband, accompanied by ACM Stirrup and officials, met General David Petraeus, Commanding General MNF-I, and US Ambassador Ryan Crocker<sup>478</sup> on 18 September.<sup>479</sup> The discussion focused on PIC in Basra.

**829.** Mr Brown said that economic development of the South remained a major UK priority. Gen Petraeus said there were a number of initiatives on which the UK should engage, including the clearance of Basra port.

**830.** At the end of the discussion, Mr Brown highlighted three areas for follow up:

- further discussion, including with the Iraqis, of the timeframe for Basra PIC;
- an enhanced UK effort on economic development, including the Basra port; and
- further US/UK discussion of long-term force requirements.

**831.** Mr Brown visited Iraq on 2 October.<sup>480</sup> The objectives for the trip were to underline:

- the UK’s commitment to Iraq;
- the importance of building on progress on security by making a decision soon to transfer to PIC in Basra;

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<sup>477</sup> [Minute Dannatt to CDS, 10 September 2007, ‘CGS Visit to Iraq 5-7 Oct’.](#)

<sup>478</sup> Ambassador Crocker took up post as the US Ambassador to Iraq in March 2007.

<sup>479</sup> Letter Fletcher to Gould, 18 September 2007, ‘Prime Minister’s Meeting with General Petraeus and Ambassador Ryan Crocker, 18 September’.

<sup>480</sup> Letter Fletcher to Forber, 3 October 2007, ‘Prime Minister’s Visit to Iraq, 2 October’.

- the need for progress on reconciliation; and
- the need for economic progress and service delivery as a strategic priority.<sup>481</sup>

**832.** DFID’s briefing for the visit stated that the UK’s approach was to help build Iraq’s capacity to use its own resources effectively.<sup>482</sup> DFID was therefore proposing a “three part development ‘package’”, in addition to its water and power projects in the South and capacity-building work in Baghdad. This comprised:

- An additional £5m in response to the humanitarian crisis in Iraq and the region, bringing the total DFID contribution in 2007/08 to £15m.
- Support for a number of initiatives designed to promote public and private investment in Basra including:
  - support to establish the BIPA and the Basra Development Fund;
  - support to develop Basra International Airport. The PRT, MND(SE) and Basra Council had produced a US\$40m plan to upgrade the airport to international standards; the UK was working to secure that funding from central Government; and
  - the promotion of free trade between Basra and Kuwait.

Those initiatives, together worth over £10m, would be implemented through the Basra PRT.

- Continuing efforts to “leverage in” funding for Basra from central Government. The 2007 budget was expected to include over US\$300m for investment in Basra.

**833.** DFID was also working with MND(SE), other major donors and central Government to accelerate the renovation of Umm Qasr port. DFID had successfully lobbied central government to approve over US\$250m in soft loans from the Japanese Government for port renovation.

**834.** During his meeting with Mr Brown, Prime Minister Maliki said that 2008 would be the “year of reconstruction”.<sup>483</sup> It was good that the UK was ready to play a greater role on reconstruction. Mr Brown said that Basra should receive adequate resources from central Government, and identified the Basra Investment Forum as an important opportunity to promote economic regeneration.

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<sup>481</sup> Minute Cabinet Office [junior official] to Brown, 1 October 2007, ‘Iraq Visit: 2 October 2007’.

<sup>482</sup> [Paper DFID, September 2007, ‘UK Development Package for Iraq’](#).

<sup>483</sup> Letter Fletcher to Forber, 3 October 2007, ‘Prime Minister’s Visit to Iraq, 2 October’.

**835.** After Mr Brown returned from Iraq, his Private Secretary commissioned advice from the Cabinet Office on:

- how best to support a Basra Investment Forum;
- securing greater UK resources for the effort on reconstruction and economic development;
- whether the UK should do more to support the clear-up of Umm Qasr port;
- how best to maximise pressure on Iraqi political leaders; and
- how the UK could offer troops in theatre better access to the internet.<sup>484</sup>

**836.** Ms Kathleen Reid, Head of the DFID Office in Basra from August 2007 to September 2008, reflected on the impact of Mr Brown’s visit in her evidence to the Inquiry:

“When he [Mr Brown] came in October 2007, to be honest, we were doing quite a few of those things, or struggling away at trying to do a lot of those economic things. Things like the Basra Investment Promotion Agency was something we would have been working on well before he came and visited. Likewise trying to establish the Basra Development Fund, some discussions around Iraq/Kuwait borders. But ... there just wasn’t necessarily the environment to be able to do that or the impetus behind it, and I think he came and gave far more impetus to that. We put more resources towards it, and ... with the ... changing security in the following months, it gave more opportunity to then really deliver some results on the ground.”<sup>485</sup>

**837.** Ms Reid also told the Inquiry:

“Each successive visit from Ministers, from Prime Ministers ... gave us more clarity, certainly in terms of timelines.

“When I arrived [in August 2007], there was no real sense of [whether] the PRT was going to be there for another six months or four years, and that became much clearer as time went on and allowed us to do, on the civilian side, our planning.”<sup>486</sup>

**838.** Prime Minister Maliki replied to Mr Brown’s letter of 29 July on 7 October.<sup>487</sup> He welcomed the UK’s interest in supporting private sector development in Iraq and expressed particular interest in working with the UK in the oil sector, and specifically on infrastructure repairs, installation development, and the development of an integrated energy strategy.

**839.** NSID(OD) met for the first time on 8 October.<sup>488</sup>

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<sup>484</sup> Letter Fletcher to Forber, 3 October 2007, ‘Prime Minister’s Visit to Iraq, 2 October’.

<sup>485</sup> Public hearing, 24 June 2010, pages 13-14.

<sup>486</sup> Public hearing, 24 June 2010, page 13.

<sup>487</sup> Letter Maliki to Brown, 7 October 2007, [untitled].

<sup>488</sup> Minute Cabinet Office [junior official] to Prime Minister, 5 October 2007, ‘NSID(OD) Iraq Meeting – Steering Brief: Monday 8 October 09:30’.

**840.** At the meeting, Mr Brown said that there had been little progress on political reconciliation but economic reconstruction in Basra was making better progress, largely as a result of the improved security environment.<sup>489</sup>

**841.** According to Sir John Scarlett's own account of the meeting, Mr Brown:

"... spoke very strongly on the ceasefire in Basra and the dramatic improvement in the security situation. This represented a huge opportunity."<sup>490</sup>

**842.** On the afternoon of 8 October, Mr Brown told the House of Commons that the UK expected to establish PIC in Basra in the next two months.<sup>491</sup> The UK planned to reduce the number of UK troops in southern Iraq from spring 2008 to around 2,500.

**843.** Initial guidance on a new format and process for producing DFID Country Assistance Plans (CAPs) was circulated to DFID officials on 11 October.<sup>492</sup>

**844.** Ms Barbara Hendrie, DFID Deputy Director Iraq, wrote to DFID Heads of Department on the same day:

"We have only ever had a 'rough and ready' version of an I-CAP [Interim Country Assistance Plan] for the Iraq programme, which is now well out of date. Minouche [Dr Shafik] asked the team this summer to think of producing a 'very light touch' CAP, as the programme is over £20m. We've been in the process of looking at the CAP guidance and trying to adapt it to the Iraq context (not easy!)"<sup>493</sup>

"Hence, the revisions to the CAP process are very welcome ..."

**845.** The following day, Ms Hendrie wrote to a junior DFID official:

"It seems pretty clear that we're going to need to do some form of strategy document/CAP ... it would be great ... for you to hold the pen on this."<sup>494</sup>

**846.** The Inquiry has seen no indications that work on a new CAP was taken forward.

**847.** DFID told the Inquiry that the I-CAP produced in February 2004 was not superseded until February 2011, when DFID Iraq published its 'Operational Plan 2011-2012'.<sup>495</sup> DFID closed its Iraq programme in March 2012.

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<sup>489</sup> Minutes, 8 October 2007, NSID(OD) meeting.

<sup>490</sup> Email C, 9 October 2007, 'Iraq NSID 8 Oct 2007' attaching 'NSID Iraq – 8 October 2007'.

<sup>491</sup> House of Commons, *Official Report*, 8 October 2007, columns 21-25.

<sup>492</sup> Email DFID [junior official] to DFID Heads of Department, 11 October 2007, 'For Information: New CAP Format and Process'.

<sup>493</sup> Email Hendrie to DFID [junior official], 11 October 2007, 'Action Monday 15 Oct: New CAP format and process'.

<sup>494</sup> Email Hendrie to DFID [junior official], 12 October 2007, 'Action Monday 15 Oct: New CAP format and process'.

<sup>495</sup> Email DFID [junior official] to Iraq Inquiry [junior official], 12 October 2012, 'New Queries from the Inquiry' attaching Paper DFID, February 2011, 'Operational Plan 2011-2012'.

**848.** DFID also told the Inquiry that it decided not to revise the I-CAP because of:

- the consistency in DFID “strategic priorities” and funding between 2005 and 2007;
- the high turnover of Heads of DFID Baghdad; and
- from 2007, DFID’s move away from producing published CAPs (under Mr Douglas Alexander).

**849.** A Cabinet Office official advised Mr Brown on 12 October that Governor Waili’s appeal against his dismissal from post had been successful.<sup>496</sup> The UK planned to “resume low-key co-operation with him in the interests of moving beyond the political stand-off in Basra” while the Iraqi Government took other steps towards his dismissal. The security situation in Basra remained “relatively calm”.

**850.** Major General Graham Binns, GOC MND(SE), reported on 18 October that Gen Petraeus had agreed Lt Gen Odierno’s recommendation of PIC for Basra in December.<sup>497</sup>

**851.** In a message to the FCO in London on 23 October, Mr Christopher Prentice, British Ambassador to Iraq, set out some of the implications of Mr Brown’s 8 October statement.<sup>498</sup>

**852.** Mr Prentice argued that given the UK’s strategic interests and the scale and cost of its commitment to Iraq so far, “we [the UK] need to accept now that we are in this for some years to come”.

**853.** The UK would be judged by the progress Basra made following PIC. By the end of 2008, key Basra economic initiatives would only just have started and would need continuing UK support. There was also a case for the UK “planning a last high profile project as visible proof for Basrawis of our continuing support and as a lasting UK legacy”.

**854.** Mr Prentice reported that the UK was already increasing its emphasis on the “civilian development agenda”. In the longer term, DFID “understandably wish to normalise its role in a wealthy oil-producing country i.e. close its programme”. It would be right to do so – but only when the “whole Iraq project” was on track. Unless the UK was “surprised by success”, 2009 was likely to be too early to begin to close the programme.

**855.** The conditions might be favourable by 2009 to re-establish a UK Trade and Industry presence in Basra “to pursue the huge commercial opportunities there will eventually be there”.

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<sup>496</sup> Minute Cabinet Office [junior official] to Prime Minister, 12 October 2007, ‘Iraq – Weekly Update’.

<sup>497</sup> Report Binns, 18 October 2007, ‘GOC HQ MND(SE) – southern Iraq Update – 18 October 2007’.

<sup>498</sup> eGram 43230/07 Baghdad to FCO London, 23 October 2007, ‘Iraq 2009 and Beyond – Unfinished Business’.

**856.** Mr Browne visited Iraq between 29 October and 2 November.<sup>499</sup> He reported to Mr Brown that it had been “markedly the most encouraging of my seven visits to Basra”. He continued:

“So progress there has been, but, as you well know, the space we have achieved is fragile and temporary. We have a window of opportunity in Basra and it is vital that both we and the Iraqis apply political and economic leadership to make the most of it.”

**857.** Mr Browne had impressed upon everyone he met in Iraq the need to announce “a detailed economic plan for Basra” to coincide with PIC in December.

**858.** Mr Browne concluded: “If we are to deliver, and we must, this will need dedicated and energetic UK resource in London, Basra and Baghdad.”

**859.** Mr Browne’s visit prompted Maj Gen Binns to evaluate progress made since the summer.<sup>500</sup> His 1 November weekly report advised that:

“We are now subject to far fewer attacks, are constructively engaged with the Governor ... and the Provincial Council, we transit through Basra in force ... without opposition ... and are looking to make more of the large amount of reconstruction work we are responsible for (through US resources) in Basra through good information and media operations.”

**860.** Mr Alexander sent Mr Brown an update on the Basra economic initiatives on 9 November.<sup>501</sup>

**861.** Mr Alexander advised that DFID had identified several UK business leaders willing to help drive forward the work of the BDC, including Mr Michael Wareing, International CEO of KPMG. The BDC (which Mr Alexander described as the “centrepiece” of the Basra economic initiatives) would bring together national, regional and international business knowledge to provide strategic advice to the Iraqi authorities on investment and growth for Basra’s economy. DFID was planning a launch event for the BDC to coincide with PIC in Basra.

**862.** Mr Alexander agreed with Mr Browne’s assessment (in his 2 November letter to Mr Brown) that dedicated UK resources were required to move the economic initiatives forward. DFID had:

- deployed a Project Manager to the Basra PRT to work on economic initiatives; and
- re-orientated DFID’s Economic and Governance team in the PRT to support the initiatives, and provided £750,000 to establish the BIPA and the Basra Development Fund.

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<sup>499</sup> Letter Browne to Brown, 2 November 2007, [untitled].

<sup>500</sup> Report Binns, 1 November 2007, ‘GOC HQ MND(SE) – southern Iraq Update – 1 November 2007’.

<sup>501</sup> [Letter Alexander to Brown, 9 November 2007, \[untitled\]](#).

**863.** DFID continued to support other initiatives that would promote growth and investment in Basra, including Basra International Airport and leveraging in Japanese loans. Officials were working closely with the Japanese Embassy in Baghdad to help progress Japanese soft loans through a “complex” Iraqi Government approval process. Japan had committed some US\$2bn in soft loans to Iraq, of which US\$1.2bn was for Basra-based projects including US\$254m for the rehabilitation of Umm Qasr port.

### Japanese support for reconstruction

Japan pledged and disbursed more assistance for Iraq’s reconstruction than any country other than the US.

Japan pledged up to US\$5bn at the Madrid Donors’ Conference on 24 October 2003, consisting of US\$1.5bn in grants (increased to US\$1.7bn by July 2009) for power generation, education, water and sanitation, health and employment, and Security Sector Reform, and up to US\$3.5bn in concessional loans.<sup>502</sup> By July 2009, Iraq and Japan had signed agreements for 12 loan projects worth up to US\$2.43bn, of which US\$1.37bn was for seven projects in the South:

- Umm Qasr Port Rehabilitation Project. Up to US\$270m to dredge shipping lanes, remove wrecked ships, rehabilitate port facilities, and provide equipment and materials.
- Samawah Bridges and Roads Construction Project. Up to US\$30m to build and rebuild bridges across the Euphrates River and to build connecting roads in the vicinity of Samawah, in Muthanna.
- Irrigation Sector Loan Programme. Up to US\$90m for irrigation drainage pumps, equipment and materials including in Muthanna.
- Basra Refinery Upgrading Project. Up to US\$20m to increase capacity.
- Khor al-Zubair Fertiliser Plant Rehabilitation Project. Up to US\$160m to supply machinery for the Kohr Al-Zubair Fertiliser Plant in Basra.
- Crude Oil Export Facility Reconstruction Project. Up to US\$430m for the construction of an on-shore/off-shore pipeline to export oil and installation of off-shore loading facilities in al-Faw, Basra.
- Basra Water Supply Improvement Project. Up to US\$370m to improve the water supply facilities in and around Basra City.

In November 2005, following the Paris Club agreement on debt relief, Japan agreed to reduce Iraq’s official debt to it by 80 percent, with a value of US\$6.7bn.

From February 2004 to July 2006, Japan maintained an Iraq Reconstruction and Support Group, comprising some 600 troops, in Samawah.<sup>503</sup> The Group was mandated to deliver humanitarian and reconstruction assistance only; Australian and UK forces provided protection.

<sup>502</sup> Government of Japan, Factsheet, August 2009, *Japan’s assistance to Iraq (Fact Sheet)*.

<sup>503</sup> *BBC News*, 8 February 2004, *Japan soldiers begin Iraq mission*; *BBC News*, 16 July 2006, *‘Japan troops withdraw from Iraq*.

**864.** NSID(OD) met on 20 November to take stock of the situation in Basra.<sup>504</sup> Cabinet Office officials briefed Mr Brown that the main aim of the meeting was “to ensure that the transfer to Iraqi control in Basra, scheduled for 17 December is not delayed” and that the meeting would need to assess the security situation in Basra and look at how to sustain the present reduction in violence, including through possible political or economic measures.

**865.** At the meeting, Mr Alexander reported that Mr Wareing had agreed to help drive forward the work of the BDC. Several of the projects included within the BDC’s 2007 plan had been requested by local militia leaders, which would help “lock them into the economic and political process”.

**866.** Mr Browne observed that, from a force protection perspective, it would be important to keep local militia leaders engaged and bring them into the wider political and economic process as much as possible. Sir John Scarlett agreed that it would be important to find ways of broadening the dialogue to address a wider range of political and economic issues.

**867.** Summing up the meeting, Mr Brown said that:

- the UK should “press ahead” with the transfer of Basra to PIC on 17 December;
- economic projects should be agreed through proper discussion with local representatives, rather than favouring any faction or individual, though that “did not preclude using a coincidence of interest to draw local militia leaders into the wider political process”;
- Mr Alexander should write with plans for the launch of the BDC; and
- the UK should continue to encourage the Iraqi Government to hold provincial elections as soon as possible.

**868.** After the meeting, Sir John Scarlett’s Private Secretary produced a summary of his account of the meeting.<sup>505</sup> The summary stated that Mr Alexander had expressed concerns about development projects agreed with JAM1 drawing resources and expertise away from existing projects. There was general support for resource decisions to be taken in theatre where conflicts arose between priorities.

**869.** Mr Jones told the Inquiry that:

“... there had been a debate in advance of PIC as to how we could be sure that the whole situation in Basra remained stable. The economy was identified as the crucial thing, and we had many hours of amusement discussing that in Basra with our military colleagues, the degree to which we could help.”<sup>506</sup>

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<sup>504</sup> Minute Cabinet Office [junior official] to Prime Minister, 19 November 2007, ‘NSID(OD) Iraq Meeting – Steering Brief: Tuesday 20 November 16:45-17:30’.

<sup>505</sup> Minute PS/C, 21 November 2007, ‘NSID (IRAQ) 20 NOV 2007’.

<sup>506</sup> Private hearing, 24 June 2010, page 58.

**870.** Section 9.6 describes negotiations between the UK and JAM1.

**871.** Mr Miliband was advised on 7 December that Prime Minister Maliki and Governor Waili had met on 5 December and “cleared the air between them”, paving the way for PIC.<sup>507</sup>

**872.** Lt Gen Rollo reported on 10 December that with Prime Minister Maliki and Governor Waili now reconciled, the UK had to focus on how the promises to be made at the Basra Development Forum would be kept:

“General Petraeus’ challenge, reiterated to each UK visitor, to fulfil our Prime Minister’s intent has been very clear. Barham Salih [the Deputy Prime Minister] underlined this point when he spoke to the MOD and FCO Permanent Secretaries who visited this week along with the DFID Director covering the Middle East. He said that while long term capacity building remained essential, ‘jump starting’ was now necessary ... That should give us our lead. The way that money has been poured into Anbar, by both the US and the GOI [Iraqi Government], to reinforce success is also setting the standard; recognising that in counter-insurgency operations, all the lines of operation must be properly supported.”<sup>508</sup>

**873.** Prime Minister Maliki and Governor Waili jointly hosted a meeting of the Basra Development Forum at Basra International Airport on 12 December.<sup>509</sup> Mr Alexander represented the UK. Mr Salih formally launched the BDC and Mr Alexander announced Mr Wareing’s appointment as its co-chair.<sup>510</sup>

**874.** Mr Prentice reported the following day that the Forum had been a “hugely successful event” which struck “an optimistic note on the governance and economic agenda to complement the security handover” which was due to take place four days later.<sup>511</sup> The Forum had:

- focused the attention of local and central Government on Mr Brown’s economic initiatives, and what needed to be done to implement them;
- allowed Prime Minister Mailiki and Governor Waili to publicly bury the hatchet. At Prime Minister Maliki’s insistence, Governor Waili had pledged to tackle corruption and improve governance;
- showed Basra that Baghdad cared. Prime Minister Maliki had not visited Basra since July 2006; and
- been “authentically Iraqi and Basrawi”, rather than a creation of the PRT.

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<sup>507</sup> Minute Paterson to PS/Foreign Secretary, 7 December 2007, ‘Iraq – Basra Developments’.

<sup>508</sup> Minute Rollo to CDS, 10 December 2007, ‘SBMR-I’s Weekly Report (280) 9 Dec 07’.

<sup>509</sup> eGram 50733/07 Baghdad to FCO London, 13 December 2007, ‘Iraq: Basra Development Forum’.

<sup>510</sup> Letter Jones to Aldred, 13 December 2007, ‘Basra: Situation Report’.

<sup>511</sup> eGram 50733/07 Baghdad to FCO London, 13 December 2007, ‘Iraq: Basra Development Forum’.

**875.** Maj Gen Binns reported that at the event, Prime Minister Maliki had described 2008 as “the year of redevelopment and reconstruction”.<sup>512</sup>

**876.** Mr Wareing told the Inquiry he had three roles:

- to champion economic development, particularly in Basra and the south;
- to champion international investment into Iraq; and
- to help set up and to chair the BDC.<sup>513</sup>

**877.** Mr Wareing added that his role was not specifically to promote British investment:

“...the line that I pursued was ... to try to push investment, not just from a British or indeed a European or even a western ... point of view, but basically any investment – and there was a significant amount of investment from the Gulf region.”<sup>514</sup>

**878.** Mr Alexander visited Iraq from 11 to 12 December.<sup>515</sup>

**879.** Ms Hendrie reported that both Gen Petraeus and Lt Gen William Rollo, the Senior British Military Representative, Iraq, had asked Mr Alexander what more DFID could do to accelerate economic development in Basra to take advantage of the current improvement in security. Both had made suggestions for additional projects and for an increase in people – a “civilian surge”.

**880.** In response, Mr Alexander had made clear that any discussion of the DFID programme “should be set within a larger conversation about UK objectives in Iraq”.

**881.** Ms Hendrie told DFID colleagues on 14 December that Mr Alexander wanted a robust discussion with other Ministers about the UK’s strategy in Iraq:

“My sense is that he believes, in the absence of clear Ministerial guidance about what HMG can and should be trying to achieve, [that] DFID are being landed with pressure to deliver an enormous agenda on economic growth in southern Iraq which a) we are not necessarily best-suited for and in any case cannot be viewed as the responsibility of a single department, and b) cannot produce meaningful results in the context of a ‘broken’ politics at the centre in Baghdad and a highly problematic security environment. He plans to engage actively in the conversation about what HMG’s ambitions on the economic front should be and the role of economic development in relation to security and political reconciliation.”<sup>516</sup>

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<sup>512</sup> Report Binns, 13 December 2007, ‘GOC MND(SE) Weekly Letter – 13 December 2007’.

<sup>513</sup> Public hearing, 16 July 2010, page 3.

<sup>514</sup> Public hearing, 16 July 2010, page 12.

<sup>515</sup> Minute Hendrie to Wardell, 15 January 2008, ‘BTOR: Secretary of State Visit to Iraq, 11-12 December 2007’.

<sup>516</sup> [Email Hendrie to DFID \[junior official\], 14 December 2007, ‘Follow-Up to SoS Iraq Visit’.](#)

**882.** Mr Alexander sent Mr Miliband and Mr Browne an update on progress on Mr Brown's economic initiatives on 21 December.<sup>517</sup> He advised that the success of the Basra Development Forum was due in part to the reconciliation of Prime Minister Maliki and Governor Waili, but also reflected:

“... years of often invisible effort in building up capacity of provincial government to spend Iraqi resources for reconstruction and development ... This is the right approach – helping to set up Iraqi institutions to spend Iraqi resources, and it is bearing fruit.”

**883.** Mr Alexander continued:

“My visit also confirmed that we cannot view economic development in isolation from politics or security. They are inter-related and require an HMG-wide effort. We should therefore guard against terminology that suggests a civilian or economic surge will continue to be the driving force in determining Iraq's stability and prosperity ... We need a conscious broadening of the effort across HMG, the mechanisms for which need to be discussed; and we need to ensure that our civilian and military plans for Iraq are co-ordinated. We also need to be clear about what we are aiming to achieve.”

**884.** Basra province transferred to PIC on 16 December.<sup>518</sup> All of the four provinces within MND(SE) had now transferred to PIC.

**885.** Mr Brown met Prime Minister Maliki in the UK on 3 January 2008.<sup>519</sup> On reconciliation, Mr Brown said that he wanted to see rapid progress on the Hydrocarbons Law and local elections. On economic reconstruction, he encouraged Prime Minister Maliki to appoint Iraqi nationals to support Mr Wareing's work. Prime Minister Maliki replied that he would speak to Mr Salih; he also confirmed that he would double Basra's budget.

**886.** Lt Gen Rollo reported on 14 January that the Iraqi Minister of Finance had signed off the first eight Japanese soft loans.<sup>520</sup> The UK was working with the US Embassy to ensure that the first loan, which covered Umm Qasr port, was taken forward immediately. Lt Gen Rollo would continue to track the issue, but he remained of the view that the “real answer” was a Basra Development Office in Baghdad.

**887.** The 16 January meeting of the ISG considered a draft strategy for Iraq.<sup>521</sup> Mr McDonald underlined the importance that Mr Brown attached to the economic

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<sup>517</sup> Letter Alexander to Miliband, 21 December 2007, [untitled].

<sup>518</sup> *BBC News*, 23 March 2009, *Timeline: UK Troops in Basra*.

<sup>519</sup> Letter Fletcher to Carver, 3 January 2008, 'Prime Minister's Bilateral with Prime Minister of Iraq, 3 January'.

<sup>520</sup> Minute Rollo to CDS, 14 January 2008, 'SBMR-I's Weekly Report (283) 14 Jan 08'.

<sup>521</sup> Minute Cabinet Office [junior official] to McDonald, 17 January 2008, 'Iraq Strategy Group, 16 January'.

initiatives in Basra, and said that Mr Brown wanted to see “tangible progress in 2008 – for example at the port or airport”.

**888.** Section 9.6 describes the development of the UK’s Short-Term Strategy for Iraq between November 2007 and April 2008.

**889.** Ms Sue Wardell, DFID Director Middle East, said that a choice needed to be made between maintaining current levels of effort during 2008 or “surging resources temporarily”. The surge might focus on the agricultural sector, its links with the oil sector, and regional trade.

**890.** Mr McDonald asked DFID to present options and recommendations to Ministers.

**891.** Lt Gen Rollo reported on 3 February that there had been “positive discussions” with DFID in Basra on the deployment of additional experts to Basra and Baghdad to support Mr Brown’s economic initiatives.<sup>522</sup> He added:

“Given that the initiative was originally announced in early October 2007 it would be good to see decisions in London to turn these into effect. General Petraeus’ enquiries into what hard measures are in place to support the PM’s words have become pointed and public.”

**892.** Maj Gen Binns left MND(SE) on 12 February and was succeeded by Major General Barney White-Spunner.<sup>523</sup>

**893.** Reflecting on progress over the previous six months, Maj Gen Binns commented:

“It has taken me six months to develop an understanding of the Economic and Political Lines of Operation. I have learned to measure economic redevelopment in decades, to be patient, to listen to, and take the advice of, specialists in the PRT, some of whom have been in Iraq for more than 3 years. We should stop beating up on DFID; those, like me initially, who talk of ‘windows of opportunity’ and ‘economic surges’ are misguided. Iraq is awash with money. The Iraqis need help in spending it and overcoming corruption through good governance, which is exactly the approach taken by our PRT. Of course we will continue to use CERPs money to buy consent for military operations, but let us not pretend that this is sustainable development, because on some occasions it is the reverse. In 10 years time Basrawis will remember that the US Army Corps of Engineers built their Children’s Cancer Hospital; they will probably have forgotten Operation SINBAD.”

**894.** In his formal end of tour report, Maj Gen Binns commented that co-operation between departments in theatre was “superb”.<sup>524</sup>

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<sup>522</sup> Minute Rollo to CDS, 3 February 2008, ‘SBMR-I’s Weekly Report 3 Feb 08’.

<sup>523</sup> Minute Binns to CJO, 7 February 2008, ‘GOC MND(SE) Weekly Letter – 07 February 2008’.

<sup>524</sup> Minute Binns to CJO, 12 February 2008, ‘Op TELIC – GOC 1 (UK) Armd Div Post Operation Report’.

**895.** The ISG discussed a further draft strategy for Iraq on 14 February.<sup>525</sup> Mr McDonald again emphasised that Mr Brown was focused on achieving economic effect in 2008, and that the UK should make every effort to do so in the limited time available.

**896.** On 18 February, Lt Gen Rollo reported that Gen Petraeus had asked to see Mr Wareing during his upcoming visit to Iraq.<sup>526</sup> The meeting would be a useful opportunity to explain how the BDC would deliver on “what Petraeus sees as a British commitment to kick-start the economy of the South”. Gen Petraeus believed that campaign success in Iraq depended on the regeneration of the country’s economy.

**897.** Lt Gen Rollo assessed that the UK could do more to support Mr Wareing and, by extension, economic development in the South. This included establishing a Basra Development Office in Baghdad “to leverage US and Iraqi initiatives and work to remove the many legal and political obstacles to investment in Basra”.

**898.** Mr Wareing made his first visit to Basra on 18 and 19 February, to participate in the first meeting of the BDC.<sup>527</sup> Maj Gen White-Spunner described the visit as “excellent”: Mr Wareing had met Governor Waili and had had a genuine exchange of views with his Iraqi colleagues at the BDC and key opinion formers. The BDC had agreed to produce a Basra Economic Development Strategy by June 2008, with the aim of stimulating the economy and fostering private sector development.

**899.** Mr Wareing was unable to travel to Baghdad to meet Gen Petraeus because of bad weather.<sup>528</sup>

**900.** Section 9.6 describes the deteriorating security situation in Basra from the end of January, and the development by the Iraqi Government of plans to confront militias in Basra.

**901.** Mr Alexander agreed on 20 February to increase DFID’s security headcount limit (the number of staff allowed in post at any one time) from seven to nine for Basra and from five to six for Baghdad.<sup>529</sup> The new post in Baghdad would have specific responsibility for facilitating the Basra economic initiatives. A DFID official advised that the increase:

“... should be characterised as organising ourselves to give the Basra economic initiatives the best chance of delivering in the shortest timeframe. It is not a ‘surge’ but nor is it business as usual.”

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<sup>525</sup> Minute Cabinet Office [junior official] to McDonald, 15 February 2008, ‘Iraq Strategy Group, 14 February’.

<sup>526</sup> Minute Rollo to CDS, 18 February 2008, ‘SBMR-I’s Weekly Report (288) 17 Feb 08’.

<sup>527</sup> Letter White-Spunner to CJO, 21 February 2008, ‘GOC MND(SE) Weekly Letter – 21 February 2008’.

<sup>528</sup> Manuscript comment on Letter White-Spunner to CJO, 21 February 2008, ‘GOC MND(SE) Weekly Letter – 21 February 2008’.

<sup>529</sup> [Minute DFID \[junior official\] to PS/Secretary of State \[DFID\], 20 February 2008, ‘Iraq: Delivering the Basra Economic Initiatives’.](#)

**902.** Mr Browne visited Kuwait and Iraq from 12 to 14 March in conjunction with Mr Wareing.<sup>530</sup> Mr Browne reported to Mr Brown that the mood in Iraq was optimistic, reflecting the improved security situation, political progress and the new focus on economic regeneration:

“Inevitably in Iraq, the pace of change is slower than we would wish and no-one believes it is irreversible, but we have an opportunity over the next year or so to contribute to a step-change in the country’s economy and to put our bilateral relationship onto a sustainable long-term footing. That does, however mean we need to redouble our efforts now ... to exploit the progress we have already made.”

**903.** On the economic initiatives, discussions in Iraq had identified three areas where the UK could do more:

- reinforcing the UK team in Basra and Baghdad. Gen Petraeus thought that the UK was “under-gunned”;
- re-doubling the UK effort to unblock the investment and hydrocarbons legislation, and to encourage international business to invest in Basra; and
- a diplomatic initiative, with the US, to encourage a constructive partnership between Basra and Kuwait.

**904.** Mr Browne commented that working alongside the US should help improve the UK’s relationship with the US. Although Gen Petraeus had been polite during their meeting, and also during his later meeting with Mr Wareing, he had previously been critical of the scale of the UK’s non-military engagement in Basra.

**905.** The British Embassy Baghdad reported that Gen Petraeus had spelt out his concerns in his meeting with Mr Wareing:

“In his [Gen Petraeus] view the UK had not been aggressive enough in trying to achieve development change in Basra, and we needed to ‘increase our horsepower’... He felt that the PM [Mr Brown] and the Foreign Secretary [Mr Miliband] had promised much, but that he hadn’t seen much delivery ... he would make his concerns clear to the PM when he comes through the UK in April.”<sup>531</sup>

**906.** The Embassy commented that Gen Petraeus wanted the UK to set up an office in the Green Zone in Baghdad to promote Basra, and to increase the UK presence in Basra.

**907.** Mr Alexander sent Mr Brown a further update on progress on the economic initiatives on 31 March, in advance of the planned discussion of the UK’s Iraq Strategy at the 1 April meeting of NSID(OD).<sup>532</sup>

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<sup>530</sup> Letter Browne to Brown, 18 March 2008, ‘Visit to Baghdad and Kuwait’.

<sup>531</sup> Telegram 10285/08 Baghdad to FCO London, 17 March 2008, ‘Michael Wareing to Baghdad, 14 March’.

<sup>532</sup> [Letter Alexander to Brown, 31 March 2008, \[untitled\]](#).

**908.** He advised that DFID had increased the number of full-time equivalent staff working on the economic initiatives from four in January 2008 to 10. DFID would also establish a Basra Support Office in Baghdad. DFID was recruiting internally to staff that office, and was discussing with other departments including the FCO, the MOD and UK Trade and Investment what role they could play. Mr Wareing had stated that this level of staffing was “fully adequate” to deliver the initiatives.

**909.** In his evidence to the Inquiry, Mr Wareing highlighted three major successes within the Basra economic initiatives:

- the youth unemployment programme, which Prime Minister Maliki had expressed interest in rolling out nationwide;
- Basra International Airport and Umm Qasr port, where Mr Wareing had been able to bring together the UK military, DFID and local Iraqi leaders; and
- the establishment of the National Investment Commission and the Basra Investment Commission.<sup>533</sup>

**910.** Mr Keith MacKiggan, Head of the PRT from September 2008, told the Inquiry that the economic initiatives had been “very effective”, as evidenced by:

- the interest shown by the Iraqi Government in replicating the initiatives country-wide;
- the amount of investment that they attracted into Basra; and
- the economic confidence that they had helped to engender.<sup>534</sup>

## Charge of the Knights, March 2008

**911.** On 25 March 2008, in response to growing concerns over the security situation in Basra, Prime Minister Maliki launched a major offensive against Basra militias.<sup>535</sup>

**912.** Section 9.6 considers the genesis and implementation of that military operation, which came to be known as the Charge of the Knights, and the damage to UK-Iraqi and UK-US relations.

**913.** Mr Browne reported to Cabinet on recent events in Basra on 1 April.<sup>536</sup> He said that the decision to launch the operation had come as a surprise to everyone. Mr Brown said that Ministers would have a further discussion of the implications of recent events at NSID(OD).

**914.** NSID(OD) met later that day, with Mr Brown in the chair, to consider the UK’s “continuing role in Basra in 2008/2009, and the timelines and considerations for taking

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<sup>533</sup> Public hearing, 16 July 2010, page 55.

<sup>534</sup> Public hearing, 7 January 2010, pages 22-23.

<sup>535</sup> *BBC News*, 25 March 2008, *Basra’s gun rule risks Iraq future*.

<sup>536</sup> Cabinet Conclusions, 1 April 2008.

decisions on force level options”.<sup>537</sup> The meeting was provided with three papers: a Short-Term Strategy, a draft of Mr Browne’s planned statement to Parliament, and Mr Alexander’s letter to Mr Brown of 31 March on progress on the economic initiatives.

**915.** The Short-Term Strategy paper considered four options for drawing down UK troops in Iraq, set out the civilian and military tasks that the UK could continue to undertake in each case, and assessed the impact of withdrawing from Iraq on the UK’s reputation.<sup>538</sup>

**916.** The paper suggested criteria which might be used to evaluate those options, but did not attempt such an evaluation and made no recommendation on troop withdrawals. The criteria for evaluation included the ability to deliver Mr Brown’s economic initiatives and the provision of a secure platform for political and economic work.

**917.** The paper also identified a number of areas in which the UK should continue to work in the absence of a significant military presence in Basra. Those included:

- Economics. In Baghdad, the UK had carved out a “niche role alongside the massive US effort”. UK support for building Iraqi Government capacity for economic policy and public finance/budget management was highly valued by Iraqi officials and had given the UK a seat at the “coalition policy-making table”, providing critical leverage to lobby for greater engagement by the World Bank and other multilateral institutions. In Basra, Mr Brown’s economic initiatives were making “real progress” under Mr Wareing’s leadership. The paper assessed the work to be of high importance (because a successful economy was an important driver of stability), but the UK’s impact to be “low to medium” (because of the programme’s relatively small scale and the fact that real progress would depend on the Iraqi Government).
- Governance and security/justice sector reform. Both the US and the Iraqi Government valued the UK’s work to build capacity in these areas. The work was of medium importance (as DFID’s projects and the FCO policing mission represented “niche added value”) and the UK’s impact “medium”.
- Pressing for more substantive multilateral and regional engagement by the UN, EU, IMF and World Bank. The work was of high importance (as more substantive engagement by multilateral organisations would ease the burden on the US and UK and positive regional engagement was crucial for Iraq’s long-term stability) and the UK’s impact also “high” (as it had more leverage with the EU, UN and World Bank than the US).

**918.** At the meeting, Mr Brown recognised that it was difficult to take firm decisions on longer-term options until there was a clearer assessment of events in Basra.<sup>539</sup> It was

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<sup>537</sup> [Paper Cabinet Office, 31 March 2008, ‘Iraq’.](#)

<sup>538</sup> [Paper FCO, March 2008, ‘Iraq: The Short Term’.](#)

<sup>539</sup> Minutes, 1 April 2008, NSID(OD) meeting.

good that the Iraqi Army had sought to take control, but the way in which it had done so threatened to have a negative impact on political and economic progress, as well as the security gains achieved by UK forces. The UK “could not afford to be perceived to be irrelevant to the situation in Basra”.

**919.** Mr Browne said that there were now US forces involved in Basra, and they were unlikely to leave.

**920.** Ministers agreed that troop levels should remain at 4,100 until the situation became clearer and that no decision on longer-term military commitment should be taken at present.

**921.** Concluding the discussion, Mr Brown said that hopes for political and economic stability to take hold in Basra had been “set back”. The UK needed to wait and assess the implications of events “but work to bring our political and economic objectives back on line”.

**922.** The Iraqi Government and the US moved quickly to boost reconstruction in Basra in the wake of the Charge of the Knights.

**923.** The UK was concerned that the wave of new money, the focus on short-term projects, and the actions of central Government would undermine existing Provincial Government structures and systems (which the UK had helped to establish).

**924.** Mr Prentice attended the Iraqi Ministerial Committee on National Security on 6 April, and reported that the Iraqi Government’s main priority was finding civilian employment for 25,000 unemployed Basrawis.<sup>540</sup> Acting Justice Minister Dr Safa al-Safi had been appointed to co-ordinate the Iraqi Government’s economic efforts in Basra.

**925.** The British Embassy Office Basra reported on 7 April that a nine-strong US Civil Military Operating Centre (CMOC) would arrive later that day, and would be operational within 24 hours.<sup>541</sup> The PRT had welcomed their arrival. The CMOC’s focus would be on shorter-term employment schemes (“how to get young men off the payroll of JAM and other militias”).

**926.** The British Embassy Office Basra reported the following day that it would be important that the CMOC shared the UK’s philosophy that “we not do things for the Iraqis, but with them”.<sup>542</sup>

**927.** A DFID official in Baghdad reported to DFID colleagues on 9 April that the Iraqi Council of Ministers had agreed to provide US\$100m for economic work in Basra.<sup>543</sup> Dr al-Safi had arrived in Basra and had set up a number of committees. In parallel,

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<sup>540</sup> eGram 13078/08 Baghdad to FCO London, 7 April 2008, ‘Iraq: Ministerial Committee on National Security, 06 April 2008’.

<sup>541</sup> eGram 13086/08 Basra to FCO London, 7 April 2008, ‘Basra Update – 7 April 2008’.

<sup>542</sup> eGram 13285/08 Basra to FCO London, 7 April 2008, ‘Basra Update – 8 April 2008’.

<sup>543</sup> [Email DFID \[junior official\] to DFID \[junior official\], 9 April 2008, ‘Basra’.](#)

the US military was developing its own mass employment schemes and USAID was considering what more it might do.

**928.** The official commented that it was possible that the US could “do things” that the UK had not tried, as it could:

- dedicate more people and more money to the task;
- change the security environment to secure better civilian access;
- operate outside Iraqi structures;
- ensure better linkages to US work in Baghdad; and
- “apply sufficient clout at the Baghdad end” to secure the Iraqi Government’s attention.

**929.** The UK was lobbying the US on the need to engage with local government and the PRT in order to avoid setting up parallel systems and losing the benefits of local knowledge and experience. The key risk was that UK programmes (which were designed to be Iraqi-led, and thus required a considerable amount of Iraqi engagement and energy) would be “crowded out” as Iraqi counterparts focused on the larger and more immediate US programmes.

**930.** A UK official in the Basra PRT agreed with that assessment and commented:

“None of this is going to stop and it is going to be a big distraction for a small PRT team ... trying to force the military to listen to what we have to say, and trying to stop MNF taking over the show completely ... It’s not just on the economic/governance agenda – it’s the same for our CivPol mission and all the policing work we have done ...”<sup>544</sup>

**931.** In his weekly report of 10 April, Maj Gen White-Spunner described recent events as:

“... a real opportunity for Basra and hence our involvement here. The time for any recrimination ... is behind us; we now have a better chance than we have arguably had for two years to achieve better security and some initial development goals in the city. We will not have long to do so ...”<sup>545</sup>

**932.** Dr Christian Turner, Cabinet Office Overseas and Defence Secretariat, sent Mr Brown an assessment of the implications of the Charge of the Knights on 11 April, in advance of Mr Brown’s visit to Washington.<sup>546</sup> Dr Turner described the UK’s military options (step up to take full responsibility for MND(SE), steady-state or an accelerated withdrawal).

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<sup>544</sup> [Email FCO \[junior official\] to Hendrie, 9 April 2008, ‘Basra’.](#)

<sup>545</sup> Minute White-Spunner to CJO, 10 April 2008, ‘GOC MND(SE) Weekly Letter – 10 April 2008’.

<sup>546</sup> [Minute Turner to Prime Minister, 11 April 2008, ‘Iraq: Implications of Basra Operations and US Visit’.](#)

**933.** Dr Turner also advised that the UK would need to redouble its effort on the economy:

“Presentationally, the US effort risks overshadowing UK economic initiatives. The likelihood is that the US will focus on quick impact projects ... Funding will come from the US military (up to US\$70m) and the Government of Iraq (US\$100m or more).

“We will need to ensure our projects are co-ordinated and complementary. Experience over the past five years in such [quick impact] projects is that they provide short-term benefits, but are often not sustainable. DFID’s view remains that economic recovery will require ... a resolution to address the deep-seated problems in the Basra economy and the building of sustainable Iraqi institutions ... Our message to the US will need to be that such work takes time.”

**934.** In his weekly report of 17 April, Maj Gen White-Spunner advised that MND(SE) continued to focus on drawing as much US and Iraqi resource into Basra as possible in order to take advantage of the “unexpected but very welcome changes” that the Charge of the Knights had brought.<sup>547</sup>

**935.** A DFID official provided a briefing for Mr Alexander on the impact of the Charge of the Knights on 18 April.<sup>548</sup> Street-life in Basra was “noticeably more confident”, with pop music and alcohol on sale. Dr al-Safi had set up a committee to review project proposals from the Provincial Council, the Governor and local Sheikhs, but had said that he did not want proposals from the coalition. He was determined that the Iraqi Government should be seen to be in charge and favoured quick impact projects focused on infrastructure, implemented through line ministries and tribal leaders. On the US side, “large numbers” of people were flowing into the US CMOC.

**936.** The major risk for the UK Government remained that the Provincial Government would be undermined by the decision to channel funding through line ministries, tribal leaders and NGOs. The UK continued to engage with the US and Dr al-Safi to emphasise the advantages of engaging with the Provincial Government, the Provincial Council and the PRT, rather than creating parallel systems.

**937.** Mr McDonald told the 28 April meeting of the ISG that: “It was now clear that there was a shared UK/US operation in the South, and that we would need to decide on their tasks and the division of labour.”<sup>549</sup> The UK needed to focus on its remaining political, economic and military tasks. The first two required provincial elections to take place, and tangible outcomes from the work of Mr Wareing and the BDC.

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<sup>547</sup> Minute White-Spunner to CJO, 17 April 2008, ‘GOC MND(SE) Weekly Letter – 17 April 2008’.

<sup>548</sup> [Minute DFID \[junior official\] to Private Secretary \[DFID\], 18 April 2008, ‘Information Note: Latest Consequences of Iraqi Operations in Basra’.](#)

<sup>549</sup> Minute Cabinet Office [junior official] to McDonald, 28 April 2008, ‘Iraq Strategy Group, 28 April’.

**938.** Mr Miliband visited Baghdad and Erbil in mid-April.<sup>550</sup> He wrote to Mr Brown on 29 April:

“However unfortunate its genesis, Maliki’s operation in Basra has created an opportunity to reshape our approach there and set a new direction towards transition. 2009 is the year we will need to move from a Basra military strategy to an Iraq political and economic strategy.”

**939.** The Iraqi Government was “for the first time since 2003” giving full attention to Basra. In support of that, the US had committed “serious assets” to strengthen MND(SE). Those combined US, UK and Iraqi resources would “accelerate the rate of positive change in Basra”, paving the way for a “proper and respectable end” to the UK’s role as “lead partner in the coalition” in the course of 2009.

**940.** Mr Miliband identified seven goals towards which substantial progress would need to be made if the UK was to make that “final transition”, including:

- “reconstruction clearly under way; sturdy green shoots of economic revival;
- the BIPA and BDF [Basra Development Fund] well-established;
- the airport on its way to be a development and business hub and transport hub;
- Umm Qasr port better managed and with development plans in place”; and
- the start of “a broad-based and natural relationship with the new Iraq, the ‘whole Iraq policy’ which we have long wanted”.

**941.** Maj Gen White-Spunner reported on 1 May that:

“What is becoming increasingly evident, as our situational awareness improves, is just what a poor state the city is in, with basic services non-existent in some areas and a serious problem with raw sewage and mounds of rubbish on the streets.”<sup>551</sup>

**942.** Mr Brown hosted a reception at No.10 on 28 April, to raise the profile of southern Iraq as an investment destination and enhance Iraqi Government interaction with potential investors.<sup>552</sup>

**943.** Mr Brown was subsequently advised that between 25 and 30 companies, including BP and Shell, had expressed a serious interest in exploring investment opportunities.<sup>553</sup>

**944.** Mr Brown met Gen Petraeus and Ambassador Crocker in London on 1 May.<sup>554</sup> Mr Miliband, Mr Browne, Mr Alexander and senior officials attended.

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<sup>550</sup> [Letter Miliband to Prime Minister, 29 April 2008, ‘Iraq’](#).

<sup>551</sup> Minute White-Spunner to CJO, 2 May 2008, ‘GOC MND(SE) Weekly Letter – 1 May 2008’.

<sup>552</sup> Minute Cabinet Office [junior official] to Prime Minister, 25 April 2008, ‘Basra Investors’ Reception, No10: 28 April 2008’.

<sup>553</sup> Minute Cabinet Office [junior official] to Prime Minister, 30 April 2008, ‘Iraq: Meeting with Petraeus and Crocker, 1 May 2008’.

<sup>554</sup> Minute Cabinet Office [junior official] to Prime Minister, 30 April 2008, ‘Iraq: Meeting with Petraeus and Crocker, 1 May 2008’.

**945.** The Cabinet Office briefing for Mr Brown stated that Gen Petraeus believed that the UK should mount a civilian surge, and had advocated a more hands-on (rather than Iraqi-led) approach. Dr al-Safi and Prime Minister Maliki had both recently told UK interlocutors that they did not think UK-led economic development in Basra was proceeding quickly enough. Dr al-Safi was “resistant” to UK lobbying in favour of channelling Iraqi Government funds through the Provincial Government.

**946.** The DFID briefing for Mr Alexander stated that the US military was becoming increasingly frustrated with the pace of the Provincial Government’s clear-up of the streets after the fighting, and warned that the US might be tempted to take control of the operation themselves.<sup>555</sup> That would be a significant step backwards. The PRT was trying to resist, but the pressure to make things happen was strong.

**947.** The briefing also advised that DFID feared that the Iraqi Government’s reconstruction money was being used as a way of consolidating central Government or Dawa party control over Basra. That would represent a patronage-based, unaccountable way of managing Basra.

**948.** The Iraqi Army and MND(SE) were now in control of Umm Qasr port (previously under militia control) and corruption and smuggling had ended. With the improved security environment, it would be possible to return to US plans for the commercialisation of the port.

**949.** Mr Brown’s meeting with Gen Petraeus and Ambassador Crocker covered a range of political, security and economic issues (see Section 9.7).<sup>556</sup>

**950.** At the meeting, Mr Alexander described the 28 April investors’ reception as a success, and identified the development of the port and airport and the capacity of central Government to support Basra as priorities.

**951.** Summing up the discussion, Mr Brown said that the central UK focus would be accelerated training of Iraq’s 14 Division, preparations for provincial elections, progress on handing control of Basra Airport to the Iraqis and economic reconstruction. Decisions on troop numbers would be taken in the context of completion of these tasks.

**952.** The record of the meeting did not report any criticism by Gen Petraeus of the scale or nature of the UK’s engagement on economic development.

**953.** Mr McDonald advised Mr Brown the following day that the UK would need to retain around 4,100 troops in southern Iraq for the next six months to complete those key tasks.<sup>557</sup>

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<sup>555</sup> Minute DFID [junior official] to Private Secretary [DFID], 30 April 2008, ‘Briefing for Attendance at PM/Petraeus meeting on 1 May’.

<sup>556</sup> Letter Fletcher to Rimmer, 2 May 2008, ‘Iraq: Prime Minister’s Meeting with General Petraeus, 1 May’.

<sup>557</sup> [Email Fletcher to Brown, 2 May 2008, ‘Iraq Troop Numbers – Note from Simon’](#).

**954.** Mr Nick McInnes, UK Trade and Investment (UKTI) Director International Group, briefed UKTI colleagues on 3 May that there was growing pressure from the British Embassy Baghdad and the MOD for a larger UKTI presence in Baghdad.<sup>558</sup> Their arguments for that were:

- the increased interest in Iraq from UK companies;
- the likelihood that Mr Brown’s economic initiatives would stimulate further interest; and
- the possibility of sales of UK military equipment to Iraq.

**955.** Section 10.3 describes the UK Government’s efforts to promote UK businesses.

**956.** In an Assessment of 14 May, the JIC examined the impact of the Charge of the Knights on JAM, Prime Minister Maliki, his Government and the Sadrists.<sup>559</sup> The JIC’s Key Judgements included:

- Prime Minister Maliki was enjoying broad political support following the success of the Charge.
- The Charge had significantly weakened JAM in Basra.
- In Basra, expectations were high. Prime Minister Maliki would need to deliver improvements in public services and job creation “in weeks”.

**957.** Mr Browne visited Iraq briefly, on his way to Afghanistan, at the end of May, where he “realised a personal ambition by having a cup of tea downtown”, the result of “a remarkable transformation of the security situation”.<sup>560</sup>

**958.** A DFID official briefed Mr Alexander on 30 May that, following Mr Browne’s visit to Iraq, there were growing expectations among some military colleagues that UK civilians would soon be able to travel “beyond the wire” (outside Basra Air Station).<sup>561</sup> Visits to Basra Palace by PRT and DFID staff were currently being undertaken at night, by helicopter, and were approved on a case-by-case basis. The situation was not yet good enough to enable PRT and DFID staff to visit Iraqi Government offices on a regular basis, but DFID would keep the situation under review.

**959.** Ms Reid told the Inquiry that shortly after the Charge of the Knights, Dr al-Safi agreed to meet UK officials but not at the Basra Air Station:

“That basically forced a decision ... It [the meeting] was something that was so important ... there was so much pressure coming from Baghdad and from London, that we need to go and have this discussion with him. And at that point ... authority for me to go went back to my Permanent Secretary to get the okay, because it was

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<sup>558</sup> Email McInnes to Haird, 3 May 2008, ‘Resourcing Commercial Work in Iraq’.

<sup>559</sup> [JIC Assessment, 14 May 2008, ‘Iraq: the Charge of the Knights’.](#)

<sup>560</sup> [Letter Browne to Brown, 4 June 2008, ‘Visit to Basra’.](#)

<sup>561</sup> [Minute DFID \[junior official\] to PS/Secretary of State, 30 May 2008, ‘Iraq: Ministerial Trilateral Discussion, 2 June 2008’.](#)

turning around something that had been in place for so long and there was so much nervousness about it.

“What that did was started a discussion which was the default can’t necessarily remain ...

“So by the time I left in October [2008], decisions on moves to the Palace could be made by the head of DFID Baghdad. They didn’t have to go back through a lengthy chain in London. Decisions on some other road moves would still go through my boss back in London, but gradually that got moved more and more to theatre, became much more like the Baghdad experience of Red Zone moves.”<sup>562</sup>

**960.** The 2 June meeting of the ISG focused on economic development.<sup>563</sup> Ms Aldred said that “economic deliverables” would form a core part of the narrative that Mr Browne had asked for following his visit to Basra, and asked DFID to lead on compiling it. Mr McDonald said that Mr Brown would want to announce economic progress – or, at the very least, a Basra economic plan – in his planned Parliamentary statement in July.

**961.** Ms Hendrie reported that Dr al-Safi was making little progress in spending the Iraqi Government’s reconstruction funds for Basra and that, despite UK lobbying, he remained reluctant to use established structures. The Basra Support Office in Baghdad would become operational on 7 June. UKTI had expressed interest in appointing a First Secretary (Commercial) to Baghdad, but was reluctant to fund or staff the post.

**962.** A 9 June Current Intelligence Group (CIG) Assessment of Basra’s economy, commissioned by DFID, judged that the Charge of the Knights had secured “a window of opportunity to create the conditions for economic growth” but that reconstruction and development would continue to be constrained by:

- the absence of any systemic approach to project and financial management within the Iraqi Government;
- competing political agendas, which meant that reconstruction was subject to “political manoeuvring”;
- corruption, which would remain endemic under the present Government or any likely successor;
- the uncertain legislative environment, which continued to hold investors back. International oil companies were in negotiation with the Ministry of Oil but they were unlikely to make long-term investments until a Hydrocarbons Law had been adopted;
- security, which remained fragile;
- crime and smuggling; and

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<sup>562</sup> Public hearing, 24 June 2010, pages 66 and 67.

<sup>563</sup> Minute Cabinet Office [junior official] to McDonald, 2 June 2008, ‘Iraq Strategy Group, 2 June’.

- a “brain drain”. Militia violence and intimidation, which specifically targeted middle-class Basrawis, had prompted many to leave, resulting in a shortage of capable local entrepreneurs.<sup>564</sup>

**963.** DFID deployed an aviation industry consultant to Basra International Airport on 11 June, with the long-term aim of achieving “international certification” within two years.<sup>565</sup> In the shorter term, the consultant aimed to raise the capacity of the airport from four or five to 15 flights per day.

**964.** Ms Hendrie and Mr Donal Brown, her successor as DFID Deputy Director Iraq, visited Iraq from 13 to 22 June.<sup>566</sup> Their report to Mr Anderson and DFID colleagues focused on what could be done in the next 12 months (while there was likely still to be a significant UK military presence) which would constitute “a reasonable package of ‘deliverables’” in Basra. Components of that package included:

- Basra International Airport. There was “some confusion” over what the UK could deliver. International Civil Aviation Organisation (ICAO) accreditation was done at a country level rather than for an individual airport (so the UK could not hand over an accredited airport). Support for the airport was a joint DFID/MOD responsibility.
- Completion of Pumping Station 2 and the water towers. The last two of DFID’s infrastructure projects in the South, their completion would “go some way toward demonstration that the UK has done something for the people of southern Iraq”.
- Mr Brown’s economic initiatives.
- The PRT’s economic and governance work. The Cabinet Office and MND(SE) wanted a youth employment programme.

**965.** Ms Hendrie and Mr Donal Brown commented that it was “important that the Head of the PRT has sufficient time allocated [to leading the PRT] alongside her expanding political work as Deputy CG [Consul General]”.

**966.** Gen Dannatt visited Basra at the end of June, reporting a “very positive mood within MND(SE) and a real sense that we may actually be able to deliver success, although within a realistic timeframe”.<sup>567</sup> He remained “unconvinced that the PRT in Basra is demonstrating enough energy, purpose and drive to be able to deliver meaningful results in the timeframe we require”.

**967.** Mr McDonald told the 3 July meeting of the ISG that Mr Brown’s statement to Parliament could highlight three key objectives for the next six months: training 14 Division; successful provincial elections; and handing over Basra Airport to civilian

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<sup>564</sup> [CIG Assessment, 9 June 2008, ‘Iraq: Basra’s economy’](#).

<sup>565</sup> [Minute Hall to PS/Secretary of State \[DFID\], 30 May 2008, ‘Iraq: Ministerial Trilateral discussion, 2 June 2008’](#).

<sup>566</sup> Minute Hendrie and Brown to Anderson, 27 June 2008, ‘Iraq BTOR – 13<sup>th</sup> – 22<sup>nd</sup> June 2008’.

<sup>567</sup> Minute CGS to various, 4 July 2008, ‘CGS Visit to Iraq and Cyprus – 30 Jun-2 Jul 08’.

control.<sup>568</sup> An FCO official cautioned against exaggerating Basra Airport's success – flight numbers had been dropping.

**968.** NSID(OD) met on 15 July, to discuss a paper prepared by Cabinet Office officials on UK strategy in Iraq 2008/2009.<sup>569</sup>

**969.** A DFID official briefed Mr Alexander in advance of the meeting that:

- Dr al-Safi was drawing the BDC into “party political wrangling”, questioning the validity of its constitution and the UK’s role in relation to it. Prime Minister Maliki had recently said that the BDC was “colonialist inspired”.
- Meanwhile, the BDC was drawing up a Basra Economic Development Plan which “in practice ... will be based on Wareing’s own ‘Key Goals’ document”.
- Dr al-Safi claimed to have allocated US\$100m to 200 projects in Basra and to have hired 15,000 people for public works, but there was little evidence of that on the ground. DFID was lobbying for the funds to be spent through “transparent channels”.
- “Partners” had raised concerns about the capacity of the Basra PRT. The Deputy Consul General in Basra also headed the PRT and was “overloaded”. DFID was working closely with the FCO to improve the capacity of “this FCO-led team”.<sup>570</sup>

**970.** A separate DFID briefing for Mr Alexander stated that Mr Wareing had identified four issues as “critical” to UK success in Basra:

- Basra International Airport. The UK needed to “define objectives for success” and clarify responsibility within the UK Government for delivery.
- UKTI support for the Basra Support Office in Baghdad. UKTI had declined to fund a post.
- Improving the performance of the Basra PRT. The US had suggested that it was under-performing compared with other PRTs.
- Improving Iraq/Kuwait economic ties.<sup>571</sup>

**971.** The DFID briefing also stated that there was:

“... a continuing view amongst some Iraqi politicians (i.e. Dr al-Safi and – to a lesser extent – Prime Minister Maliki) ... that reconstruction and development work is not proceeding fast enough to capitalise on improved security. We are working through the Basra Support Office in Baghdad and the PRT ... to counter these views ...”

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<sup>568</sup> Minute Jones to McDonald, 7 July 2008, ‘Iraq Strategy Group, 3 July’.

<sup>569</sup> [Paper Cabinet Office Officials, 11 July 2008, ‘Iraq’.](#)

<sup>570</sup> Minute DFID [junior official] to PS/Secretary of State [DFID], 3 July 2008, ‘Information Note: Update for the Secretary of State’.

<sup>571</sup> [Email DFID \[junior official\] to PS/Secretary of State \[DFID\], 11 July 2008, ‘Iraq Ministerial Trilateral 14 July – Briefing’ attaching Briefing DFID, \[undated\], ‘Iraq \(Trilateral\) – 14 July’.](#)

**972.** Cabinet Office officials invited Ministers to agree that the UK's key tasks for 2008/2009 should be:

- “• training and mentoring the Iraqi Army's 14 Division, until it is capable of independent operations with minimal Coalition support – expected in about April 2009;
- supporting provincial elections, due by the end of 2008; and
- supporting economic development in Basra, based on Michael Wareing's outline Economic Development Strategy.”<sup>572</sup>

**973.** Officials also invited Ministers to agree that the UK should continue to press for passage of the Hydrocarbons Law.

**974.** Officials assessed that Basra's economy was gaining momentum. Since the No.10 reception on 28 April, foreign investors had begun to pursue projects with a potential value of US\$4.3bn. The UK had helped Basra Provincial Council to secure US\$400m from central Government for the current year. However, the UK was still being criticised for not doing enough and local politics was slowing economic progress, including on the Basra Development Fund and BIPA. The UK needed a focused effort to deliver and demonstrate UK achievements by early 2009, based on the Economic Development Strategy being developed by Mr Wareing and the BDC.

**975.** At the meeting, Mr Alexander reported on Mr Wareing's draft Economic Development Strategy.<sup>573</sup> Mr Wareing was optimistic: four major companies were already examining investment opportunities in Basra.

**976.** Concluding the discussion, Mr Brown welcomed the opportunity that his 22 July statement would provide to set out UK policy publicly. The UK's key goals for the year ahead should be to:

- push for early provincial elections;
- hand over Basra Airport by the end of 2008;
- produce an economic plan shortly; and
- complete training of 14 Division by the end of May 2009.

**977.** Mr Brown met Prime Minister Maliki in Iraq on 19 July.<sup>574</sup> Prime Minister Maliki gave an upbeat account of progress: IDPs were returning to their homes, children were returning to school, 650 doctors had returned from abroad and many university professors were returning to work. There were improvements in the economy, infrastructure and oil production and factories were working again.

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<sup>572</sup> [Paper Cabinet Office, 11 July 2008, 'Iraq'](#).

<sup>573</sup> Minutes, 15 July 2008, NSID(OD) meeting.

<sup>574</sup> Letter Fletcher to Hickey, 19 July 2008, 'Prime Minister's Meeting with Prime Minister Maliki, 19 July'.

**978.** Mr Brown underlined the UK's wish to help on key issues, including Basra port, oil and the steel industry. Mr Brown said that UK forces would not stay longer than was necessary to "finish the tasks we had started", specifically:

- training 14 Division;
- preparing to make Basra Airport operational; and
- supporting local authorities with provincial elections.

**979.** Mr Brown also visited Basra.<sup>575</sup> His programme focused on SSR, although he also visited Basra Airport and met key economic figures. The British Embassy Office Basra reported that Mr Brown was "particularly struck by the need for rapid development of the airport and ports".

**980.** Mr Brown told Cabinet on 22 July that the UK was pursuing four key functions with Iraq:

- UK forces had moved from a combat to an overwatch role. UK troops' primary role was training and mentoring Iraqi forces, with a last resort intervention capability, though that was also gradually being taken over by Iraq.
- Pursuing economic development, which was showing some evidence of success, providing Iraqi citizens with work and a stake in their future.
- Local government elections would give former members of the militia the opportunity to engage in democratic politics.
- Working to transfer Basra International Airport from military to civilian control.<sup>576</sup>

**981.** Mr Brown said that the BDC would produce an economic plan in the autumn and he hoped that local elections would take place by the end of the year; likewise the handover of Basra Airport. Training of 14 Division should also be completed by the end of the year, with additional training of headquarters and specialist functions required in early 2009. Mr Brown "expected that we would be able to make substantial reduction in the number of British forces next year, but that would depend on circumstances. He was not going to make an estimate of the numbers now."

**982.** Mr Brown concluded that if the UK had left Iraq a few months earlier, the job would not have been finished; with the improvements in security, momentum for economic development and a move towards local democracy once the elections were held, the Iraqi people now felt that they had a stake in the future.

**983.** In his statement to Parliament on 22 July, Mr Brown described the impact of the UK's reconstruction effort:

- "British-led" projects in the South had helped to deliver electricity for 800,000 people and water for over one million people.

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<sup>575</sup> [eGram 28460/08 Basra to FCO London, 20 July 2008, 'Iraq: Prime Minister's Visit to Basra, 19 July'](#).

<sup>576</sup> Cabinet Conclusions, 22 July 2008.

- UK funding had helped the UN and World Bank to repair and re-equip 1,000 health centres and more than 5,000 schools, and to train nearly 150,000 teachers.
- With British training and equipment, Basra International Airport was now handling more than 20 flights a day.
- British mentoring and support had helped the Basra Provincial Council access US\$400m in central Government funds.<sup>577</sup>

**984.** Mr Brown stated that it was right that the UK completed the tasks it had set itself. It expected the BDC to publish a detailed Economic Development Strategy in the autumn, and for the Iraqi authorities to “take over development” of Basra International Airport by the end of the year.

**985.** Major General Andrew Salmon took up post as GOC MND(SE) in August 2008.<sup>578</sup>

**986.** Mr Nigel Haywood, UK Consul General in Basra from April 2008, told the Inquiry that:

“When [Major] General Salmon and I jointly went to call on the Governor in his office in August, that was the first time anybody had called on the Governor’s office for two years, nobody had been out really operating in the town [since] October 2006.”<sup>579</sup>

**987.** On 24 August, in his first weekly report from Basra, Maj Gen Salmon reported that he was having “very positive” discussions with the PRT on how to enable the movement of civilian staff.<sup>580</sup> He was also developing with the Consul General a “realistic six to nine month programme of works that will deliver tangible effects, based on Iraqi need”.

**988.** In his next weekly report, Maj Gen Salmon advised that:

“... the inability of central and provincial government to translate cash into essential services, jobs and electricity could become a central security issue. A re-oriented reconstruction strategy accompanied by imaginative information operations should help mitigate this risk.”<sup>581</sup>

**989.** Maj Gen Salmon also reported that Basra needed a “Business Support Facility” to cater for the expected rush for potential investors to Basra as security improved: “The investor phenomenon is accelerating exponentially.”

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<sup>577</sup> House of Commons, *Official Report*, 22 July 2008, column 661.

<sup>578</sup> Public hearing, 20 July 2010, page 1.

<sup>579</sup> Public hearing, 7 January 2010, page 7.

<sup>580</sup> Minute Salmon to CJO, 24 August 2008, ‘GOC MND(SE) Weekly Letter – 24 August 2008’.

<sup>581</sup> Minute Salmon to CJO, 31 August 2008, ‘GOC MND(SE) Weekly Letter – 31 August 2008’.

**990.** The Stabilisation Unit (formerly the Post-Conflict Reconstruction Unit – PCRU) undertook a review of the Basra PRT in August, at the request of the FCO. The aim of the review was to:

- assess whether the PRT’s objectives remained valid in the light of developments since the Charge of the Knights; and
- evaluate the PRT’s performance.<sup>582</sup>

**991.** The “primary purpose” of the review was to ensure that the PRT functioned to its full potential and delivered “tangible and sustainable benefits” over the next 12 months. It seemed likely that the PRT would not exist in its current form once British troop levels reduced in early or mid-2009, and that the US would take over the PRT at that time.

**992.** The Stabilisation Unit review reported that while all PRTs in Iraq were constrained by insecurity and a lack of Iraqi capacity, the Basra PRT faced a number of additional challenges:

“... a part-time leader since January 2007, a dysfunctional structural legacy, limited resources, and an absence of a long-term strategy due to uncertainty over its future ever since its creation in April 2006.”

**993.** Given those constraints, the Basra PRT had performed well in some areas, in particular in securing Provincial Council ownership of the Provincial Development Strategy and building Iraqi capacity on budget planning and execution. The PRT had also responded well to reconfigure itself to support Mr Brown’s economic initiatives.

**994.** It was, however, clear that the PRT was not performing as well as it could. It also needed to respond to the priorities set out in Mr Brown’s 22 July statement to Parliament.

**995.** The Stabilisation Unit made 26 recommendations, of which one was highlighted in the review’s Executive Summary: the appointment of a full-time Head for the PRT. The Stabilisation Unit assessed that while the decision in 2007 to double-hat the Deputy Consul General as the Head of the PRT had been reasonable, the increased expectations on the PRT in the light of the improved security situation and from the US, and the increased willingness of Iraqi citizens to meet members of the PRT both on and off Basra Air Station, meant that “the PRT and PRT Head ... could and should be busier”. The double-hatting arrangement had led the US to express concern that the UK did not attach sufficient importance to the Basra PRT, and that the PRT was too concerned with delivering UK as opposed to coalition goals. The Stabilisation Unit concluded that the arrangement was no longer credible.

**996.** Maj Gen Salmon reported on 7 September that, together with Mr Haywood and the Head of the PRT, he had launched a re-orientated reconstruction programme with

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<sup>582</sup> [Report Stabilisation Unit, 3 September 2008, ‘Review of the Basra Provincial Reconstruction Team’.](#)

an initial focus on electricity, water, rubbish and sewage, designed to deliver tangible improvements in essential services and create jobs.<sup>583</sup> Resources would come from the US CMOC and the PRT, and delivery would be through task-based Joint Reconstruction Action Teams (JRATs). The JRATs would be under joint civilian-military leadership (each having a military head and civilian deputy head or vice versa), and would work with the appropriate Iraqi authorities.

**997.** Mr Keith MacKiggan arrived in Basra in late September 2008 to take up post as the Head of the Basra PRT.<sup>584</sup> His arrival signalled the end of the practice of double-hatting the Head of the PRT and the Deputy Consul General. He described the situation in Basra at that time:

“We were able to get out to meet ... clients, NGOs, officials in the local administration, local businesses and so on. Equally importantly, they were able to come and visit us because they no longer felt the fear they had previously of being associated with the Multi-National Force.

“It also meant that we could expand our capacity building work, both in a geographical sense and also in a functional sense ... we were now much more able to get beyond the city [Basra] to the furthest reaches of the province ... and dig below the level of the Provincial Council to the level of the local Councils and really start to stitch the different parts of the governance structures in Basra together.”

**998.** In their evidence to the Inquiry, Maj Gen Salmon, Mr Haywood and Mr MacKiggan agreed that the UK effort in Basra was well integrated during their time there.<sup>585</sup>

**999.** Maj Gen Salmon told the Inquiry that that integrated approach had emerged in the context of clear UK objectives (as set out in Mr Brown’s 22 July statement to Parliament) and a timetable for withdrawal, but in the absence of an overall UK strategic plan agreed in London.<sup>586</sup>

**1000.** Maj Gen Salmon described how the move to a more integrated approach had been driven by decisions in Basra:

“Well, we had a set of objectives. There was no comprehensive strategic plan that I ever saw. So what we decided to do – when I say ‘we’, that is the Consul General, the Head of the Provincial Reconstruction Team ... and to a certain extent the Head of US Regional Embassy Office ... [was] ensure that we had much more collective consensus, joined-up approach, because nobody was in charge.

“So that was the only way that we could think of working out what the strategy needed to be and how we were going to prosecute that strategy, run it, steer it,

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<sup>583</sup> Minute Salmon to CJO, 7 September 2008, ‘GOC MND(SE) Weekly Letter – 7 September 2008’.

<sup>584</sup> Public hearing, 7 January 2010, pages 1, 10-11.

<sup>585</sup> Public hearing, 7 January 2010, page 6; Public hearing, 20 July 2010, page 24.

<sup>586</sup> Public hearing, 20 July 2010, page 24 and 32.

effectively. So we basically got together and decided that's what we were going to do and worked it from there."<sup>587</sup>

**1001.** Maj Gen Salmon told the Inquiry that JRATs were one expression of that integrated approach, combining personnel from the PRT and MND(SE) working to a "common plan".<sup>588</sup>

**1002.** Lieutenant General Peter Wall, Deputy Chief of the Defence Staff (Commitments), updated the 11 September meeting of the ISG on the emerging plan for UK military drawdown and transition to US command in southern Iraq.<sup>589</sup> He said that:

- At the end of November 2008, command of Maysan, Muthanna and Dhi-Qar provinces would transfer to an expanded MND(C), under US command.
- At the end of March 2009, command of Basra would transfer to a new Basra-based US division, bringing UK forces there under US command.
- At the start of May 2009, US forces would begin to deploy to Basra.
- By the end of June 2009, the UK departure would be complete.

**1003.** Mr Brown and Mr Browne met the Chiefs of Staff and Sir Bill Jeffrey, MOD Permanent Secretary, on 18 September.<sup>590</sup> ACM Stirrup reported that "remarkable progress" had been made in Iraq over the past 18 months, though it was "fragile and reversible". In the South, the biggest risk was stalled economic progress.

**1004.** Mr Brown said that it would be important to have projects that helped with employment in place before the UK left Basra, and to establish a UKTI presence there. The main obstacle was not security but the business climate.

## Transition to a normal bilateral relationship with Iraq

**1005.** Mr Alexander visited Baghdad and Basra on 6 November.<sup>591</sup> The British Embassy Baghdad reported that, in his meeting with Mr Alexander, Prime Minister Maliki had continued to insist that the UK had done little for Basra, and questioned whether the Basra Development Forum had led to any tangible progress. Prime Minister Maliki welcomed Mr Alexander's assurances that the UK wanted to move towards a more normal bilateral relationship including closer economic, cultural and educational links.

**1006.** Mr Alexander also met Ambassador Crocker. The two men agreed that the US would take over the leadership of the Basra PRT as part of the UK/US transition in Basra

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<sup>587</sup> Public hearing, 20 July 2010, pages 27-28.

<sup>588</sup> Public hearing, 20 July 2010, pages 34-35.

<sup>589</sup> Minute Cabinet Office [junior official] to McDonald, 15 September 2008, 'Iraq Strategy Group, 11 September'.

<sup>590</sup> Letter Catsaras to Rimmer, 18 September 2008, 'Prime Minister's Meeting with Defence Chiefs, 18 September'.

<sup>591</sup> eGram 45112/08 Baghdad to FCO London, 12 November 2008, 'Iraq: Visit by Secretary of State for International Development to Baghdad and Basra, 6 November'.

in 2009. Ambassador Crocker said that the US would value some continued UK support in a US-led PRT.

**1007.** Mr Alexander and Ambassador Crocker also agreed that the World Bank should be lobbied “at the highest levels” to increase its presence in Iraq.

**1008.** The Embassy also reported that Mr Alexander had set out DFID’s plans to withdraw from Basra in mid-2009 and move to a “whole of Iraq” approach, delivered through support to central Government, in line with Prime Minister Maliki’s wishes.

**1009.** In Basra, Mr Alexander attended the launch of the Basra Investment Commission – formerly known as the Basra Investment Promotion Agency (BIPA).

**1010.** The 7 November meeting of the ISOG discussed a draft post-drawdown strategy (in advance of an NSID(OD) discussion the following month).<sup>592</sup> The meeting asked for departments to take action on a number of issues, including:

“DFID to consider whether a presence only in Baghdad supported by a communications strategy and programme funding in the south, would be sufficient to sustain our legacy there, protect our reputation and ensure the US did not win credit for progress that we had engineered.”

**1011.** Mr Alexander wrote to Mr Brown on 20 November to provide an update on progress in Basra and to set out how he saw DFID’s role changing in the context of the UK’s “change of mission”.<sup>593</sup>

**1012.** He reported that DFID had already facilitated 18 investor visits by 14 companies, with proposals worth over US\$9bn submitted to, but not yet processed by, the Iraqi Government. The Iraqi Government’s inability to process those proposals was the main obstacle to international investment in Basra.

**1013.** DFID’s infrastructure projects would be completed by the end of 2008, and its work with the Basra provincial administration would come to a “natural conclusion” by mid-2009. The key to achieving a positive legacy for the UK was securing inward investment. Given that the key obstacles to such investment were in central Government, DFID would focus its effort there. That was in line with Prime Minister Maliki’s wish for the UK to support the whole of Iraq, not just Basra.

**1014.** Mr Wareing visited Basra in late November, to launch the Basra Economic Development Strategy.<sup>594</sup>

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<sup>592</sup> Minute Cabinet Office [junior official] to Aldred, 10 November 2008, ‘Iraq Senior Officials Group, 7 November’.

<sup>593</sup> [Letter Alexander to Brown, 20 November 2008, \[untitled\]](#).

<sup>594</sup> Minute Cabinet Office [junior official] to Prime Minister, 28 November 2008, ‘[redacted] Iraq: Update’.

**1015.** Mr Brown met ACM Stirrup on 4 December for a “personal and confidential” discussion.<sup>595</sup> On Iraq, Mr Brown said that it would be important for the UK to show that the withdrawal of UK troops was happening because the UK had completed all the tasks it had set out. A “last push” on economic development was needed, along with a communications plan for the next few weeks.

**1016.** The 9 December meeting of NSID(OD) discussed a Cabinet Office paper on arrangements for transition in Iraq.<sup>596</sup> The paper, which is considered in detail in Section 9.7, included an annex listing the components of the UK’s future bilateral relationship with Iraq and how they would be resourced. In addition to the diplomatic/ political and defence relationships, the components were:

- “Economic/development: Influence Iraqi economic policy, including improving the climate for foreign investment, help improve World Bank and IMF engagement in Iraq, capacity-building on public finance management, continued support for the Prime Minister’s [Mr Brown’s] economic initiatives and support to other departments’ work on investment, trade and higher education.” Work would be funded from DFID’s existing Iraq programme (£20m in 2009/10 and £10m in 2010/11) and, potentially, from the Stabilisation Aid Fund. Staffing levels would be established according to programme needs, with all in-country staff based in Baghdad.
- “Energy: ensure security of Iraq’s oil supply and long-term increase in oil output through political lobbying on hydrocarbons legislation and national energy policy and regional support.” Work would be undertaken primarily by FCO staff.
- “Commercial: support for trade missions, UK investor visits and political lobbying to ensure a level playing field for UK experts/investors.” A new, short-term International Business Specialist would provide recommendations in early 2009 on exactly what resources were needed.
- “Educational: increased collaboration with Iraqi educational institutions, civil society, student exchanges and English language training, to be funded by the British Council.”

**1017.** At the meeting, Mr Brown outlined “strong progress” on the UK’s four key tasks (training the Iraqi Army, promoting economic development, readying Basra Airport for transfer to Iraqi control and preparing for provincial elections).<sup>597</sup>

**1018.** Mr Brown concluded that more should be done to improve economic development and prospects for investment, including with ministries in Baghdad. A visit by Lord Mandelson, Secretary of State for Business, Enterprise and Regulatory Reform, would be welcome. It would also be important to make progress with the Hydrocarbons Law.

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<sup>595</sup> Letter Catsaras to Rimmer, 4 December 2008, ‘Prime Minister’s Meeting with Chief of Defence Staff, 4 December’.

<sup>596</sup> [Paper by Cabinet Office Officials, 8 December 2008, ‘Iraq: Arrangements for Transition’.](#)

<sup>597</sup> Minutes, 9 December 2008, NSID(OD) meeting.

Mr Brown would raise those points with Prime Minister Maliki when he visited Iraq later in the month.

**1019.** NSID(OD) agreed that agreement to the UK's new Long-Term Strategy for Iraq would be sought out of committee.

**1020.** Following the NSID(OD) meeting, and in advance of Mr Brown's visit to Iraq, a DFID official wrote to No.10 detailing four investment proposals, together worth over US\$5bn, which were currently awaiting agreement from the Iraqi Government.<sup>598</sup> The letter did not state why there had been a delay in agreeing the proposals.

**1021.** Mr Brown met Prime Minister Maliki in Baghdad on 17 December.<sup>599</sup> Prime Minister Maliki repeated his call for a wider long-term relationship, including investment and economic co-operation, and stronger cultural and educational links. He added that UK companies should invest in all Iraq, not just Basra. Mr Wareing briefed Prime Minister Maliki separately on the main investment proposals for Basra and handed over DFID's letter detailing the investment proposals awaiting an Iraqi Government response.

**1022.** Mr John Tucknott, Deputy Head of Mission British Embassy Baghdad from November 2007 to July 2009, described the change in the UK's relationship with Iraq and the challenge it presented to the UK Government:

"I think Basra remained important ... but the messaging that was coming out of London, which we were conveying to the Iraqis, was that we wanted to move, and this was the message that Gordon Brown gave to Maliki in December 2008 when he visited. You know, we are talking about a whole Iraq policy now. We want to do things with you which we haven't been able to do before. We want to move on to a proper footing ... a less military footing.

"The problem that we had in the Embassy was persuading some parts of Whitehall, some Government departments, to recognise that we were moving to this, that we wanted to increase trade, that it was important that visas were issued to students. Part of Prime Minister Maliki's education scheme was to send 10,000 postgraduates or undergraduates to go to overseas universities to study. We need to provide a proper visa regime, not the one that we cobbled together.

"So that was a difficulty we faced, actually getting that message out to the wider Whitehall machinery, that Iraq is moving forwards, and if we want to play an important role in this process, we had to move with it.

"Messages did get through in the end. We have got a trade and investment section now ... poor old DFID were doing their best in their absence ..."<sup>600</sup>

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<sup>598</sup> [Letter DFID \[junior official\] to Fletcher, 12 December 2008, \[untitled\]](#).

<sup>599</sup> Letter Catsaras to Gould, 18 December 2008, 'Prime Minister's Meeting with Iraqi Prime Minister, 17 December'.

<sup>600</sup> Public hearing, 24 June 2010, pages 116 and 117.

**1023.** Section 10.3 describes the growing pressure on UKTI from spring 2008 to post a Commercial Officer to Baghdad, in response to the increased interest in Iraq from UK companies.

**1024.** Mr Brown's Assistant Private Secretary wrote to Mr Richard Abel, Mr Mandelson's Principal Private Secretary, on 18 December informing him that Mr Brown believed, following his visit to Iraq the previous day, that there were opportunities in Iraq and interest from British companies that were not being exploited.<sup>601</sup> Mr Brown was convinced that there was an urgent need for a significant UKTI presence in both Baghdad and Basra, both to consolidate security gains and to ensure that UK investors had every chance to benefit from commercial opportunities in Iraq. Mr Brown asked UKTI to start planning immediately for a long-term presence in Iraq, consulting Mr Wareing and DFID.

**1025.** Mr Abel replied to No.10 on 16 January 2009, advising that an International Business Specialist would deploy to Iraq later that month and would make recommendations on UKTI's future footprint in Iraq by the end of March.<sup>602</sup> Mr Abel added: "There will be no gap in our commercial representation in Iraq."

**1026.** The International Business Specialist arrived in Baghdad at the end of January.<sup>603</sup> He was joined by a second UKTI consultant on 12 February.<sup>604</sup>

**1027.** Iraqi authorities took control of Basra Airport in January 2009; transferring control of the airport by the end of 2008 had been one of the UK's key goals for 2008. 903 Expeditionary Air Wing had operated Basra Airport since 2003.<sup>605</sup>

**1028.** Mr Brown was informed on 14 December 2008 that the transfer of control was "effectively completed".<sup>606</sup> Since July, the Iraqi civil authorities at Basra Airport had taken on control of air-traffic control, the airport fire brigade, and other services. The final stage would be a formal transfer of legal responsibility for Basra Airport to the Iraqi Government.

**1029.** Control of Basra Airport was formally transferred to the Iraqi Government on 1 January 2009.<sup>607</sup>

**1030.** During the period that Basra Airport was operated by the UK military, it received significant funding from a variety of military and civilian sources (including US CERPs and the UK's Stabilisation Aid Fund). The Inquiry has not been able to form

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<sup>601</sup> [Letter APS/Prime Minister to Abel, 18 December 2008, 'UKTI presence in Iraq'](#).

<sup>602</sup> [Letter Abel to Catsaras, 16 January 2009, untitled.](#)

<sup>603</sup> Report DFID, 1 February 2009, 'Weekly Update: 1<sup>st</sup> February 2009'.

<sup>604</sup> Report DFID, 15 February 2009, 'Weekly Update: 15<sup>th</sup> February 2009'.

<sup>605</sup> Report Salmon, 15 May 2009, 'COMUKAMPHIBFOR OP TELIC 12/13 (HQ MND(SE) Post Operational Report (POR))'.

<sup>606</sup> Minute Lyon to Prime Minister, 14 December 2008, 'Visit to Iraq, 17 December'.

<sup>607</sup> Report Salmon, 15 May 2009, 'COMUKAMPHIBFOR OP TELIC 12/13 (HQ MND(SE) Post Operational Report (POR))'.

a comprehensive picture of the support provided to Basra Airport by the UK and other international partners.

### Long-Term Strategy for Iraq, February 2009

**1031.** Mr Miliband's Private Secretary circulated a draft strategy for "UK policy towards and relations with Iraq following military drawdown" to No. 10 and the Private Offices of NSID(OD) Ministers on 13 January 2009.<sup>608</sup> The draft strategy had been agreed by officials from all interested departments and by Mr Miliband.

**1032.** The draft strategy, which is described in detail in Section 9.7, stated that the UK had a "strategic national interest in a strong, stable and non-hostile Iraq that:

- acts in accordance with international law and does not threaten its neighbours;
- provides a counterweight against Iran, ideally as a pro-Western state ...;
- is able to deny AQ-I [Al Qaida in Iraq] and other terrorist groups a safe haven in its national territory;
- contributes positively to stable world energy markets by maximising its potential as a producer and exporter of oil and gas, and increases EU energy security through developing new supply routes."

**1033.** The draft strategy identified a number of "essential" and "highly desirable" factors for achieving the UK's strategic interest of a "strong, stable and non-hostile Iraq". The essential factors included a "functioning economy", which would require agreement on the Hydrocarbons Law. Highly desirable factors included:

- that Iraq should be "a broadly democratic state";
- that Iraq should address critical humanitarian issues, in particular the large number of refugees and displaced people; and
- that Iraq should develop a strong and open market economy.

**1034.** The draft strategy listed a number of elements of a future Iraq/UK relationship, including:

- Economic: the UK would help build Iraqi capacity to deliver economic growth and opportunity (DFID to lead).
- Energy: the UK would help Iraq to bring greater volumes of oil and gas to the market (FCO and the Department of Energy and Climate Change (DECC) to lead, with MOD).
- Commercial: the UK should ensure a level playing field for UK firms in Iraq (UKTI/FCO to lead).
- Education and culture: increased educational and cultural exchanges would underpin other elements of the relationship.

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<sup>608</sup> [Letter Hickey to Catsaras, 13 January 2009, 'Iraq: Strategy', attaching Paper \[draft\], \[undated\], 'Iraq: a Review of Strategy'](#).

**1035.** The draft strategy stated that much of DFID’s work in Basra would come to a “natural conclusion” by mid-2009. DFID would respond to changing conditions on the ground, but anticipated “drawing down from Basra” by that date. It would continue to provide some support to programmes through the Basra Support Office in Baghdad. DFID resources for Iraq would reduce from £25m in the current financial year (2008/09) to £20m in 2009/10 and £10m in 2010/11.

**1036.** The Stabilisation Aid Fund (SAF) and the FCO’s Peace-Keeping Budget (PKB) were essential sources of funding for UK programmes in Iraq. There was unlikely to be any PKB funding for Iraq in 2009/10. MOD, DFID and FCO officials were reprioritising the £15m SAF allocation for Iraq for 2009/10, to support “initiatives which support key Prime Ministerial deliverables” and the Rule of Law.

**1037.** Mr Alistair Darling, Chancellor of the Exchequer, Mr John Hutton, the Defence Secretary, and Mr Alexander confirmed their agreement to the strategy.<sup>609</sup>

**1038.** Mr Donal Brown informed the 4 February meeting of the ISG that the US would take over the Basra PRT on 31 March.<sup>610</sup> The US had agreed to retain programmes that were important to UK objectives.

**1039.** On 9 February, Mr Brown’s Assistant Private Secretary told the Private Secretaries to Mr Miliband and Lord Mandelson that Mr Brown had endorsed the strategy, which was consistent with the approach described to Parliament on 18 December.<sup>611</sup>

**1040.** Mr Brown remained “keen to ensure maximum savings as we move to a normal bilateral relationship”, but agreed that:

“... the UK will retain an important strategic interest in the emergence of a stable and prosperous Iraq, able to contribute to regional stability and global energy security; and that we will have important bilateral interests in Iraq which need to be secured and promoted ...

“In particular, the Prime Minister continues to believe that improving trade and investment in Iraq is key both to consolidating the security gains that have been made, and ensuring UK investors are able to benefit from the opportunities in Iraq ... We also need to ensure that investors in Basra continue to be supported as our military hands over to US.”

**1041.** A planned visit by Prime Minister Maliki to the Invest Iraq Conference in London at the end of April would be “an important milestone for showcasing progress in the transition to a new relationship with Iraq”.

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<sup>609</sup> Letter Jordan to Hickey, 26 January 2009, ‘Iraq Strategy’; Letter Ferguson to Catsaras, 29 January 2009, ‘Iraq: Strategy’; Letter Wright to Catsaras, 5 February 2009, ‘Iraq Strategy’.

<sup>610</sup> Record, 4 February 2009, Iraq Strategy Group meeting.

<sup>611</sup> Letter Catsaras to Hickey and Abel, 9 February 2009, ‘Iraq Strategy’.

**1042.** Lord Mandelson visited Iraq on 6 April, at the head of a delegation of 23 companies.<sup>612</sup> The objectives of the visit included:

- underlining the UK's commitment to building a new broad-based, long-term partnership with Iraq, with a strong emphasis on economic and trade co-operation;
- countering Iraqi complaints (from Prime Minister Maliki and others) about the lack of interest from UK business, while assisting the business delegation to build contacts with Iraqi Ministers and members of the Iraqi business community; and
- supporting UK companies pursuing business in Iraq.

**1043.** In Baghdad, Lord Mandelson and the delegation met Prime Minister Maliki.<sup>613</sup> Mr Prentice reported that the meeting had been “entirely positive” and a “powerful demonstration of the new civilian focus to our bilateral relationship”.

**1044.** In Basra, Lord Mandelson and the delegation attended an investment conference at Basra Airport.<sup>614</sup> Mr Haywood reported that the event had been “timed perfectly” so that the UK could “demonstrate that whilst the military were drawing down, the UK's commitment to Basra continued”. The mood at the event had been “optimistic”, reflecting the mood in Basra: recent polling showed that over 80 percent of Basrawi businesses thought that the economic environment had improved over the past year and would continue to improve.

**1045.** The Iraqi National Investment Commission, with support from DFID, hosted the Invest Iraq Conference in London on 30 April.<sup>615</sup> Mr Prentice described the Conference as the UK's “headline initiative ... demonstrating in a practical way our desire for a new and normalised bilateral relationship”.

**1046.** Mr Brown made a statement to Parliament on the UK's involvement in Iraq on 15 June.<sup>616</sup> He reported that the objectives set out in his statement of 18 December, including “to promote the reconstruction of the country, economic growth and basic services”, “were being achieved”. On reconstruction, Mr Brown said:

“Since 2003, the UK has spent more than £500m in Iraq – for humanitarian assistance, infrastructure and promoting economic growth. Support to the health sector has included 189 projects in Basra, including the refurbishment of Basra general hospital and the building of Basra children's hospital. As a whole, the

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<sup>612</sup> Briefing, [undated], ‘Visit of the Rt Hon Lord Mandelson to Bahrain, Kuwait, Iraq, Abu Dhabi and Dubai, 5 – 8 April 2009’.

<sup>613</sup> eGram 12764/09 Baghdad to FCO, 8 April 2009, ‘Iraq: Lord Mandelson's Visit to Baghdad, 06 April 2009’.

<sup>614</sup> [eGram 12607/09 Basra to FCO London, 7 April 2009, ‘Iraq: Lord Mandelson's Visit to Basra, 6 April’](#).

<sup>615</sup> eGram 15041/09 Baghdad to FCO London, 28 April 2009, ‘Iraq: Invest Iraq Conference, London – 30 April – 1 May’.

<sup>616</sup> House of Commons *Official Report*, 15 June 2009, columns 21-23.

international community has rehabilitated more than 5,000 schools. Despite high unemployment and the scale of the global recession, economic growth in Iraq this year is predicted to be nearly seven percent.

“Significant challenges remain, including that of finding a fair and sustainable solution to the sharing of Iraq’s oil reserves, but Iraq’s future is now in its own hands ...

“At the core of our new relationship ... will be the diplomatic, trading and cultural links that we are building with the Iraqi people, supporting British and other foreign investors who want to play a role in the reconstruction of southern Iraq.”

## Resources available for reconstruction

**1047.** The table below sets out UK expenditure on humanitarian assistance and development assistance (reconstruction) by UK financial year.

Table 2: UK expenditure on humanitarian and development assistance (£m)

	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	Total
<b>Humanitarian and development assistance</b> <sup>621</sup>									
Humanitarian assistance	19	110	21	5	10	20	16	8	209
Development assistance		99	27	82	39	20	17	13	297
Imputed share of multilateral aid		11	11	6	14	9	14	8	73
<b>Sub-total</b>	<b>19</b>	<b>220</b>	<b>59</b>	<b>93</b>	<b>63</b>	<b>49</b>	<b>47</b>	<b>29</b>	<b>579</b>

**1048.** DFID provided £297m for reconstruction and a further £209m for humanitarian assistance in Iraq between 2002/03 and 2009/10. Iraq was DFID’s largest bilateral programme in 2003/04, when DFID spent a total of £220m. That included a £110m contribution to the humanitarian relief effort following the invasion and a £70m contribution to the World Bank and UN Trust Funds (which would be spent by the World Bank and UN in subsequent years). The size of DFID’s programme decreased over the following years.

**1049.** In addition, UK forces in MND(SE) spent £38m from UK funds on Quick Impact Projects (QIPs).<sup>618</sup>

**1050.** It is not possible, from the information available to the Inquiry, to produce a definitive breakdown of the allocation of DFID funding between national programmes and programmes in the South. The Inquiry calculates that, from 2003/04 to 2007/08,

<sup>617</sup> Letter Cabinet Office [junior official] to Aldred, 1 July 2011, ‘Iraq Inquiry: request for further information on funding’.

<sup>618</sup> Paper DFID, January 2010, ‘DFID Non-Humanitarian Spend by Region’.

between 76 percent and 52 percent of DFID funding was allocated to programmes in the South.<sup>619</sup> DFID's expenditure in the South peaked in 2005/06.

**1051.** UK forces also had access to significant amounts of US funding from the Commander's Emergency Response Program (CERPs) to spend on urgent relief and reconstruction needs.

**1052.** The Government has not been able to provide a full breakdown of the amount of CERPs funding used by UK military commanders, but it appears to have been greater than the total amount provided by the UK for reconstruction. The US allocated US\$66m from CERPs to MND(SE) in 2005/06.<sup>620</sup> In the same year, in MND(SE), DFID spent some £35m on infrastructure and job creation<sup>621</sup> and the MOD spent £3m on QIPs.<sup>622</sup>

**1053.** By April 2009, the US had spent or allocated to ongoing projects US\$351m from CERPs in MND(SE), and spent or allocated to ongoing projects some US\$3.3bn from all sources in MND(SE).<sup>623</sup> Over the same period, in MND(SE), DFID spent at least £100m<sup>624</sup> and the MOD spent £38m on QIPs.<sup>625</sup>

**1054.** UK funding was also available for Iraq from the Global Conflict Prevention Pool (and subsequently the Stabilisation Aid Fund and the Conflict Pool). Most of that funding was allocated to Security Sector Reform (see Section 12). The table below sets out expenditure from the Pools.

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<sup>619</sup> Calculation excludes DFID funding for humanitarian assistance, the World Bank and UN Trust Funds, and programme support cost such as security, accommodation and communications. It is not possible to produce a reliable estimate of the proportion of the funding provided for those purposes that related to the South.

<sup>620</sup> Briefing, October 2006, 'PQ06267S: CERP Funds FY06 (1 Oct 05 – 30 Sep 06)'.

<sup>621</sup> Calculation excludes DFID funding for humanitarian assistance, the World Bank and UN Trust Funds, and programme support cost such as security, accommodation and communications. It is not possible to produce a reliable estimate of the proportion of the funding provided for those purposes that related to the South.

<sup>622</sup> Paper DFID, January 2010, 'DFID Non-Humanitarian Spend by Region'.

<sup>623</sup> Special Inspector General for Iraq Reconstruction, *Quarterly Report and Semiannual Report to the US Congress*, 30 July 2009.

<sup>624</sup> Calculation excludes DFID funding for humanitarian assistance, the World Bank and UN Trust Funds, and programme support cost such as security, accommodation and communications. It is not possible to produce a reliable estimate of the proportion of the funding provided for those purposes that related to the South.

<sup>625</sup> Paper DFID, January 2010, 'DFID Non-Humanitarian Spend by Region'.

Table 3: UK expenditure from the Conflict Pools (£m)

	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	Total
<b>Interdepartmental Conflict Pools<sup>630</sup></b>									
GCPP		5	16	15	20	16			72
Stabilisation Aid Fund							19		19
Conflict Pool								11	11
<b>Total</b>		<b>5</b>	<b>27</b>	<b>32</b>	<b>35</b>	<b>22</b>	<b>26</b>	<b>12</b>	<b>159</b>

**1055.** SIGIR reported in July 2009 that, as at June 2009, a total of nearly US\$140bn had been allocated for the relief and reconstruction of Iraq.<sup>627</sup> That comprised:

- US\$71bn from Iraqi capital budgets and the Development Fund for Iraq (DFI);
- US\$52bn from the US; and
- US\$17bn from other international donors.

**1056.** The US allocation included US\$21bn from the Iraq Relief and Reconstruction Fund (IRRF), US\$18bn from the Iraq Security Forces Fund, US\$4bn from the Economic Support Fund and US\$3.6bn from the CERPs.

## Reflections on the impact of the UK's reconstruction effort

**1057.** From the available information, it is not possible fully to assess the impact of the UK's reconstruction effort.

**1058.** One difficulty is that the Government never defined what contribution reconstruction should make to achieving broader UK objectives and so what would constitute success or failure.

**1059.** The environment in Iraq made reconstruction very difficult. For almost all of the period covered by the Inquiry, insecurity was the major constraint. Other constraints were:

- the lack of capacity within the Iraqi Government, both in Baghdad and the South, to support and lead reconstruction;
- the form and implementation of de-Ba'athification;
- the politicisation of Iraqi institutions, and corruption;
- the series of relatively short-lived Iraqi administrations between 2004 and 2006 (with limited remits to initiate reform and an inevitable churn of Ministers and senior officials);

<sup>626</sup> Letter Cabinet Office [junior official] to Iraq Inquiry [junior official], 1 December 2011, 'Iraq Inquiry: Funding'.

<sup>627</sup> Special Inspector General for Iraq Reconstruction, *Quarterly Report and Semiannual Report to the US Congress*, 30 July 2009.

- an international community which, because of the circumstances of the invasion, was not fully invested in the reconstruction of Iraq; and
- the persistent lack of co-ordination between the Iraqi Government and international partners, and between international partners.

**1060.** Staff and contractors developed a number of approaches to managing the risks inherent in working in such an environment:

- using innovative techniques to deliver projects, such as working through local Iraqi contractors, using the military (who were more frequently able to visit project sites) to manage and monitor projects, and helping the Ministry of Finance to set up an office inside the International Zone in Baghdad within which international consultants could work;
- systematically tracking poor performance;
- adapting delivery methods to reduce fiduciary risk; and
- building clear exit strategies into projects, including dedicating significant effort to bringing in other donors.

**1061.** The Inquiry recognises the dedication and skill of the staff and contractors who worked in Iraq, often in discomfort and at personal risk.

**1062.** Witnesses to the Inquiry and contemporary documents identify three areas in particular where the UK had made a significant contribution to Iraq's reconstruction:

- building Iraqi capacity at the centre of government (including the Prime Minister's Office and the Cabinet Office), and strengthening the linkages between Baghdad and the provinces;
- building the capacity of the provincial administration in Basra; and
- building the capacity of successive Iraqi Governments to manage the economy (including the launch of a new Iraqi currency in 2003) and engage effectively with the IMF.

**1063.** The Inquiry met a number of senior Iraqi politicians and officials, and asked them for their views on the UK's reconstruction effort. DFID's focus on building Iraqi Government capacity to plan and manage was recognised and welcomed. That was contrasted with short-term activities, including building schools and hospitals, which Iraq could do for itself.

**1064.** In Basra, the Inquiry was told that there was little to show for the UK's reconstruction effort. A small number of projects were identified as continuing to have a positive impact, including:

- training in the UK delivered by the PRT;
- job creation programmes supported by DFID; and
- improvements to the sewerage system supported by the UK military.

## Key economic and social indicators

**1065.** It is possible to consider the impact of the international community's reconstruction efforts in Iraq by looking at the changes in a number of key indicators. The table below presents selected economic and social indicators.

**1066.** In relation to the economy:

- Electricity production fell from around 4,000 megawatts (MW) per day before the invasion to 500MW in May 2003 (immediately after the invasion), before recovering to around 4,000MW in June 2004 (the transition to a sovereign Iraqi Government).<sup>628</sup> By July 2009, production was around 6,000MW.
- Oil production fell from around 2.9m barrels a day (bpd) before the invasion to around 0.3m bpd in May 2003, before recovering to 2.3m bpd by June 2004. By 2009, production remained below pre-conflict levels.

**1067.** The under-five mortality rate fell from 42 to 38 (per 1,000 live births) between 2003 and 2009. Other key social indicators remained stable.

**1068.** Perceptions of corruption in Iraq worsened between 2003 and 2009. Iraq fell from 113th out of 133 countries surveyed for Transparency International's Corruption Perceptions Index in 2003, to 176th out of 180 countries surveyed in 2009.

**1069.** The UN's 2009 Common Country Assessment concluded that, while Iraq had fulfilled its constitutional mandate requiring 25 percent of Parliamentary seats to be filled by women, women remained under-represented at higher levels within the public sector and government.<sup>629</sup> Women also had higher illiteracy levels than men, participated in smaller numbers in the labour force, were paid less and were segregated into certain occupations. A disproportionate number of households in poverty were headed by women.

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<sup>628</sup> Brookings, Iraq Index, *Electricity*.

<sup>629</sup> UN, 2009, *Common Country Assessment: Iraq*.

Table 4: Iraq: selected economic and social indicators

	1989	2002	2003	2004	2009
GDP at market prices (current US\$bn) <sup>634</sup>	65.6	n/a	n/a	36.6	111.7
GDP per capita GDP (current US\$) <sup>635</sup>	3,850	n/a	n/a	1,391	3,725
Electricity production (megawatts) <sup>636</sup>		3,958	500 – 3,456	4,030	5,700
Oil production (million barrels per day) <sup>637</sup>	2.90	2.02	1.31	2.01	2.39
Under-five mortality rate <sup>638</sup>	55	43	42	42	38
Primary school enrolment, both sexes (%) <sup>639</sup>	90	n/a	94	93	92
Employment (%) <sup>640</sup>	43	43	43	43	44
Corruption <sup>641</sup>	n/a	n/a	113/133	129/146	176/180

<sup>630</sup> World Bank, Data, [April 2016], *Iraq: GDP at market prices (current US\$)*.

<sup>631</sup> World Bank, Data, [April 2016], *Iraq: GDP per capita (current US\$)*.

<sup>632</sup> Brookings, Iraq Index, *Electricity*. Figure for 2002 is a estimated pre-war level.

<sup>633</sup> US Energy Information Administration website. *Iraq Crude Oil Production by Year*.

<sup>634</sup> World Bank, Data, [April 2016], *Iraq: Mortality rate, under-5 (per 1,000)*. Under-5 mortality rate is a leading indicator of the level of child health and overall development in countries.

<sup>635</sup> World Bank, Data, [April 2016], *Iraq: Net enrolment rate, primary, both sexes (%)*. Figure for 2009 relates to 2007 survey.

<sup>636</sup> World Bank, Data, [April 2016], *Iraq: Labor force participation rate, total (% of total population ages 15-64)*.

<sup>637</sup> Transparency International, *Corruption Perceptions Index (CPI)*. Iraq was not included in the CPI before 2003. The CPI draws on multiple data sources.

## SECTION 10.3

# RECONSTRUCTION: OIL, COMMERCIAL INTERESTS, DEBT RELIEF, ASYLUM AND STABILISATION POLICY

### Contents

Introduction .....	374
UK policy on Iraq's oil and oil revenues .....	375
Iraq oil reserves, production and export .....	375
UK energy security interests, 2001 to 2002 .....	376
Planning and preparing for a post-conflict Iraq .....	379
Military planning .....	388
Discussions with the US .....	389
The invasion and immediate aftermath .....	403
Negotiations with the US over the control of Iraqi oil revenues .....	405
Oil policy under the Coalition Provisional Authority .....	417
UK policy under Iraqi Governments .....	436
UK Government support for UK business .....	457
UK commercial interests, 2001 to 2002 .....	457
Planning and preparing for a post-conflict Iraq .....	457
Influencing the Coalition Provisional Authority and the US .....	467
The success of UK companies in securing contracts in Iraq .....	486
Responding to renewed commercial interest in Iraq, 2008 .....	487
Debt relief .....	492
UK policy .....	492
The US push for substantial debt relief, December 2003 .....	496
The UK seeks a better deal for the most heavily indebted countries .....	497
Paris Club agrees debt relief for Iraq, November 2004 .....	499
Returning asylum seekers to Iraq .....	502
Post-conflict reconstruction and stabilisation .....	507
The Post-Conflict Reconstruction Unit .....	507
The PCRU and Iraq .....	514
The Stabilisation Unit .....	515
The Cabinet Office Task Force Review of Stabilisation and Civil Effect .....	516
The impact of the PCRU and the SU .....	524

## Introduction

**1.** Section 10 addresses the UK contribution to humanitarian assistance and reconstruction in Iraq between 2003 and 2009:

- Section 10.1 covers the period between March 2003 and the end of the Occupation of Iraq in June 2004.
- Section 10.2 continues the story from July 2004 to 2009.

**2.** Sections 10.1 and 10.2 consider:

- humanitarian assistance;
- the development and implementation of UK reconstruction policy, strategy and plans;
- the UK's engagement with the US on reconstruction, including with the US-led Office of Reconstruction and Humanitarian Assistance (ORHA) and the Coalition Provisional Authority (CPA); and
- the UK's engagement with successive Iraqi Governments on reconstruction.

**3.** Section 10.3 addresses five issues in more detail:

- UK policy on Iraq's oil and oil revenues;
- the Government's support for UK business in securing reconstruction contracts;
- debt relief;
- asylum; and
- reform of the Government's approach to post-conflict reconstruction and stabilisation.

**4.** Those issues are addressed separately from the main reconstruction narrative, in order to provide a clearer account of the development of the UK's engagement.

**5.** This Section does not consider:

- planning and preparing to provide humanitarian assistance and reconstruction, which is addressed in Sections 6.4 and 6.5;
- the financial and human resources available for post-conflict reconstruction, addressed in Sections 13 and 15 respectively;
- de-Ba'athification and Security Sector Reform, addressed in Sections 11 and 12 respectively; or
- wider UK policy towards Iraq in the post-conflict period, addressed in Section 9.

## UK policy on Iraq's oil and oil revenues

### Iraq oil reserves, production and export

**6.** A January 2002 Ministry of Defence (MOD) Defence Intelligence Service (DIS) report on Iraq's infrastructure stated that Iraq held the second largest proven oil reserves in the world at approximately 115bn barrels, equating to 11 percent of total world oil reserves.<sup>1</sup> It also held two percent of total world gas reserves. There were potentially larger reserves as many areas were underdeveloped.

**7.** The report estimated that crude oil production was approximately 2.8m barrels per day (bpd). Of that, Iraq exported approximately 2.4m bpd under the Oil-for-Food (OFF) programme.

**8.** The report also stated that Iraq's oil and gas infrastructure was in a generally poor state of repair.

**9.** A November 2002 Trade Partners UK (TPUK) paper advised that:

“... exploration in Iraq is relatively immature and yet-to-find (YTF) reserves have been estimated at between 50[bn] and 200bn barrels of oil. This magnitude of YTF reserves is unmatched anywhere in the world.

...

“Based on these reserves Iraq has the potential to be an extremely important future player in the supply of oil and gas to world markets ...

“Despite the vast sums required to develop Iraq's reserves, there is a great deal of interest from International Oil Companies to become involved in this [investment in Iraq's oil infrastructure]. This is based on the fact that, although modern technologies will be required to undertake the work, Iraq's reserves are considered amongst the cheapest in the world to develop, driven by having large, onshore fields with simple geological structure.”<sup>2</sup>

**10.** Iraqi oil production and revenues from oil exports for selected years between 1989 and 2009 are set out in Table 1, later in this Section.

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<sup>1</sup> Paper DIS, 18 January 2002, 'Infrastructure Briefing Memorandum: Iraq'.

<sup>2</sup> Paper TPUK, 29 November 2002, 'Note for Sir David Manning on UK Oil Company Interests in Iraq'.

### The Oil-for-Food (OFF) Programme

The OFF programme was established by resolution 986 in April 1995.<sup>3</sup> Implementation began in May 1996 after the signing of a Memorandum of Understanding between the UN and the Iraqi Government.

The programme allowed for:

- the export of Iraqi oil;
- the deposit of oil revenues into a UN-controlled account; and
- the use of those revenues to procure food, medicine and other goods approved by the UN.

Under the UN sanctions regime, the OFF programme was the only legal way to export Iraqi oil.

In the period running up to the invasion of Iraq, the UK assessed that 60 percent of Iraqi people relied on supplies distributed under the OFF programme.<sup>4</sup>

### UK energy security interests, 2001 to 2002

**11.** Sections 1.1 and 1.2 describe the increasing challenges from 1999 to the US/UK policy for the containment of Iraq.

**12.** In January 2001, the Foreign and Commonwealth Office's (FCO's) Middle East Department drew up an internal paper for a meeting of the FCO Policy Board, which reassessed the UK's "fundamental interests" in relation to Iraq and recommended a new approach to promoting them.<sup>5</sup> The UK's interests were identified as:

- regional stability, including through the non-proliferation of Weapons of Mass Destruction (WMD);
- energy security: the region accounted for 33 percent of the world's oil production and 66 percent of world oil reserves;
- a "level playing field" for UK companies: at its peak, UK trade with Iraq was US\$500m a year;
- preserving the credibility and authority of the UN Security Council;
- maintaining the coherence of UK policy, including on human rights, adherence to UN Security Council resolutions, and non-proliferation;
- improving the humanitarian and human rights situation in Iraq;
- avoiding a US/UK split; and
- reducing the UK's isolation in the European Union (EU).

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<sup>3</sup> Office of the Iraq Programme: Oil-for-Food website, [undated], *About the programme*.

<sup>4</sup> [Letter Short to Blair, 14 February 2003, 'Iraq: Humanitarian Planning and the Role of the UN'](#).

<sup>5</sup> Paper FCO, January 2001, 'Iraq: A Fresh Look at UK Interests'.

**13.** Sections 3.1 and 3.2 describe how, following the attacks on the US by Al Qaida on 11 September 2001, the US moved away from pursuing a policy of containment and towards a policy of taking direct action against Iraq, and the UK's response to that shift.

**14.** In February 2002, No.10 commissioned a "large number of papers" for the meeting between President Bush and Mr Blair at Crawford, Texas, which was scheduled to be held in early April.<sup>6</sup>

**15.** Those papers included:

- “• **Iraq** ... the options, the state of play on the UN Resolutions, the legal base and the internal dimension – the state of the opposition groups etc.  
...
- **Oil and energy** ... who are the producers, which states are Europe and the US most dependent on, the state of play in developing countries with oil reserves, pipelines ...”<sup>7</sup>

**16.** The Cabinet Office's 'Iraq: Options Paper', which is described in detail in Section 3.2, identified two broad policy options:

- toughen the existing containment policy, or
- seek regime change.<sup>8</sup>

**17.** The paper defined the current objectives of UK policy towards Iraq, and set them within the context of the broader UK objectives of "preserving peace and stability in the Gulf and ensuring energy security".

**18.** Apart from that reference to energy security, the paper did not consider oil or energy security.

**19.** The FCO's Forward Strategy Unit (FSU) produced a paper on the security of global oil supply which considered a number of risks to the supply of oil, including a "sustained Allied attack on Iraq".<sup>9</sup> The paper concluded:

- “• Any step increase in price likely to be unsustainable.
- Sufficient production and substantial spare capacity in other oil producing countries to meet demand.”

**20.** The Options Paper and the FSU paper were submitted to Mr Blair on 8 March 2002 alongside seven other "background briefs that you asked for", for the meeting with President Bush.<sup>10</sup>

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<sup>6</sup> Public hearing, 19 January 2011, page 34.

<sup>7</sup> Minute McKane to Manning, 19 February 2002, 'Papers for the Prime Minister'.

<sup>8</sup> [Paper Cabinet Office, 8 March 2002, 'Iraq: Options Paper'](#).

<sup>9</sup> Paper FSU, March 2002, 'Paper on Security of Supply of Oil'.

<sup>10</sup> Minute Manning to Prime Minister, 8 March 2002, 'Briefing for the US'.

**21.** Mr Blair sent a minute to Mr Jonathan Powell, his Chief of Staff, on 17 March setting out three points in response to the briefing papers that he had received:

- “(1) In all my papers I do not have a proper worked-out strategy on how we would do it. The US do not either, but before I go [to Crawford], I need to be able to provide them with a far more intelligent and detailed analysis of a game plan ...
- (2) The persuasion job on this seems very tough ...
- (3) Oil prices. This is my big domestic worry. We must concert with the US to get action from others to push the price back down. Higher petrol prices really might put the public off.”<sup>11</sup>

A copy of the minute was sent to Sir David Manning, Mr Blair’s Foreign Policy Adviser and Head of the Overseas and Defence Secretariat (OD Sec) in the Cabinet Office.

**22.** Asked to clarify what “it” was that required a proper worked-out strategy, Mr Blair told the Inquiry: “How we would either get Saddam to cease being a threat peacefully or to get him out by force.”<sup>12</sup>

**23.** Mr Michael Arthur, FCO Economic Director, sent Sir David a paper on the economic effects of military action against Iraq on 26 March.<sup>13</sup> Mr Arthur assessed that:

“Iraq produces c2.5m bpd, a bit over 3 percent of world supply. Military action may well lead to a reduction or cut-off in its exports either directly or by way of Iraqi retaliation.

“There is likely to be an immediate spike in oil prices ... provided the conflict does not spill over into the Gulf and threaten the flow of supplies through the Straits of Hormuz – the spike could be very short-lived.”

**24.** A protracted, regional conflict would pose a more serious threat to oil prices and the world economy.

**25.** The paper also highlighted the economic consequences for Iraq’s neighbours, particularly Jordan.

**26.** Mr John Scarlett, the Chairman of the Joint Intelligence Committee (JIC), responded to a request from Sir David for an update on Iraq’s oil production, the importance of oil revenue to the Iraqi regime, and the effect of a halt in Iraqi oil exports on the world oil market, on 4 April.<sup>14</sup>

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<sup>11</sup> [Minute Prime Minister to Powell, 17 March 2002, ‘Iraq’.](#)

<sup>12</sup> Public hearing, 21 January 2011, page 43.

<sup>13</sup> Letter Arthur to Manning, 26 March 2002, ‘Iraq: Back Pocket Economics’.

<sup>14</sup> [Minute Scarlett to Manning, 4 April 2002, ‘Iraq: Oil’.](#)

**27.** Mr Scarlett advised that:

- Iraq exported considerable quantities of oil – perhaps as much as 400,000 bpd in 2001 – illegally.
- Saddam Hussein’s regime gained some illegal revenue by applying surcharges to OFF programme trade. It also controlled the distribution of goods purchased under the OFF programme, adding to its ability to offer patronage.
- While a sudden cut in Iraqi oil exports would cause a temporary spike in the oil price, the price rise would be “moderate” (less than US\$5 a barrel).
- The duration of the spike would be determined by market expectations which were already influenced by “jitters over the Middle East and talk of war with Iraq”.

**28.** Sir David passed Mr Scarlett’s note to Mr Blair the following day.<sup>15</sup>

**29.** Mr Matthew Rycroft, Mr Blair’s Private Secretary for Foreign Affairs, sent Mr Blair an updated briefing pack for the meetings at Crawford on 4 April.<sup>16</sup> For Iraq, that included “further background papers on ensuring the security of energy supply”.

**30.** Those further background papers are likely to have been the papers provided by Mr Arthur and Mr Scarlett.

**31.** Section 3.2 describes the discussions between President Bush and Mr Blair at Crawford from 5 to 7 April.

**32.** Mr Blair told the Inquiry that there had been “a general discussion of the possibility of going down the military route but obviously, we were arguing for that to be if the UN route failed”.<sup>17</sup>

**33.** The Inquiry has seen no indications that issues relating to energy security or oil were discussed at the meetings.

## **Planning and preparing for a post-conflict Iraq**

**34.** In mid-June 2002, the MOD’s Strategic Planning Group issued a paper on UK military strategic thinking on Iraq to a limited number of senior MOD addressees.<sup>18</sup>

**35.** The paper stated that with significant potential oil revenues, Iraq’s reconstruction should be “self-sufficient”.

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<sup>15</sup> Manuscript comment Manning to Blair on Minute Scarlett to Manning, 4 April 2002, ‘Iraq: Oil’.

<sup>16</sup> Minute Rycroft to Prime Minister, 4 April 2002, ‘Texas’.

<sup>17</sup> Public hearing, 29 January 2010, page 59.

<sup>18</sup> [Minute Driver to PSO/CDS, 13 June 2002, ‘Supporting Paper for COS Strategic Think Tank on Iraq – 18 June’ attaching Paper MOD, 12 June 2002, \[untitled\]](#).

**36.** The paper listed likely immediate, medium-term and long-term military post-conflict tasks. The immediate (up to six months) tasks included:

- assist in restoration of key infrastructure elements;
- secure oilfields and oil distribution/refining infrastructure.”

**37.** The medium-term (six months to two years) tasks included:

- begin transfer [of] security of oilfields and production facilities to Iraqi forces.”

**38.** The paper was revised five times between June and December 2002.

The December 2002 version of the paper replaced the tasks listed above with a single “Military Line of Operation” for infrastructure security, which extended into the long term.<sup>19</sup>

**39.** At his request, Mr Blair received a pack of reading material on Iraq at the beginning of August 2002.

**40.** The reading pack included a January 2002 DIS report on Iraq’s infrastructure.<sup>20</sup> The report had been produced in response to the ongoing requirement on DIS to maintain and update information to support possible future military operations.

**41.** The DIS report stated that Iraq’s oil and gas industry had suffered substantial damage during the Iran/Iraq and Gulf wars, and recovery had been slow. A “recent UN report” had assessed that the general state of the Iraqi oil industry had declined seriously over the previous 18 months and that urgent measures were needed to avoid further deterioration of oil wells and the petroleum infrastructure. Of the 12 oil refineries in Iraq, only three were operational.

**42.** An FCO Economic Adviser produced an assessment of short- and long-term economic consequences of military action for the region and for Iraq on 29 August.<sup>21</sup> The assessment identified a number of potential short-term consequences of military action including a rise in oil prices and the disruption of the OFF programme.

**43.** Copies of the assessment were sent to FCO officials and, separately, to TPUK. The Inquiry has seen no indication that copies were sent to other departments.

**44.** A Treasury official sent Mr Gordon Brown, the Chancellor of the Exchequer, a paper on the global, regional and local (Iraqi) economic impact of war in Iraq on 6 September.<sup>22</sup>

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<sup>19</sup> [Paper \[SPG\], 13 December 2002, ‘UK Military Strategic Thinking on Iraq’.](#)

<sup>20</sup> [Paper DIS, 18 January 2002, ‘Infrastructure Briefing Memorandum: Iraq’.](#)

<sup>21</sup> [Minute FCO \[junior official\] to Gray, 29 August 2002, ‘Iraq: Economic Issues Raised by Military Action and Regime Change’ attaching Paper, \[undated\], ‘Regional Economic Consequences of Military Action against Iraq’.](#)

<sup>22</sup> [Email Treasury \[junior official\] to Bowman, 6 September 2002, ‘What would be the economic impact of a war in Iraq?’ attaching Paper Treasury, September 2002, ‘What would be the economic impact of war in Iraq?’.](#)

**45.** The Treasury paper stated that Iraq's economy was distinguished by the dominance of oil and gas revenues. Iraq currently produced around 2.5m bpd, though this "fluctuated wildly" as Iraq used oil production as a bargaining tool in negotiations with the UN over the operation of the OFF programme. Around 2.25m bpd were exported. Oil revenues represented 60 percent of Iraq's GDP and 95 percent of its foreign currency earnings.

**46.** Oil markets already thought that war with Iraq was probable, driving up prices to around US\$27 per barrel. Globally, a conflict could lead to a rise in the oil price of US\$10 a barrel and a consequent reduction in global growth by 0.5 percentage points and a rise in inflation by between 0.4 and 0.8 percentage points.

**47.** The Treasury paper did not address the impact of a conflict on the UK economy.

**48.** The Treasury advised that recent experience suggested that the cost of "putting a country back on its feet" could be high. The Federal Republic of Yugoslavia had already received US\$10bn in support. Iraq could be "even more expensive", given:

- the possibility that a conflict could cause significant damage, and the existing poor state of Iraq's infrastructure;
- the need to stabilise the economy, including by addressing Iraq's huge external debt;
- the need for a large peace-keeping force "to keep a lid on the ethnic and religious tensions that Saddam's dictatorship has hidden for so long"; and
- the pressure for a "generous [reconstruction] package, given the perception in the region that invading Iraq is of dubious legality and worth".

**49.** On who would pay for that generous package, the Treasury assessed that:

"... the US might expect Iraq to pick up the bill after a short 'bridging' period, especially as – with investment – oil revenues could quickly exceed US\$20 billion per year.

"But it is more likely that strong pressure will come to bear on the US and its allies to pay the lion's share, given their role in the war ..."

**50.** The Treasury paper did not consider more specifically what the UK's contribution to meeting post-war costs might be.

**51.** The Inquiry has seen no evidence that Mr Brown responded to this analysis, or that it was circulated outside the Treasury.

**52.** In September 2002, the Energy Infrastructure Planning Group was established within the US Department of Defense (DoD) to plan for the rapid restoration of Iraq's oil

sector, in order to maximise oil revenues to finance reconstruction.<sup>23</sup> Formal meetings began in November. In parallel, the US National Security Council (NSC) developed a longer-term plan to transfer control of Iraq's oil infrastructure back to the Iraqi authorities. That plan was approved by President Bush in January 2003.

**53.** The Inquiry has seen no indications that the UK Government was aware of those processes until late January 2003.

**54.** From 20 September 2002, the Cabinet Office-led Ad Hoc Group on Iraq (AHGI) co-ordinated all non-military cross-government work on post-conflict issues (see Section 6.4). The focus of the AHGI's work during autumn 2002 was a series of analytical papers by the FCO and other departments on the post-conflict administration and reconstruction of Iraq, and the possible consequences of conflict for the UK.

**55.** The AHGI held its first meeting on 20 September.<sup>24</sup> Mr Jim Drummond, Assistant Head (Foreign Affairs) of Cabinet Office OD Sec, wrote to Mr Desmond Bowen, Deputy Head of Cabinet Office OD Sec, the day before, suggesting issues for discussion and proposing departmental responsibilities for those issues. The issues identified by Mr Drummond included:

- “• Impact on world growth and trade, and on the UK economy (Treasury to write a note if they haven't already).
- Securing oil supplies and effect of regime change on world oil markets (DTI [Department of Trade and Industry]).”

**56.** The record of the 20 September meeting of the AHGI stated that:

“Most [departments] have begun considering implications of military action. These include Treasury on the macro economic impact, DTI on oil markets ...”<sup>25</sup>

**57.** The record also stated that work should remain “as internal thinking within departments” for the next few weeks.

**58.** On 26 September, the FCO sent a paper on post-Saddam government in Iraq, entitled ‘Scenarios for the Future of Iraq after Saddam’, to Sir David Manning.<sup>26</sup> It was circulated separately to members of the AHGI.

**59.** The paper defined scenarios under which Saddam Hussein might lose power, the UK's four “overarching priorities” for Iraq (termination of Iraq's WMD programme, more inclusive and effective Iraqi government, a viable Iraq which was not a threat

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<sup>23</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>24</sup> Minute Drummond to Bowen, 19 September 2002, ‘Ad Hoc Group on Iraq (AHGI)’.

<sup>25</sup> Minute Drummond to Manning, 23 September 2002, ‘Ad Hoc Group on Iraq’.

<sup>26</sup> [Letter McDonald to Manning, 26 September 2002, ‘Scenarios for the Future of Iraq after Saddam’ attaching Paper FCO, \[undated\], ‘Scenarios for the Future of Iraq after Saddam’.](#)

to its neighbours, and an end to Iraqi support for international terrorism), and how those priorities might be achieved.

**60.** The paper stated that the UK had a “fundamental interest in a stable region providing secure supplies of oil to world markets”, but did not otherwise consider energy security or oil.

**61.** The Cabinet Office circulated the final version of the DTI’s Emergency Plan to deal with international oil supply disruption resulting from military action in Iraq to members of the AHGI on 17 October.<sup>27</sup>

**62.** The DTI assessed that:

- the return of weapons inspectors and limited UN-sanctioned strikes against Iraq would have very little impact on UK fuel supplies;
- a UN-sanctioned invasion of Iraq could result in some disruption to international oil supply, possibly leading to a “token” release of oil stocks by the International Energy Agency (IEA), but there would be no impact on UK fuel supplies beyond some price volatility; and
- some worst-case scenarios, including a unilateral US invasion, could have a serious impact on oil markets leading to significant increases in UK fuel prices.

**63.** The DTI stated that it would monitor any potential or actual oil supply disruption.

**64.** On 22 October, Mr Jon Cunliffe, Treasury Managing Director for Macroeconomic Policy and International Finance, sent Mr Brown a paper on the impact on the Treasury’s objectives of a war in Iraq.<sup>28</sup>

**65.** The Treasury paper identified nine risks to the Treasury’s objectives and assessed the likelihood and impact of each in four scenarios: no war; a short war; a protracted war; and a war involving WMD. The nine risks were:

- substantial rise in public spending;
- lower growth, higher inflation and unemployment;
- negative productivity shock;
- public finances less sound;
- inflation deviates from target;
- loss of insurance capacity/risk of insurance failures;
- more International Monetary Fund (IMF) lending leading to higher UK gross debt;
- revival of popular pressure for lower fuel taxes; and

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<sup>27</sup> Minute Dodd to Members of the Ad Hoc Group on Iraq, 17 October 2002, [untitled], attaching Paper DTI, October 2002, ‘International Oil Supply disruption – Emergency Plan’.

<sup>28</sup> Minute Cunliffe to Chancellor, 22 October 2002, ‘Iraqi War: Risks to Treasury Objectives’ attaching Paper Treasury, [undated], ‘Impact of a War on Treasury Business’.

- developing countries knocked by oil prices, leading to lower growth.

**66.** In his covering minute, Mr Cunliffe advised that the Treasury's main concern related to its "ability to maintain sound public finances, especially in the more pessimistic cases". There would be some risk to the "Golden Rule" in all three war scenarios; the risk would be much greater if a war involved WMD. Mr Cunliffe concluded by suggesting that Mr Brown might want to warn colleagues about the risk to public finances.

**67.** The Inquiry has seen no evidence that Mr Brown took any action as a result of Mr Cunliffe's advice.

**68.** In his evidence to the Inquiry, Sir Jon Cunliffe described the oil market as the "main transmission mechanism" from a conflict in Iraq to the world economy:

"There are general confidence effects [on markets]; markets don't like wars, they don't like political situations they can't read, but ... the more concrete transmission channel through which a crisis ... would impact the global economy, we thought would be oil and oil price shock ...

"We modelled that quite closely ..."<sup>29</sup>

**69.** The Inquiry asked Sir Jon whether the Treasury had done any work on the benefits of a conflict in Iraq to UK energy supply or to the UK oil industry. He told the Inquiry:

"No, the only thing that I think comes close is that, in the fiscal impacts of a crisis, a high oil price benefits the UK, because we are an oil producer and we have tax and licence revenues, so we took that upside. That's one of the reasons why the impact on the UK economy is not straightforward. So we took into account what would happen with an oil price spike. It would actually mean damage to the UK economy, but more revenue coming in, but we weren't trying to do an exercise about the economic pros and cons of the war. That was not the object of the exercise."<sup>30</sup>

**70.** Sir Jon told the Inquiry that the DTI was also engaged on modelling the impact of conflict on oil prices.<sup>31</sup>

**71.** Mr Drummond sent a paper on models for Iraq after Saddam Hussein to Sir David Manning on 1 November.<sup>32</sup> In his covering minute, Mr Drummond advised that it was a synthesis of some of the work undertaken by departments under the auspices of the AHGI, and that it would be used as the steering brief for the FCO/MOD/Department for International Development (DFID)/Cabinet Office delegation to the forthcoming talks on post-conflict issues with the US and Australia in Washington. Mr Drummond advised that the ideas in the paper would not be presented as UK policy.

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<sup>29</sup> Public hearing, 9 July 2010, pages 8 and 9.

<sup>30</sup> Public hearing, 9 July 2010, pages 10 and 11.

<sup>31</sup> Public hearing, 9 July 2010, page 9.

<sup>32</sup> [Minute Drummond to Manning, 1 November 2002, 'Iraq: Post-Saddam' attaching Paper 'Iraq: Models and some questions for post-Saddam government'](#).

**72.** The paper stated that there were many possible permutations of the “stable united and law abiding [Iraqi] state ... providing effective and representative government” sought by the UK, but focused on two:

- “Iraq under a new, more amenable strongman”, after Saddam Hussein had been toppled prior to or in the early stages of any military campaign; and
- “a more representative and democratic Iraq” after Saddam Hussein’s regime had collapsed following a military campaign.

**73.** In the second scenario, the UK’s “preferred model” comprised three phases:

- A transitional military administration (which could last up to six months). Priorities would include maintaining a version of the OFF programme and planning for the revival of Iraq’s economy.
- A UN administration (which might administer Iraq for approximately three years, while a Constitution was agreed). Priorities would be to repair “war damage” to Iraq’s oil industry and introduce new investment. Some way would have to be found to reconcile payment of Iraq’s huge external debt and compensation claims with its reconstruction and development needs.
- A sovereign Iraqi Government.

**74.** The paper did not address what role, if any, the UK might have in pursuing those priorities.

**75.** A Treasury paper on the impact of conflict on the global economy and the UK was circulated to the AHGI on 7 November.<sup>33</sup> The Treasury’s assessment of the impact on the global economy remained unchanged from 6 September.

**76.** Mr Edward Chaplin, FCO Director Middle East and North Africa, led the UK delegation to the first round of talks on post-conflict issues with a US inter-agency team and an Australian delegation in Washington on 6 November.<sup>34</sup>

**77.** Mr Drummond, a member of the UK delegation, reported to Sir David Manning on 8 November that the US wanted to establish a trust fund for Iraqi oil revenues, under Coalition control, which would be transparent and enable resources to be used for the benefit of the Iraqi people.<sup>35</sup>

**78.** There are no indications that the UK engaged with the US on that issue until the second round of US/UK/Australia talks, in late January 2003.

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<sup>33</sup> Letter Dodd to Ad Hoc Group on Iraq, 7 November 2002, ‘Ad Hoc Group on Iraq’ attaching Paper Treasury, October 2002, ‘Economic Impact of a War in Iraq’.

<sup>34</sup> Telegram 1456 Washington to FCO London, 7 November 2002, ‘Iraq: UK/US Consultations on Day After Issues: 6 November 2002’.

<sup>35</sup> Minute Drummond to Manning, 8 November 2002, ‘Iraq: Day After’.

**79.** Mr Blair and Mr Jack Straw, the Foreign Secretary, held an off-the-record seminar on Iraq with six academics on 19 November.

**80.** Mr Rycroft advised Mr Blair that No.10 had issued a set of eight questions as an agenda for the seminar, including:

“Post-Saddam, how quickly would the Iraqi economy revive? Who would control the oil etc?”<sup>36</sup>

**81.** Mr Rycroft annotated that question in his advice to Mr Blair:

“BP and others are fretting that they will lose out in the carve-up of contracts after any military action, as the UK did after the Gulf war ... We don’t need to get into the detail of this, but we need to know what the main economic constraints would be in rebuilding Iraq and how economic issues would drive the model of governance chosen.”

**82.** The concerns of UK oil companies and their discussions with the UK Government are described later in this Section.

**83.** Not all the questions posed by No.10 were addressed at the seminar.<sup>37</sup> Mr Rycroft’s record of the seminar reported the view that changing Iraq substantively would mean tackling the political economy of oil, which led to a highly centralised bureaucracy and the power of patronage.

**84.** Mr Arnab Banerji, an adviser in No.10, sent Mr Blair a detailed assessment of the economic impact on the UK of war in Iraq on 19 December.<sup>38</sup> Mr Banerji concluded:

“A short successful war with Iraq is likely to pose little strain on the UK economy. Following such a conflict a combination of lower oil prices and increased business confidence should provide a boost to the world economy. This in turn would feed into higher UK growth in both 2003 and 2004.

“An extended or inconclusive conflict would have negative consequences for the world economy and damage the UK. If oil prices remain in the US\$30 – US\$45 [per barrel] range for a year then UK growth rates are expected to be about 1.0 percent lower than anticipated for both 2003 and 2004.”

That price range compared with a UK forecast of US\$20 to US\$25 per barrel by the end of 2003.

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<sup>36</sup> [Minute Rycroft to Prime Minister, 18 November 2002, ‘Iraq: Seminar with Academics, Tuesday’.](#)

<sup>37</sup> [Letter Rycroft to Sinclair, 20 November 2002, ‘Iraq: Prime Minister’s Seminar with Academics, 19 November’.](#)

<sup>38</sup> Minute Banerji to Prime Minister, 19 December 2002, ‘Economic Impact on UK of War with Iraq’.

**85.** Mr Tony Brenton, Deputy Head of Mission at the British Embassy Washington, reported US State Department (but not yet agreed US Government) views by telegram on 23 December.<sup>39</sup> The main policy points included:

- Provided the war was short, the US State Department did not anticipate a dramatic impact on oil prices. They were ready to intervene in the market as necessary.
- Control of the oil sector should be put back into Iraqi hands as soon as possible. As far as possible, any major decisions should be postponed until control was handed back.
- In the interim there should be a clear international role to maximise transparency and minimise charges that the US went to war for oil.
- The US would “respect the concerns of those countries with existing contracts”.

**86.** A No.10 official wrote to Sir David Manning on 8 January 2003, to express his concern about the US plan to set up a US-administered trust fund for Iraqi oil revenues.<sup>40</sup> The official argued that:

“... we should be working hard to persuade the US that, whilst a trust fund to ensure the Iraqi people benefit from oil export revenues is a good idea, it is very much in the US’s (and by extension the UK’s) political interests to get this done through a UN forum ... If control was handed to the UN, it would be much more difficult to maintain the argument that this is about oil.”

**87.** The 10 January 2003 meeting of the AHGI considered a joint Cabinet Office/ Department for Environment, Food and Rural Affairs (DEFRA) paper on environmental contingency planning.<sup>41</sup>

**88.** DEFRA assessed that the environmental consequences of large-scale damage to Iraqi oil fields would be “significant and dramatic but in most cases short term”.<sup>42</sup> Most of the impacts would be confined to Iraq. The US would have an important role in responding to environmental contamination, though the extent of its contingency planning was unclear. The UK had the capacity to provide “limited assistance” to:

- treat oil pollution;
- monitor air pollution; and
- help decontaminate water supplies.

**89.** DEFRA stated that any UK assistance would require funding.

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<sup>39</sup> Telegram 1690 Washington to FCO London, 23 December 2002, ‘Iraq: the Day After: Oil and Reconstruction’.

<sup>40</sup> Minute No.10 [junior official] to Manning, 8 January 2003, ‘What We Do with Iraqi Oil’.

<sup>41</sup> Minute Dodd to Manning, 13 January 2003, ‘Ad Hoc Group on Iraq’.

<sup>42</sup> Paper Cabinet Office/DEFRA, [undated], ‘Iraq: Environmental Contingency Planning’.

**90.** The AHGI agreed that the DEFRA paper should be passed to the US, and a finalised version sent to Ministers.

## MILITARY PLANNING

**91.** Sections 6.1 and 6.2 describe how, by the beginning of January 2003, uncertainty about Turkey's agreement to the deployment of Coalition ground forces in its territory had reached a critical point, and the UK's decision to deploy large-scale ground forces to the south, rather than the north, of Iraq.

**92.** The MOD's Strategic Planning Group advised the Chiefs of Staff on 7 January that adopting a southern option had the potential to:

“Provide UK with leading role in key areas of Iraq (free of Kurdish political risks) in Aftermath, and thus provide leverage in Aftermath Planning efforts, especially related to:

- Humanitarian effort
- Reconstruction of key infrastructure
- Future control and distribution of Iraqi oil.”<sup>43</sup>

**93.** Lieutenant General John Reith, Chief of Joint Operations (CJO), attended a US Central Command (CENTCOM) commanders' conference in Tampa, Florida on 15 and 16 January.<sup>44</sup> The conference was described by General Tommy Franks, Commander in Chief CENTCOM, as “likely to be the last chance for such a gathering to take place. It therefore had to be conclusive.”

**94.** Lt Gen Reith reported to Admiral Sir Michael Boyce, Chief of the Defence Staff, that the US had “a zillion dollar project to modernise and properly exploit the southern oilfields”.<sup>45</sup>

**95.** Gen Reith told the Inquiry that, in the margins of the conference, he had told Gen Franks that he was unhappy with the way planning was going:

“... they were going into shock and awe, and we ... the British ... had been very much the custodians of ‘Let's worry about Phase IV’.<sup>46</sup> So we got on to Phase IV in our discussion and I made the point ... that the oilfields were absolutely essential for Phase IV, to provide revenue for Iraq for its reconstruction and therefore, we needed to secure the oilfields rather than have them destroyed. I also made the point to him that the more china that we broke, the more we would have to replace afterwards.”<sup>47</sup>

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<sup>43</sup> [Paper SPG, 7 January 2003, 'Operation TELIC – Military Strategic Analysis of Pros/Cons of Adopting a Southern Land Force Option'](#).

<sup>44</sup> Minute Wilson to MA/CJO, 17 January 2003, 'CENTCOM Component Commanders' Conference: 15-16 Jan 03'.

<sup>45</sup> Minute Reith to PSO/CDS, 17 January 2003, 'Discussion with General Franks – 16 Jan 03'.

<sup>46</sup> Phase IV was the military term for the post-conflict phase of military operations.

<sup>47</sup> Private hearing, 15 January 2010, pages 42-43.

**96.** Mr Geoff Hoon, the Defence Secretary, sent Mr Blair formal advice on the UK contribution to land operations in Iraq on 16 January.<sup>48</sup> Mr Hoon stated that the US had asked the UK to provide a ground force to take on a key role in southern Iraq. He described the proposed UK Area of Responsibility in the south as “a coherent one”, which included:

“... economic infrastructure critical to Iraq’s future, including much of its oil reserves, critical communications nodes, a city (Basra) of 1.3 million people and a port (Umm Qasr) about the size of Southampton. Although the establishment of UK control over this area will require careful presentation to rebut any allegations of selfish motives, we will be playing a vital role in shaping a better future for Iraq and its people.”

**97.** Mr Straw wrote to Mr Blair the following day in response to Mr Hoon’s letter, setting out three concerns, including:

“... much greater clarity is required about US thinking and plans for the aftermath ... We need in particular far greater clarity on US thinking on management of the oilfields.”<sup>49</sup>

**98.** Mr Hoon’s recommendations were endorsed by Mr Blair on 17 January,<sup>50</sup> and the deployment of a UK land package was announced to Parliament on 20 January.<sup>51</sup>

## DISCUSSIONS WITH THE US

**99.** Mr Peter Ricketts, FCO Political Director, visited Washington on 13 January.<sup>52</sup>

**100.** At the first FCO Iraq Morning Meeting after his return from Washington, Mr Ricketts reported that:

“... the US show no sign of accepting our arguments on transitional administrations. They are wedded to the idea of a prolonged US Occupation, and opposed to any substantial role for the UN. We are likely to find the 22 January day after talks hard going in this respect.”<sup>53</sup>

**101.** Mr Chaplin led the UK delegation to Washington for a second round of talks on post-conflict planning with a US inter-agency team and an Australian delegation on 22 January.

**102.** Mr Dominick Chilcott, FCO Middle East Department, sent an “Annotated Agenda/ overarching paper” for the meeting to Mr Straw on 17 January.<sup>54</sup> The paper listed a large

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<sup>48</sup> [Letter Hoon to Blair, 16 January 2003, ‘Iraq: UK Land Contribution’.](#)

<sup>49</sup> [Minute Straw to Prime Minister, 17 January 2003, ‘Iraq: UK Land Contribution’.](#)

<sup>50</sup> [Letter Manning to Watkins, 17 January 2003, ‘Iraq: UK Land Contribution’.](#)

<sup>51</sup> House of Commons, *Official Report*, 20 January 2003, column 34.

<sup>52</sup> Minute Ricketts to Private Secretary [FCO], 14 January 2003, ‘Iraq: The Mood in Washington’.

<sup>53</sup> Minute Tanfield to PS/PUS [FCO], 15 January 2003, ‘Iraq Morning Meeting: Key Points’.

<sup>54</sup> [Minute Chilcott to Private Secretary \[FCO\] and Chaplin, 17 January 2003, ‘Iraq: Day-After Issues’.](#)

number of issues still to be resolved, organised under five headings: security; relief and reconstruction; political; economic; and environmental.

**103.** Under the relief and reconstruction heading, the paper stated that the UK would like the OFF programme, funded by Iraqi oil revenues, to continue to meet humanitarian needs in the post-conflict period. Its ability to do so would depend on the extent of the disruption caused by any conflict. Looking further ahead, the OFF programme was not designed to support reconstruction. The extent of external funding required for reconstruction would depend on Iraqi oil revenues, UN compensation claims and external debt obligations. The UK would be able to provide only a limited contribution to “total costs”. There might be scope for Iraq to borrow against future oil revenues to finance reconstruction.

**104.** Under the economic heading, the paper stated that a key task would be to maximise Iraq oil revenues, consistent with the effect on the global market. The Coalition would need to consider whether that was best achieved by returning control of Iraqi oil exports from an international civilian administration to an Iraqi administration rapidly or in slower time. The Coalition would also need to consider how the competing calls on oil revenues of debt repayment and reconstruction should be balanced.

**105.** Under the environmental heading, the paper asked whether there was an environmental clean-up plan.

**106.** On 20 January, President Bush issued National Security Presidential Directive 24, consolidating all post-conflict activity in the new DoD-owned Office of Reconstruction and Humanitarian Assistance (ORHA).<sup>55</sup> President Bush had decided in principle to place the DoD in charge of all post-conflict activity in December 2002.

**107.** Lieutenant General (retired) Jay Garner was appointed to lead ORHA.<sup>56</sup>

**108.** The British Embassy Washington reported on the outcome of the 22 January talks on post-conflict planning:

“Overall, US Day After planning is still lagging far behind military planning. But they have agreed to two working groups: on the UN dimension; and on economic reconstruction issues ...

...

“The US were clear that the OFF [programme] would have to be maintained. There would need to be debt rescheduling. There were many questions to be resolved on oil production and revenues. The US fully accepted the need for

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<sup>55</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>56</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

maximum transparency in this area. They readily agreed to set up a joint working group to examine these issues.”<sup>57</sup>

**109.** Mr Chaplin advised Mr Straw that: “Given that military action could start within a few weeks, we agreed to have the first meetings of these [working] groups next week, if possible.”<sup>58</sup>

**110.** Reports from the British Embassy Washington in late January highlighted the question of who would manage the oil sector in the post-conflict period.

**111.** A joint MOD/Permanent Joint Headquarters (PJHQ) delegation attended a Phase IV planning conference at CENTCOM from 23 to 24 January.<sup>59</sup> The conference considered Phase IV planning in more detail than the 22 January talks.

**112.** The British Embassy Washington reported on the discussions on Phase IV issues.<sup>60</sup> The “Energy and Infrastructure Planning Group” based in DoD was co-ordinating work on the oil sector. A comprehensive plan had been presented to President Bush. A specialised contractor had been identified to carry out emergency repairs. It had still not been decided “who or what” would be in overall charge of the oil sector, although President Bush had agreed that a “CEO” would be needed.

**113.** The Embassy reported that the “underlying” US objective was to get “operations back in the hands of the local workforce as soon as possible”. The US Administration recognised the need to restore oil production and exports to generate revenue; the aim was to “quickly achieve” 2.1m bpd, and to be prepared to increase production to 3.1m bpd.

**114.** A BP team briefed UK Government officials on prospects for the Iraq energy sector on 23 January.<sup>61</sup> The briefing identified “two opposing views current in Washington”, which it characterised as “hawkish” (espoused by the DoD, the NSC and others) and “doveish” (espoused by the US State Department). The hawkish view sought a significant increase in Iraqi oil production to push down oil prices, privatisation within the oil sector, and external engagement led by the US (and possibly the UK) rather than the UN.

**115.** The BP team estimated that Iraqi oil production could rise from around 2.8m bpd currently to around 3.5m bpd within two years and 4m bpd within five years. Significant investment was required. UK officials pressed the BP team on whether this “fairly slow” increase could be accelerated.

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<sup>57</sup> Telegram 89 Washington to FCO London, 23 January 2003, ‘Iraq: US/UK/Australia Consultations on Day After Issues: 22 January 2003’.

<sup>58</sup> Minute Chaplin to Secretary of State, 22 January 2003, ‘Iraq: ‘Day-After’ Issues’.

<sup>59</sup> Minute DOMA AD(ME) and Sec(0)4 to MA/DCDS(C), 27 January 2003, ‘US Iraq Reconstruction Conference – Tampa 23-24 Jan 03’.

<sup>60</sup> Teleletter FCO [junior official] to Chilcott, 25 January 2003, ‘US/Iraq: CENTCOM Meeting on Day After Reconstruction Issues, 23 January 2003’.

<sup>61</sup> Record, 23 January 2003, ‘Iraqi Energy Sector: Issues and Prospects’.

**116.** On 31 January, in advance of the first meeting of the US/UK/Australia Working Group on Day After Economic on 5 February, a junior official in the British Embassy Washington advised the FCO that, on oil, “at present, the [US] Administration are sharing little with us”.<sup>62</sup> Much of the post-conflict planning relating to oil was being done within the DoD. The official US line was that UK concerns about transparency and the need for a level commercial playing field had been taken on board.

**117.** The official reported that Mr Colin Powell, the US Secretary of State, had said publicly that oil would be held “in trust” for the Iraqi people and that the underlying US objective was to get operations back into the hands of the “local workforce”, but that view might not be held in other (unspecified) parts of the US Administration.

**118.** The official also reported that rumours persisted that contracts had already been let for the initial clean-up phase (which could last anything from two to 18 months).

**119.** The official concluded that key questions remained, including who would be in overall charge of the oil sector after the initial clean-up.

**120.** Mr Blair met President Bush and Dr Condoleezza Rice, President Bush’s National Security Advisor, in Washington on 31 January to discuss post-conflict planning.

**121.** A FCO briefing for Mr Blair included in its list of objectives for the meeting: “To convince President Bush ... the US needs to pay much more attention, quickly, to planning on ‘day after’ issues; and that the UN needs to be central to it.”<sup>63</sup>

Key messages included:

- The UN could bring “significant advantages” after the conflict, including taking on responsibility for oil revenues “to avoid accusations that aim of military action was to get control of oil”.
- Restoring oil production would be “an immediate challenge”. The oil sector would need “some technology and a lot of capital”. The US and UK should “encourage an open investment regime and a level playing field for foreign companies”.

**122.** A short Cabinet Office paper offered Mr Blair a “few OD Sec points, just in case they slip through the briefing”.<sup>64</sup> Those included:

- the importance of the transparent use of oil revenues; and
- the need to argue for a level playing field for UK companies on new oil exploration contracts.

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<sup>62</sup> Letter FCO [junior official] to FCO [junior official], 31 January 2003, ‘Iraq ‘Day After’; Economic Working Group’.

<sup>63</sup> [Paper FCO, 30 January 2003, ‘Prime Minister’s Visit to Camp David, 31 January: Iraq’](#).

<sup>64</sup> [Minute Drummond to Rycroft, 28 January 2003, ‘Iraq: US Visit’](#).

**123.** At the meeting with President Bush, Mr Blair suggested that a UN badge was needed for what the US and UK wanted to do, and would help with the humanitarian problems.<sup>65</sup>

**124.** The record of the meeting between President Bush and Mr Blair does not show any discussion of oil issues.

**125.** The first meeting of the US/UK/Australia Working Group on Day After Economic Issues took place in Washington on 5 February.<sup>66</sup>

**126.** The British Embassy Washington reported that the DoD had detailed contingency plans to protect and restore the oil sector. The DoD was well aware of the importance of the oil sector for reconstruction. In the best case (minimal damage, current levels of outputs restored after two to three months), the DoD estimated that the sector could make a net contribution of US\$12bn in the first year after any conflict; in the worst case it could impose a net cost of US\$8bn.

**127.** The Working Group agreed to co-operate on defining practical economic steps to be taken in the first three to six months of military occupation.

**128.** The FCO member of the UK delegation, the Economic Adviser for the Middle East and North Africa, reported separately to Mr Drummond that:

“DoD are ploughing ahead with detailed contingency planning for the oil sector in the initial military administration phase. But ... there was a conspicuous disconnect between this and civilian planning for economic management and policy development within Iraq ...”<sup>67</sup>

**129.** Mr Marc Grossman, US Under Secretary of State for Political Affairs, and Mr Douglas Feith, US Under Secretary of Defense for Policy, gave evidence on US post-conflict plans to the Senate Foreign Relations Committee on 11 February.<sup>68</sup>

**130.** The British Embassy Washington reported that Mr Grossman’s and Mr Feith’s message to the Foreign Relations Committee was “liberation not occupation”, with an assurance that the US did not want to control Iraq’s economic resources.

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<sup>65</sup> Letter Manning to McDonald, 31 January 2003, ‘Iraq: Prime Minister’s Conversation with President Bush on 31 January’.

<sup>66</sup> Telegram 169 Washington to FCO London, 6 February 2003, ‘Iraq: Meeting of Trilateral Working Group on ‘Day After’ Economic Issues: Short Term Reconstruction’.

<sup>67</sup> Teleletter FCO [junior official] to Drummond, 6 February 2003, ‘Iraq: Meeting of US/UK/Australian Working Group on ‘Day After’ Economic Issues: Assessment and Follow Up’.

<sup>68</sup> [Telegram 196, Washington to FCO, 12 February 2003, ‘Iraq ‘Day After’: US Makes Initial Planning Public’.](#)

**131.** The final paragraph of the Embassy’s report highlighted the degree of uncertainty surrounding US plans:

“In the ensuing discussion, Feith said that military occupation could last two years. Both admitted to ‘enormous uncertainties’. They said that they did not know how the Iraqi oil industry would be managed, who would cover the costs of oil installation reconstruction, or how the detailed transition to a democratic Iraq would operate. The committee’s response was one of incredulity, with encouragement to plan for the worst, as well as the best, case.”

**132.** Sir David Manning commented to Mr Bowen and No.10 officials:

“Last para[graph] shows scale of problem post-Saddam. We must keep pushing for this work to be done.”<sup>69</sup>

**133.** Mr Tom Dodd, Cabinet Office OD Sec, reported on 11 February on a US briefing on the oil sector arranged by the Assessments Staff.<sup>70</sup> The briefing assessed that Iraq’s oil infrastructure was “generally in terrible condition”. CENTCOM believed that oil production could be increased to 6m bpd within three years, given massive new investment. US officials believed that reaching that level of production would take at least six years, “given benign political and security factors”.

**134.** Mr Hoon discussed post-conflict issues with Mr Donald Rumsfeld, the US Secretary of Defense, in Washington on 12 February.

**135.** A briefing prepared by the MOD Iraq Secretariat for Mr Hoon listed eight “Key Gaps/US-UK policy differences”, one of which was oil.<sup>71</sup>

**136.** The MOD advised that the US plan for the insertion of a task force of US oil experts and subsequent management of Iraqi oilfields “had to be handled carefully to avoid accusations of theft”. The UK would press for transparency of oil management, for greater UN involvement than was envisaged, and for the early transfer of control of oilfields back to the Iraqis.

**137.** The “task force” was probably a reference to Task Force Restore Iraq Oil (RIO), established by the US Army Corps of Engineers.<sup>72</sup> An advance team from Task Force RIO deployed to Iraq in February.

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<sup>69</sup> Manuscript comment Manning on Telegram 196 Washington to FCO, 12 February 2003, ‘Iraq ‘Day After’: US Makes Initial Planning Public’.

<sup>70</sup> Minute Dodd to Drummond, 11 February 2003, ‘Iraq: Oil’.

<sup>71</sup> Minute Johnson to PS/Secretary of State [MOD], 10 February 2003, ‘Secretary of State’s Visit to Washington: Iraq’.

<sup>72</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

**138.** Separately, Mr Drummond sent Mr Ian Lee, MOD Director General Operational Policy, a final version of the UK’s “key messages” on post-conflict Iraq, for Mr Hoon to draw on in his meeting with Secretary Rumsfeld.<sup>73</sup> The final two key messages were:

“Oil. Agree need to resume oil production and export as soon as possible. Welcome your plans to deal with any immediate environmental damage, and commitment to use oil revenues for the benefit of the Iraqi people e.g. ... by adapting [the] Oil-For-Food programme. Essential that oil revenues managed transparently and accountably. Perception of US/UK oil grab would rapidly increase hostility to the Coalition. The UN could help us avoid this.

“Level playing field: Big contracts to rebuild Iraq. Putting UK lives on line. Expect level playing field for UK business in oil and other areas.”

**139.** The British Embassy Washington reported on 13 February that Mr Hoon had raised the issue of financing reconstruction with Secretary Rumsfeld, including using the proceeds from oil sales.<sup>74</sup> Secretary Rumsfeld had agreed that oil revenues were key to financing reconstruction and should not be misinterpreted as a reason for the conflict. The DoD would make it clear that Iraqi oil proceeds should go to Iraq’s people. The OFF programme was a good basis on which to work.

**140.** Following the 5 February meeting of the US/UK/Australia Working Group on Day After Economic Issues, on 14 February an FCO official sent the US State Department a paper setting out the UK’s thoughts on the steps to be taken in the first 30 and 60 days after any conflict.<sup>75</sup> The official advised that the paper reflected FCO, Treasury and DFID views, and was:

“... very much work in progress, not completely co-ordinated here [in London], and at this stage reflects largely the views of economic and relief specialists here: it is not fully cleared politically.”

**141.** The paper set out strategic and specific operational objectives for six issues, including oil. The key strategic objective for oil was: “Maximum continuity in oil production and exports.” The specific operational objectives for oil in the first 30 days included:

- “• secure National Oil Company infrastructure (offices and staff as well as technical infrastructure) ...

...

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<sup>73</sup> [Letter Drummond to Lee, 11 February 2003, ‘Iraq Post Conflict: Key Messages’ attaching Paper Cabinet Office, 11 February 2003, ‘Iraq Post Conflict: Key Messages’.](#)

<sup>74</sup> Telegram 203 Washington to FCO London, 13 February 2003, ‘Iraq: Defence Secretary’s Visit to Washington’.

<sup>75</sup> Letter FCO [junior official] to US State Department official, 14 February 2003, ‘Iraq Day After: Trilateral Economic Discussions – Follow-up’ attaching Paper, 14 February 2003, ‘Iraq Day After: Preliminary UK Views on Economic Actions in First 30/60 Days’.

- work with NOC management to ensure continued physical operation of non-damaged facilities and continued exports ...;
- work with NOC management to ensure administrative integrity, including staff retention and payment of salaries;
- ...
- initial quick assessment of oil sector spending needs ...”

**142.** The specific operational objectives for oil in the first 60 days were to:

- prepare an emergency budget for the oil sector;
- arrange for “urgent work” on oil infrastructure; and
- assess recent oil exports outside the OFF programme.

**143.** The same version of the paper was sent to Mr Blair on 7 March.

**144.** A Treasury official invited Mr Brown’s comments on officials’ “first thoughts” on Treasury policies in a post-Saddam Iraq on 11 February (see Section 13.1).<sup>76</sup> The Treasury assessed that the cost of ensuring Iraq’s prosperity and stability was difficult to predict but “potentially massive”. Iraq was potentially a rich country and the “obvious answer” was that Iraq should pay “the lion’s share” of its reconstruction from its oil revenues. However, there were several reasons why that might not cover all – or even the majority – of the cost of reconstruction:

- Iraq’s oil infrastructure could be damaged in any conflict, or sabotaged.
- The price of oil could fall.
- There would be pressure for Coalition countries to pay for reconstruction.
- The OFF programme provided up to US\$10bn a year for Iraq. That was enough to keep Iraq “ticking over”, but it was not clear whether it was enough to pay for reconstruction.
- A post-conflict Iraq might have to pay war reparations and service the country’s huge debt.

**145.** The official proposed that an “emerging policy position” would include maximising the Iraqi contribution to the cost of reconstruction, initially by maintaining the OFF programme.

**146.** The Treasury told the Inquiry that Mr Brown did not comment.<sup>77</sup>

**147.** Mr John Grainger, an FCO Legal Counsellor, sent the Iraq Planning Unit (IPU) an outline of the legal position on occupying forces’ rights to deal with oil reserves

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<sup>76</sup> [Minute Treasury \[junior official\] to Chancellor, 11 February 2003, ‘HMT Policy on Post-Saddam Iraq’ attaching Paper Treasury, 11 February 2003, ‘Post-War Iraq: International Financing Policy’.](#)

<sup>77</sup> Email Treasury [junior official] to Iraq Inquiry [junior official], 26 February 2010, [untitled].

in occupied territory on 14 February.<sup>78</sup> Mr Grainger advised that, under the Hague Regulations:

“... the Occupying Power acquires a temporary right of administration, but not sovereignty. He does not acquire the right to dispose of property in that territory except according to the strict rules laid down in those regulations. So occupation is by no means a licence for unregulated economic exploitation.”

**148.** Mr Grainger also advised that:

- the reasonable operation of oil wells was likely to be permitted, at least up to the rate at which they were previously operated, but there would be no right to develop new wells; and
- the current OFF programme regime assumed a degree of Iraqi Government involvement. In the event of there being “no Government in active control of Iraq”, it was likely that significant changes to the regime would be required.

**149.** On 19 February, at the request of the Cabinet Office, the Joint Intelligence Committee (JIC) produced the Assessment, ‘Southern Iraq: What’s in Store’.<sup>79</sup>

**150.** The JIC concluded that: “**The establishment of popular support for any post-Saddam administration cannot be taken for granted.**” Support could be undermined by several factors, including a failure to be seen to run the oil industry in the interests of the Iraqi people.

**151.** The JIC also recalled its earlier judgement that Saddam Hussein might seek to pursue a scorched earth policy, including the destruction of oil wells.

**152.** Mr Chilcott sent Mr Straw’s Private Office a paper on oil policy on 28 February.<sup>80</sup> Mr Chilcott advised that the paper, entitled ‘Iraq Day After – Oil Policy’, set out “preliminary, official-level thinking”. It had been circulated “fairly widely” across departments and incorporated comments from “various” departments. The IPU planned to share the paper with the US “in due course”, after some careful editing.

**153.** The paper stated that the UK’s economic objectives should be the rapid relief of humanitarian needs and the restoration of public services, and beyond that “to win the peace economically”. Oil revenues would have a key part to play in achieving those objectives. Provided exports were not interrupted, Iraq could finance a “substantial part” of the humanitarian, reconstruction and longer-term rebuilding effort.

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<sup>78</sup> [Minute Grainger to IPU \[junior official\], 14 February 2003, ‘Occupation Rights: Iraqi Oil’.](#)

<sup>79</sup> [JIC Assessment, 19 February 2003, ‘Southern Iraq: What’s in Store?’](#)

<sup>80</sup> [Minute Chilcott to Private Secretary \[FCO\], 28 February 2003, ‘Iraq Day After – Oil Policy’ attaching Paper IPU, 27 February 2003, ‘Iraq Day After – Oil’.](#)

**154.** In the immediate aftermath of any conflict, the military administration's priorities should be to:

- cap any oil well fires and prevent damage to oil infrastructure; and
- restore production by repairing existing oil production facilities.

**155.** The "interim administration" that followed would lead on the rehabilitation and longer-term development of Iraq's oilfields, including tendering contracts for the exploration and exploitation of new areas. Deferring such work until a new Iraqi Government was in place would "seriously delay the maximisation of Iraq's oil revenue and increase the cost to the international community of its reconstruction". It would be important to ensure that:

- any such moves were clearly in the interests of the Iraqi economy and people;
- the interim administration had an appropriate UN mandate;
- everything was done in as transparent a manner as possible; and
- production was not pushed beyond OPEC-type depletion rates, even though that could be in the interests of the Iraqi people."

**156.** The paper stated that the OFF programme would need to be adjusted so that it could operate effectively after any conflict. That could only be done through the Security Council. The paper cautioned against seeking to use OFF programme funds to cover the cost of military occupation, as some in the US were suggesting, as this would "inevitably raise accusations that the military action was motivated by oil".

**157.** The paper concluded that in the aftermath of any conflict, the "international administration" should seek to ensure that:

- Iraqi oil revenues were available to be used for the benefit of Iraq; and
- all Iraqi oil industry business was handled in as transparent a manner as possible, "to rebut allegations about oil motivations".

**158.** The paper identified a number of next steps for the UK, including:

- to convene a meeting with UK oil companies to explore the UK's ideas and tap into their expertise;
- to start preliminary work to ensure that UK firms were well placed to pick up contracts. That work was already in hand;
- to factor rapid assistance for oilfield installations into UK military planning; and
- to start thinking about appropriate wording for UN resolutions. That was also already in hand.

**159.** Mr Straw commented: "V[ery] good paper."<sup>81</sup>

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<sup>81</sup> Manuscript comment Straw, 2 March 2003, on Minute Chilcott to Private Secretary [FCO], 28 February 2003, 'Iraq Day After – Oil Policy'.

**160.** The paper was one of several passed to Mr Blair on 7 March, after his 6 March ministerial meeting on post-conflict issues.<sup>82</sup>

**161.** A revised version of the paper was passed to the US by 13 March.<sup>83</sup>

**162.** Mr Blair chaired a meeting on post-conflict issues on 6 March with Mr Brown, Mr Hoon, Ms Clare Short (International Development Secretary), Baroness Symons (joint FCO/DTI Minister of State for International Trade and Investment), Sir Michael Jay (FCO Permanent Under Secretary) and other officials.<sup>84</sup> The meeting is described in detail in Section 6.5.

**163.** Mr Brown received a number of papers from Treasury officials before the meeting, including a draft “DFID paper rewritten by the Treasury” on humanitarian relief and reconstruction costs.<sup>85</sup> The draft paper stated that it was a “first attempt at charting the likely costs of the first three years of the Iraqi reconstruction”.

**164.** The draft paper stated that, while cost estimates would remain “very rough” until the International Financial Institutions (IFIs) had completed a full needs assessment:

- In year 1, humanitarian costs could be between US\$2bn and US\$12bn, depending on the scale of the humanitarian crisis and the extent to which oil exports and the OFF programme were disrupted.
- In years 2 and 3, total reconstruction costs (before Iraq’s oil revenues were taken into account) would be between US\$2bn and US\$15bn per year. Oil revenues might allow Iraq to pay for most of this – if production levels and prices were favourable, Iraq did not have to repay its debts, and rehabilitation of Iraq’s oil infrastructure was cheap.

**165.** The draft paper stated that sources of financing for relief and reconstruction remained uncertain. The current US/UK approach was to maintain and expand the OFF programme as the central source of financing.

**166.** At the meeting, Mr Brown said that the burden of reconstruction should not be borne by the US and UK alone; other countries and Iraqi oil revenues should be tapped.<sup>86</sup> In the longer term, Iraqi oil should fund the country’s reconstruction.

**167.** Mr Blair concluded that Mr Brown should draw up “a funding plan, including securing funding from wider international sources, in particular the IFIs”. The Treasury sent that plan to No.10 on 14 March.

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<sup>82</sup> Minute Rycroft to Prime Minister, 7 March 2003, ‘Iraq: Weekend Papers’.

<sup>83</sup> Letter Gooderham to Chilcott, 13 March 2003, Iraq: Day After: The Oil Sector’.

<sup>84</sup> [Letter Cannon to Owen, 7 March 2003, ‘Iraq: Post-Conflict Issues’.](#)

<sup>85</sup> Email Dodds to Private Office [Treasury], 4 March 2003, ‘Iraq: Ministerial Meeting on Thursday Morning’ attaching [Paper DFID \[draft\], March 2003, ‘Iraq Relief and Reconstruction Costs: an Overview’.](#)

<sup>86</sup> [Letter Cannon to Owen, 7 March 2003, ‘Iraq: Post-Conflict Issues’.](#)

**168.** On 8 March, the US Army Corps of Engineers (USACE) awarded a contract for the repair of Iraq's oil infrastructure, worth up to US\$7bn, to the US engineering company Kellogg, Brown and Root (KBR).<sup>87</sup> *Hard Lessons* reported that the contract was the single largest reconstruction contract in Iraq and the largest known sole-source contract in US history.

**169.** Mr Mike O'Brien, FCO Minister of State, visited Washington on 13 March to discuss post-conflict issues with US interlocutors.<sup>88</sup>

**170.** A senior official from the NSC briefed Mr O'Brien on US plans for the oil sector.<sup>89</sup> The British Embassy Washington reported that the NSC was expecting Saddam Hussein to inflict "massive damage" on Iraq's oil infrastructure; contracts had been let to US companies to control the damage.

**171.** The NSC official advised that a small, US, senior management team for the oil sector had been assembled. Its first task would be to assess reconstruction and investment needs. The team would need to be headed by an Iraqi.

**172.** The official said that the NSC agreed on the need for a UN role in ensuring transparency, but thought that the UN was not able to run the oil sector. That would be a job for the oil sector management team, "reporting first and foremost to the Coalition".

**173.** The official also advised that the NSC agreed with much of the UK's oil policy paper, but identified three points of disagreement:

- The US did not think it was sensible to commit to restoring pre-invasion levels of production, when the Coalition could not know what damage would be inflicted on the oil infrastructure.
- The US foresaw legal problems in either the Coalition or the interim Iraqi administration letting new oil development contracts (which would be long-term commitments) during the "transitional phase". Depending on the situation on the ground, it might make more sense to suspend the existing six or seven oil development contracts, with a view to them being renegotiated in due course by a sovereign Iraqi Government.
- The US thought it was unrealistic to envisage private finance emerging early on.

**174.** The Inquiry has not seen the version of the oil policy paper passed to the US.

**175.** Dr Rice gave Sir David Manning an account of White House thinking on the handling of Iraqi oil on 13 March.<sup>90</sup> The OFF programme should be left in place, and phased out when there was an Iraqi entity ready to take control of oil revenues.

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<sup>87</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>88</sup> Telegram 341 Washington to FCO London, 13 March 2003, 'Iraq Day After: Mr O'Brien's Visit'.

<sup>89</sup> Letter Gooderham to Chilcott, 13 March 2003, Iraq: Day After: The Oil Sector'.

<sup>90</sup> Minute Cannon to Owen, 14 March 2003, 'Iraq: Iraqi Oil Post-Conflict'.

The US also wanted to make clear that military operations would not be paid for out of Iraqi oil money.

**176.** Ms Patricia Hewitt, the Trade and Industry Secretary, wrote to Mr Blair on 13 March seeking confirmation that she could, if necessary, signal the UK's agreement to the release of a modest amount of the IEA's oil stocks, to reassure oil markets.<sup>91</sup> She described the oil markets as "extremely nervous".

**177.** No.10 replied the following day, confirming that while Mr Blair agreed the broad approach proposed, he would like to be consulted before any final decision was taken.<sup>92</sup>

**178.** On 14 March, the FCO instructed the UK Permanent Mission to the UN in New York to start discussions with the US delegation on a possible resolution to modify the OFF programme and sanctions regime in the event of military action and the absence of an "effective Iraqi Government".<sup>93</sup> The FCO believed that that resolution might best be tabled immediately after the start of military operations.

**179.** The UK wanted the OFF programme to continue "for some time", to enable Iraq to export oil and import and distribute humanitarian goods until new government structures existed that could take on those functions.

**180.** The FCO proposed that to enable the OFF programme to continue, the UN Secretary-General should fulfil a number of functions that were currently reserved for the Iraqi Government, including the authority to spend OFF programme funds.

**181.** The UK position was summarised in the FCO background papers for the Azores Summit, sent to No.10 on 15 March:

"If the Iraqi regime falls, new arrangements will need to be put in place to enable the OFF to keep functioning. Our current plan is to table a resolution soon after conflict starts, transferring authority for ordering and distributing goods to the UN Secretary-General ... [W]e would hope that the Secretary-General would be able to transfer full control over oil revenues to a properly representative Iraqi Government as soon as possible (not as the US have suggested, an Iraqi 'entity', which could, particularly if US appointed, fuel suggestions that the Coalition was seeking to control Iraqi oil)."<sup>94</sup>

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<sup>91</sup> Minute Hewitt to Blair, 13 March 2003, 'Iraq and the oil market'.

<sup>92</sup> Letter Jones to Zimmer, 14 March 2003, 'Iraq and the oil market'.

<sup>93</sup> [Telegram 149 FCO London to UKMIS New York, 14 March 2003, Iraq – Military Action – Sanctions and Oil for Food – Strategy Paper.](#)

<sup>94</sup> [Letter Owen to Rycroft, 15 March 2003, 'Azores Summit' attaching Paper FCO, 'Iraq – Oil for Food Programme \(OFF\) and Sanctions'.](#)

**182.** On 14 March, in response to Mr Blair's 6 March request, Mr Mark Bowman, Mr Brown's Principal Private Secretary, sent No.10 a Treasury paper on financing Iraq's reconstruction.<sup>95</sup>

**183.** The Treasury estimated that the total cost of Iraq's reconstruction could be up to US\$45bn for the first three years (US\$15bn a year) and warned that, without UN authorisation of arrangements for a transitional administration, Iraqi oil might pay for only a fraction of that.

**184.** The Treasury advised that the best way to pay for reconstruction would be to spread the burden as widely as possible, drawing in contributions from non-combatants, IFIs and Iraq itself, and ensuring Iraqi revenues were not diverted into debt or compensation payments. By far the most significant factor in making that happen would be political legitimacy conferred by the UN.

**185.** The Treasury stated that the OFF programme provided "an obvious way to pay for immediate humanitarian needs", using the approximately US\$4bn unspent in the OFF account and by restarting oil exports. That depended on oil production facilities surviving the conflict relatively intact. In the most benign circumstances, with rapidly increasing production and high oil prices, oil revenues "could make a very significant contribution" to ongoing relief and reconstruction. The securitisation of future oil revenues was another possible source of funds, but Iraq had already accumulated "massive and probably unsustainable debts" that way.

**186.** President Bush, Mr José María Aznar, the Prime Minister of Spain, and Mr Blair discussed Iraq at the Azores Summit on 16 March.<sup>96</sup>

**187.** The FCO background papers sent to No.10 in advance of the Summit included a revised version of the UK's 'A Vision for Iraq and the Iraqi People' (see Section 6.5).<sup>97</sup> The UK intended that the document, which would be launched at the Summit, would reassure Iraqis and wider audiences of the Coalition's intentions for Iraq after Saddam Hussein's departure.

**188.** The revised version included a number of changes from the version produced the previous month, including the addition of a reference to Iraq's oil industry being managed "fairly and transparently".

**189.** The statement issued by President Bush, Prime Minister Aznar and Mr Blair at the Summit on 16 March shared much of the substance of the revised version of the UK's

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<sup>95</sup> Letter Bowman to Cannon, 14 March 2003, [untitled] attaching Paper Treasury, March 2003, 'Financing Iraqi Reconstruction'.

<sup>96</sup> Letter Manning to McDonald, 16 March 2003, 'Iraq: Summit Meeting in the Azores: 16 March'.

<sup>97</sup> [Minute Bristow to Private Secretary \[FCO\], 14 March 2003, 'A Vision for Iraq and the Iraqi People'](#).

‘A Vision for Iraq and the Iraqi People’.<sup>98</sup> Key differences included the omission of any explicit reference to oil. On post-conflict reconstruction, the three leaders declared:

“We will work to prevent and repair damage by Saddam Hussein’s regime to the natural resources of Iraq and pledge to protect them as a national asset of and for the Iraqi people. All Iraqis should share the wealth generated by their national economy ...

“... We will also propose that the [UN] Secretary-General be given authority, on an interim basis, to ensure that the humanitarian needs of the Iraqi people continue to be met through the Oil-for-Food program.”

**190.** A specially convened Cabinet, the last before the invasion, was held at 1600 on 17 March.<sup>99</sup> Mr Blair told Cabinet that the US had confirmed that it “would seek a UN mandate for the post-conflict reconstruction of Iraq”. Oil revenues would be administered under the UN’s authority.

**191.** Mr Peter Gooderham, Counsellor at the British Embassy Washington, reported to IPU on the same day on a further meeting with a senior NSC official.<sup>100</sup> The official had advised that, while the NSC fully understood the UK’s “desire for maximum UN legitimacy and transparency in running the oil sector ... other equities in the [US] Administration continued to see no need for this”.

**192.** In his speech in the House of Commons on 18 March, Mr Blair stated that:

“There should be a new United Nations resolution following any conflict providing not only for humanitarian help, but for the administration and governance of Iraq ...

“And this point is also important: that the oil revenues, which people falsely claim that we want to seize, should be put in a trust fund for the Iraqi people administered through the UN.”<sup>101</sup>

## The invasion and immediate aftermath

**193.** The invasion of Iraq began on the night of 19-20 March 2003. Military operations during the invasion are described in Section 8.

**194.** Official exports of Iraqi oil ceased on 22 March.<sup>102</sup>

**195.** Between 18 March and 22 April, updates on key events relating to Iraq produced by COBR, the UK Government’s crisis management and co-ordination facility, were

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<sup>98</sup> Statement of the Atlantic Summit, 16 March 2003, *A Vision for Iraq and the Iraqi People*.

<sup>99</sup> [Cabinet Conclusions, 17 March 2003](#).

<sup>100</sup> Letter Gooderham to Chilcott, 17 March 2003, ‘Iraq Day After: Oil Sector’.

<sup>101</sup> House of Commons, *Official Report*, 18 March 2003, column 771.

<sup>102</sup> [Paper IPU, 22 April 2003, ‘Oil/Energy Policy for Iraq’](#).

circulated to senior officials and departments twice a day.<sup>103</sup> The evening updates included a report on the state of the oil market, and on changes to UK retail petrol and diesel prices.

**196.** The price of oil quickly stabilised.

**197.** The COBR evening update for 18 March reported that prices for Brent crude had fallen to around US\$27 a barrel, following heavy selling in expectation of a short war.<sup>104</sup> The IEA was monitoring the market, and stood ready to release stocks if necessary.

**198.** The MOD informed No.10 on 23 March, in its first report to No.10 on the progress of the military campaign, that all the southern oilfields were now “secure and under Coalition control”.<sup>105</sup>

**199.** The MOD informed No.10 on 25 March that “Iraqi attempted sabotage [of the southern oilfields] has been unsuccessful”.<sup>106</sup>

**200.** The Cabinet discussed the humanitarian situation in Iraq on 27 March.<sup>107</sup> Mr Hoon said that securing Iraq’s essential economic infrastructure had been achieved through seizing the southern oilfields almost intact. The sooner the oil could flow again, the sooner the profits could be used for the Iraqi people.

**201.** COBR reported on 10 April that oil prices continued to fluctuate around US\$25 a barrel.<sup>108</sup> Market attention was turning away from day-to-day developments in Iraq and towards “underlying fundamentals”. The IEA estimated that despite disruption to Iraqi and Nigerian oil supplies, global oil production had increased by 1 percent between February and March.

**202.** The COBR evening update for 12 April reported that the Kirkuk oilfields had been seized “almost entirely intact”.<sup>109</sup>

**203.** The final meeting of the COBR (Iraq) Group was held on 23 April.<sup>110</sup> Mr Drummond reported that the impression from that meeting was of “returning normality”, including with the stabilisation of the oil price at around US\$25 a barrel and UK fuel prices starting to come down.

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<sup>103</sup> Minute Cabinet Office [junior official] to Manning, ‘Iraq: COBR Round Up of Key Events – 18 March’; Minute Cabinet Office [junior official] to Manning, ‘Iraq: COBR Round Up of Key Events – 22 April’.

<sup>104</sup> Minute Cabinet Office [junior official] to Manning, 18 March 2003, ‘Iraq: COBR Round Up of Key Events – 18 March’.

<sup>105</sup> Letter Watkins to Manning, 23 March 2003, ‘Iraq: Progress of Military Campaign’ attaching Report, [undated], ‘Iraq: Progress of Military Campaign’.

<sup>106</sup> Letter Watkins to Rycroft, 25 March 2003, ‘Iraq: Military Campaign’ attaching Report, [undated], ‘Iraq: Campaign Achievements (as at 25 March 2003)’.

<sup>107</sup> Cabinet Conclusions, 27 March 2003.

<sup>108</sup> Minute Cabinet Office [junior official] to Manning, 10 April 2003, ‘Iraq: COBR Round Up of Key Events – 10 April’.

<sup>109</sup> Minute Dodd to Manning, 12 April 2003, ‘Iraq: COBR Round Up of Key Events – 12 April’.

<sup>110</sup> Minute Drummond to Manning, 24 April 2003, ‘COBR(Iraq)’.

**204.** Oil production fell sharply during military operations, before recovering. The oil sector was severely disrupted by looting.

**205.** *Hard Lessons* recorded that during and immediately after the invasion there was no “serious” sabotage of the northern or southern oilfields, with only nine fires reported.<sup>111</sup>

**206.** In contrast, the effect of looting and the developing insurgency was more severe than the US had expected:

“In the south, where US troops bypassed the oil infrastructure on the way to Baghdad, vandals and thieves stripped facilities of anything of value. Oil advisers had identified key installations that needed to be protected, but ‘[the military] said they didn’t have enough people to do that’ ...”

**207.** The Ministry of Oil in Baghdad was also looted.

**208.** The June 2003 Economist Intelligence Unit (EIU) Country Report for Iraq, citing figures from the IEA, assessed that Iraqi crude oil output fell from 2.5m bpd in February to 1.4m bpd in March, and then to “a paltry” 170,000 bpd in April.<sup>112</sup> Following the cessation of major hostilities, output increased. Iraqi officials suggested that by early June approximately 525,000 bpd were being produced in the north and around 300,000 bpd in the south of Iraq. Domestic demand was estimated to be 600,000 bpd.

**209.** The Cabinet Office advised Ministers in mid-August 2003 that oil production had been severely disrupted by looters and saboteurs in the initial months after the conflict.<sup>113</sup> All the major oilfields had been affected. That disruption had cost US\$3bn in lost oil export revenue over the 100 days following the end of the conflict.

## **Negotiations with the US over the control of Iraqi oil revenues**

**210.** Planning for post-conflict Iraq continued after the beginning of military operations.

**211.** UK policy towards post-conflict Iraq continued to be based on the assumption that after a short period of US-led, UN-authorized military Occupation, the UN would administer and provide a framework for the reconstruction of post-conflict Iraq (see Section 6.5).

**212.** In the context of negotiations with the US on what would become resolution 1483 (2003), the UK argued that the Coalition should not have sole control over Iraqi oil revenues.

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<sup>111</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>112</sup> Economist Intelligence Unit, June 2003, *Country Report for Iraq*.

<sup>113</sup> Letter Drummond to Owen, ‘Iraq: Update for Ministers’ attaching Paper Cabinet Office, 14 August 2003, ‘Iraq: Update for Ministers, 14 August 2003’.

**213.** Ms Kara Owen, Mr Straw's Private Secretary, wrote to Sir David Manning on 20 March, advising that the US envisaged that control of the OFF programme would pass from the UN Secretary-General to "authorities in Iraq" within 90 days.<sup>114</sup> Ms Owen advised that that short time-scale suggested that the US was thinking that control over the OFF programme should be handed over to either Coalition Forces or a non-representative interim administration established by the US rather than, as the UK wanted, a credible representative Iraqi Government. The US proposal was likely to run into major objections in the Security Council, and would be likely to be perceived as an attempt to "grab Iraqi oil".

**214.** Ms Owen suggested that Sir David might need to discuss the issue soon with Dr Rice.

**215.** Mr Bowen circulated draft 'British Post-Conflict Objectives' to senior officials in the FCO, the MOD and DFID on 25 March.<sup>115</sup> The text incorporated earlier comments from some departments.

**216.** The draft stated:

"With others, we will help revive the Iraqi economy and assist reform by:

- working with the UN to manage Iraq's oil revenues in order to achieve the maximum benefit for the Iraqi people in an accountable and transparent manner ..."

**217.** There is no indication whether the objectives were ever adopted formally.

**218.** Resolution 1472 (2003) was adopted unanimously by the UN Security Council on 28 March.<sup>116</sup> The resolution gave the UN Secretary-General authority to purchase medical supplies and Iraqi goods and services under the OFF programme, for a period of 45 days (until 10 May). The resolution did not give the UN Secretary-General authority to sell Iraqi oil.

**219.** The UK Government's view was that until sanctions on Iraq were lifted or the Security Council agreed a further resolution amending the OFF programme, the Coalition did not have the power to export Iraqi oil.<sup>117</sup>

**220.** Section 9.1 describes the UK's efforts to develop a resolution which would further extend the OFF programme and authorise the UN Secretary-General to sell Iraqi oil and buy the full range of humanitarian supplies.

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<sup>114</sup> Letter Owen to Manning, 20 March 2003, 'Iraq – Oil for Food'.

<sup>115</sup> [Letter Bowen to Chaplin, 25 March 2003, 'Iraq: Post Conflict Objectives' attaching Paper \[draft\], 25 March 2003, 'Iraq: British Post-Conflict Objectives'](#).

<sup>116</sup> UN Security Council Resolution 1472 (2003).

<sup>117</sup> [Paper IPU, 22 April 2003, 'Oil/Energy policy for Iraq'](#).

**221.** Mr Blair and President Bush discussed post-conflict issues at Camp David on 26 and 27 March.<sup>118</sup>

**222.** In advance of the meeting, Mr Straw's Private Office sent Mr Rycroft a negotiating brief for what was to become resolution 1483, the resolution defining the roles of the UN and the Coalition in post-conflict Iraq.<sup>119</sup>

**223.** The negotiating brief, prepared by the IPU, identified five "key issues" on which US and UK positions differed, including the arrangements for dealing with Iraqi oil revenues:

"Some in the US are ... tempted to arrogate to themselves charge of the direction of a Trust Fund for Iraqi oil and other revenues, which will be used for meeting the costs of their administration of Iraq as well as for reconstruction ... this will open them (and by association us) to criticism that they are renegeing on their promise to devote the oil revenues exclusively to the Iraqis."

**224.** Such a proposition had "nil chance" of approval by the Security Council:

"Either the UN or the Iraqis themselves (perhaps with World Bank/IMF help) must be seen to be in control of Iraqi revenues – certainly not the Coalition."

**225.** The brief concluded that, overall, the US approach amounted to:

"... asking the UNSC [Security Council] to endorse Coalition military control over Iraq's transitional administration, its representative institutions and its revenues until such time as a fully-fledged Iraqi government is ready to take over."

**226.** The brief set out a number of "propositions" which the IPU hoped Mr Blair and President Bush would agree, including:

"The UN or the Iraqis, not the Coalition, should manage oil revenues."

**227.** Also as briefing for the meeting, Mr Straw sent Mr Blair an FCO paper on Phase IV issues.<sup>120</sup>

**228.** The FCO advised that, on oil sector management, the US and UK agreed that the "overarching principles" were:

- disruption to the flow of Iraqi oil should be minimised;
- Iraq's oil wealth should be used for the benefit of the Iraqi people; and

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<sup>118</sup> Letter Manning to McDonald, 28 March 2003, Prime Minister's Meeting with President Bush at Camp David: Dinner on 26 March'.

<sup>119</sup> [Letter Owen to Rycroft, 25 March 2003, 'Prime Minister's Visit to Washington: Iraq: UN Security Council Resolution on Phase IV' attaching Paper Iraq Planning Unit, 25 March 2003, 'Iraq: Phase IV: Authorising UNSCR'](#).

<sup>120</sup> Letter Straw to Prime Minister, 25 March 2003, 'Camp David: Post-Iraq Policies' attaching Paper FCO, 25 March 2003, 'Iraq: Phase IV Issues'.

- Iraqi oil business should be handled in as transparent and even-handed a manner as possible.

**229.** The US and UK also agreed that all decisions on the development of the Iraqi oil industry (such as privatisation and the exploration of new fields) should be deferred until a new Iraqi Government was in place.

**230.** The FCO advised that the US was considering setting up a trust fund for oil and other revenues. Whatever the arrangement:

“... the key point is that **decisions on using the funds should not be taken by the Coalition**. Until the Iraqi interim authority has the capacity to operate a budget, the UN Secretary-General (or the UN Special Co-ordinator) should continue to decide on spending priorities, as he will do under the amended OFF arrangements.”

**231.** The FCO also advised that Iraq’s oil revenues would not cover the cost of reconstruction, particularly in the short term. The cost of reconstruction needed to be shared with other countries.

**232.** The UK Treasury received a paper from the US Treasury on 26 March, proposing the creation of two Trust Funds:

- one to hold donor funds, to be administered by the World Bank; and
- one – the Iraqi Economic Recovery Fund (IERF) – to hold oil revenues and unfrozen Iraqi assets. The IMF would manage and invest the IERF’s assets, but the “CPA/IIA” [Coalition Provisional Authority/Iraq Interim Authority] would have sole authority over how IERF funds were spent.<sup>121</sup>

**233.** Mr Blair and President Bush met at Camp David on 26 and 27 March.<sup>122</sup> At dinner on the first evening, Mr Blair told President Bush that he did not want his visit to Camp David to focus primarily on a resolution to deal with post-conflict Iraq. The question about what sort of resolution was needed for the administration and reconstruction of Iraq should be parked.

**234.** Mr Rycroft sent Mr Blair a UK Treasury paper considering the US Treasury’s proposal to establish two Trust Funds on 31 March.<sup>123</sup>

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<sup>121</sup> [Paper Treasury, 28 March 2003, ‘International Oversight of Iraqi Reconstruction’ attaching Fax US official to Cunliffe, 26 March 2003, \[untitled\]](#).

<sup>122</sup> Letter Manning to McDonald, 28 March 2003, Prime Minister’s Meeting with President Bush at Camp David: Dinner on 26 March’.

<sup>123</sup> Minute Rycroft to Blair, 31 March 2003, ‘Iraq: Reconstruction’ attaching Paper Treasury, 28 March 2003, ‘International Oversight of Iraqi Reconstruction’.

**235.** The UK Treasury advised that the main problem with the US proposal was that it assumed a certain interim governance arrangement for post-conflict Iraq which had not yet been endorsed internationally. The “best outcome” for the UK would be:

“... a UN-authorized Transitional Administration or Iraqi Government, accompanied by a ‘Consultative Group’ of donors ... chaired by the World Bank.

“Initially oil funds might continue to be managed under the Oil-for-Food programme. Gradually, and as sanctions are lifted, the UN-backed Iraqi authority would take control of domestic resources under suitable safeguards, e.g. over transparency of fiscal actions, contracts etc.”

**236.** Mr Rycroft commented:

“We need to get the US back to what they said at Camp David was their policy: returning Iraqi sovereignty to Iraqi people.”

**237.** Mr Blair spoke to President Bush later that day.<sup>124</sup> Mr Blair stated that a clearer picture was needed of the shape of a post-Saddam Iraq to “sketch out a political and economic future and dispel the myth that we were out to grab Iraq’s oil”.

**238.** After the discussion, Mr Blair sent President Bush two Notes, one on communications and one entitled ‘Reconstruction’.<sup>125</sup>

**239.** The Note on reconstruction set out the UK’s response to the two funds proposed by the US. It stated that using the World Bank and the IMF to administer the funds was sensible but would run into problems:

- Channelling oil revenues through IFIs rather than straight to the IIA could “easily be misrepresented”, and the proposal would need to be included in the next resolution.
- Without UN agreement, the IFIs were unlikely to agree to administer the funds.
- The UK, Japan and others could only unblock assets with UN authority.
- “Our posture should be for the IIA to take on responsibility as soon as possible, i.e. Iraq for the Iraqis, not us or the UN.”

**240.** The Note stated that an amended proposal had been submitted by the UK Treasury, which envisaged some oil revenues going into a gradually declining OFF programme and the remainder (plus unfrozen assets) going into “the reconstruction account”, which would be administered jointly by the IMF and World Bank. Funds from the account would be “directed to the IIA”.

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<sup>124</sup> Letter Cannon to McDonald, 31 March 2003, ‘Iraq: Prime Minister’s Conversation with Bush, 31 March’.

<sup>125</sup> Letter Manning to Rice, 31 March 2003, [untitled] attaching Notes [Blair to Bush], [undated], ‘Reconstruction’ and ‘Communications’.

**241.** The Note concluded that any proposal would need to be tailored in a way that could secure UN endorsement.

**242.** In preparation for the 8 April meeting between President Bush and Mr Blair at Hillsborough, Mr Rycroft chaired talks between US and UK officials on 4 April.<sup>126</sup>

**243.** The IPU provided Mr Rycroft with an annotated version of the agenda for the talks and a commentary on the latest US draft resolution on 3 April.<sup>127</sup>

**244.** The commentary described the UK's problems with the US draft, including that it specified that Iraqi oil revenues would be spent at the direction of the Coalition. That would be unacceptable to the Security Council.

**245.** The annotated agenda set out the UK position on that issue:

“We believe that, like the wider political process, this management [of oil revenues] has to be legitimised by the UN; and that it will only be acceptable to the UNSC [Security Council] if it involves some form of effective international oversight – about whose details we do not as yet have a firm view – until a representative Iraqi Government is ready to take over.”

**246.** The annotated agenda also stated that:

“Any decisions concerning the management of Iraq's oil reserves should be taken either by the UN or by the new Iraqi institutions. The Coalition's effort should focus on rehabilitating Iraq's existing infrastructure ...”

**247.** Mr Brenton reported by telegram on 4 April, to clarify US views on post-conflict Iraq.<sup>128</sup> While discussions had been “disproportionately dominated by hard-line DoD positions”, the reality was that “NSC rule” and it was close to the UK position on most of the post-conflict agenda. There was considerable common ground between the US (including DoD) and the UK, including on the need for oil revenues to be “in the hands of the Iraqis, with international oversight, and spent by the Coalition only for tasks agreed by the UNSCR [resolution]”.

**248.** Mr Nicholas Cannon, Mr Blair's Assistant Private Secretary for Foreign Affairs, wrote to Mr Simon McDonald, Principal Private Secretary to the Foreign Secretary, on 4 April, reporting the talks between US and UK officials.<sup>129</sup>

**249.** Mr Cannon reported that the US delegation had proposed that the bulk of Iraqi oil revenues should go into a fund under Coalition supervision, “if necessary with a

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<sup>126</sup> Minute Rycroft to Blair, 4 April 2003, ‘Future of Iraq’.

<sup>127</sup> Letter Chilcott to Rycroft, 3 April 2003, ‘Iraq: Phase IV: Meeting with US Officials’ attaching Paper IPU, [undated], ‘Comments on US Draft Post Conflict Iraq Resolution’.

<sup>128</sup> Telegram 448 Washington to FCO London, 4 April 2003, ‘Iraq: Post Conflict’.

<sup>129</sup> Letter Cannon to McDonald, 4 April 2003, ‘Iraq, Post-Conflict Administration: US/UK Talks, 4 March [sic]’.

double-signature arrangement with the IIA, but initially ORHA only”. US Treasury officials in the US delegation said that whoever controlled oil revenues controlled the direction of reconstruction; it was not acceptable that the UN should handle Iraq’s budget.

**250.** Mr Cannon did not report any UK response to those arguments.

**251.** Mr Straw’s office sent Mr Rycroft an IPU brief on 7 April, for Mr Blair to use at the Hillsborough meeting.<sup>130</sup> The IPU advised:

“We agree that, as Condi [Dr Rice] said at Camp David, future oil arrangements should be put into the hands of Iraqis, with international oversight, as soon as possible. But **it is unrealistic to think that the UN Security Council, which controls Iraq’s oil revenues, will agree to give directional power over them to the Coalition.** It will need a new UNSCR to take control over the revenues from the UN and give it to someone else. We don’t think that IIA should have unfettered power over spending. We need to design a system where the IFIs have sufficient oversight of the IIA’s activities for us to have confidence. We won’t get UNSCR agreement to Jay Garner’s signature – in any circumstances.”

**252.** Section 9.1 describes the discussions at Hillsborough between Mr Blair and President Bush on 7 and 8 April, which focused on the role of the UN in post-conflict Iraq.

**253.** During the meeting, Dr Rice said that the US and UK needed to divide what had to be done by the Occupying Power, from what could be left to a future Iraqi Government.<sup>131</sup> On oil, short-term tasks for the Coalition should include: repairing the oilfields; getting Iraqis back to work; and starting to pump oil. The long-term issues would include future contracts.

**254.** Mr Straw said that a UN role would be needed to regularise the sale of Iraqi oil.

**255.** General Franks issued his “Freedom Message to the Iraqi People” on 16 April.<sup>132</sup> The message referred to the Coalition Provisional Authority (CPA).

**256.** The creation of the CPA, which subsumed ORHA, signalled a major change in the US approach to Iraq, from a short military occupation to an extended US-led civil administration.

**257.** On 24 April, the Ad Hoc Ministerial Group on Iraq Rehabilitation (AHMGIR) considered an IPU/FCO paper entitled ‘Oil/Energy Policy for Iraq’.<sup>133</sup> The paper stated that it was a “stock-take” which built on previous work by the IPU.<sup>134</sup>

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<sup>130</sup> Letter Owen to Rycroft, 7 April 2003, ‘Hillsborough: Iraq’ attaching Paper IPU, 6 April 2003, ‘Iraq: Phase IV: Authorising UNSCR’.

<sup>131</sup> Letter Rycroft to McDonald, 8 April 2003, ‘Iraq: Prime Minister’s Meeting with Bush, 7-8 April’.

<sup>132</sup> Statement Franks, 16 April 2003, ‘Freedom Message to the Iraqi People’.

<sup>133</sup> Minutes, 24 April 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>134</sup> [Paper IPU, 22 April 2003, ‘Oil/Energy Policy for Iraq’.](#)

**258.** The IPU/FCO paper reported that the oil price had fallen by US\$8 a barrel since early March, and had stabilised in the “mid-twenties”. Iraq’s oilfields had been undamaged by the fighting, although a few wells had been sabotaged. Those fires were now all extinguished. There had been some looting and damage to pipelines and oil refineries. There was a growing shortage of gas (for power stations), fuel and cooking gas, particularly in the South.

**259.** The IPU/FCO also reported that within the Security Council, oil remained a contentious issue; Council members had different motivations. The UK and US were keen to get Iraqi oil flowing again as soon as possible “to meet humanitarian/reconstruction needs”. France and Russia wanted to protect the interests of their companies that had existing contracts under the OFF programme.

**260.** The UK was proposing a three-phase approach to dealing with Iraqi oil and the OFF programme:

- To extend resolution 1472 to 3 June (the end of the current OFF programme phase), and possibly extend the OFF programme itself beyond 3 June. If the OFF programme continued “for any length of time”, the UN Secretary-General would need enhanced powers to sell Iraqi oil and buy the full range of humanitarian supplies.
- To pass control of Iraqi oil and gas revenues to a “credible interim administration” once one had been established, subject to certain checks: “The checks would be those necessary to assure us (the UK) that oil and oil revenues were protected against major mismanagement, corruption and national bias, lack of transparency or other unfairness in the awarding of contracts.”
- Those checks would have to be acceptable to the Security Council. They might comprise oversight of contracts by a representative of the UN Secretary-General or a committee of IFI representatives. Oversight by the Coalition would not be politically acceptable or achievable in the Security Council.
- To hand over full control over oil and oil revenues to a democratically elected Iraqi Government.

**261.** The IPU/FCO advised that the UK had stressed to the US its legal concerns on the limits to the authority of Occupying Powers to export oil outside the OFF programme while sanctions were in place, and to alter Iraqi oil policy or to carry out any structural reorganisation of the Iraqi oil industry. The US was “well aware” of the UK’s concerns.

**262.** The UK and the US agreed that all strategic decisions on the development of the oil industry should be left to a “representative Iraqi government” and that, in the meantime, all oil business should be handled in as transparent a manner as possible. The UK and the US also shared “a general concern” to avoid the centralisation of oil revenues in the hands of a minority, and to help limit their corrosive effect on political life.

**263.** Introducing the paper at the AHMGIR, an FCO official said that Iraq's oil infrastructure was in a better state than had been feared when the conflict began.<sup>135</sup> The UK was clear that the OFF programme was the only legal means for exporting Iraqi oil, "though some in the US wanted to find ways around this". The UK's strategy was to extend the OFF programme, then transfer control of oil revenues to the IIA "with some international oversight", and then transfer full control to a democratically elected Iraqi Government.

**264.** Ms Hewitt said that UK companies wanted a future Iraqi Government to establish a "level playing field" for oil industry contracts.

**265.** The AHMGIR agreed that the UK should:

- encourage Iraqi oil exports to recommence as soon as possible, but only after an appropriate resolution had been adopted;
- offer UK oil expertise to ORHA and in the medium term to the IIA; and
- leave future decisions on the shape of the Iraqi oil industry and the management of oil revenues to the new Iraqi Government, while advising on international best practice.

**266.** Mr John Bellinger, NSC, sent a US draft of a post-conflict resolution to Sir David Manning on 28 April.<sup>136</sup> It provided for:

- the creation of an Iraqi Development Fund, which would be audited by independent accountants and whose operations would be "monitored" by the UN Special Co-ordinator;
- funds in the Iraqi Development Fund to be disbursed "at the direction of the Coalition Provisional Authority";
- the resumption of oil sales at the market price; and
- the transfer of unspent OFF programme funds and oil revenues into the Iraqi Development Fund.

**267.** Section 9.1 describes negotiations between the UK and US on the draft resolution, which increasingly focused on the mandate of the UN Special Co-ordinator and the extension of the OFF programme.

**268.** Mr Straw, Sir David Manning, Sir Jeremy Greenstock, UK Permanent Representative to the UN, and FCO officials discussed the draft by video link with Secretary Powell and Dr Rice and US officials on 30 April.<sup>137</sup>

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<sup>135</sup> Minutes, 24 April 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>136</sup> Letter Bellinger to Manning, 28 April 2003, [untitled], attaching Paper, [undated], 'Resolution on Post-Conflict Iraq'.

<sup>137</sup> Letter Cannon to McDonald, 30 April 2003, 'Iraq/UN: Video-Conference with Condi Rice and Colin Powell, 30 April'.

**269.** Sir Jeremy Greenstock said that the US and UK needed to establish who would have title to Iraqi oil, and who would control expenditure of oil revenues. Dr Rice responded that the Coalition, as the Occupying Power, was responsible for administering Iraq. It followed that control over Iraqi finances could not be transferred elsewhere. US legal advice was that the Coalition could sell Iraqi oil without UN cover if necessary. She concluded:

“The CPA would be the Government until the IIA took over, and so would write the cheques, even if this was dressed up with UN cover, or monitoring, or an international board.”

**270.** Mr Straw noted the presentational sensitivities of the Coalition using Iraq’s money.

**271.** During the meeting, Mr Rycroft and Mr Bellinger were tasked to go through the US draft in detail and produce a further version for discussion.<sup>138</sup>

**272.** Mr Bellinger sent a revised draft to Mr Rycroft later that day. The revised draft recorded separate UK and US language on who would control disbursement from the Iraqi Development Fund, and how it would be administered. The UK language gave control to “the authorities in Iraq, including the Interim Iraqi Administration when established”, the US language to the “Occupying Powers/CPA”.

**273.** Mr Straw, Sir David Manning, Sir Jeremy Greenstock and officials discussed the latest draft resolution by video link with Dr Rice and US officials on 1 May.<sup>139</sup>

**274.** On the Iraqi Development Fund, Sir Jeremy said that the lack of some provision for oversight or disbursement by the IIA would be a major problem for the Security Council. Dr Rice responded that the Security Council needed to recognise the facts on the ground; the Coalition was the Occupying Power and would need to be able to manage disbursement.

**275.** The record of the video conference did not indicate that any resolution was reached on the issue.

**276.** Mr Bellinger sent through a further US draft of a post-conflict resolution on 4 May.<sup>140</sup>

**277.** The draft stated that the Iraqi Assistance Fund should be disbursed “at the direction of the Authority, in consultation with the Iraqi Interim Authority”.<sup>141</sup> The Fund would be audited by independent accountants, and established “with an international advisory board”.

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<sup>138</sup> Letter Bellinger to Rycroft, 30 April 2003, attaching Paper [draft], [undated], ‘Resolution on Post-Conflict Iraq’.

<sup>139</sup> Letter Cannon to McDonald, 1 May 2003, ‘Iraq/UN: Video-Conference with Condi Rice, 1 May’.

<sup>140</sup> Letter Bellinger to Rycroft, 4 May 2003, [untitled] attaching Paper, [undated], ‘Resolution on Post-Conflict Iraq’.

<sup>141</sup> The term “the Authority” referred to the authorities of the Occupying Powers.

**278.** Mr Brenton spoke to Mr Bellinger and others about the draft the following day, and highlighted UK concerns on a number of issues including the move from “monitoring” to “auditing” the Fund.<sup>142</sup>

**279.** The next US draft of a post-conflict resolution was sent to Mr Rycroft and Sir David Manning on 6 May.<sup>143</sup> Text relating to the operation of the Iraqi Assistance Fund was unchanged.

**280.** Later that day, Mr Straw chaired a video conference with Dr Rice, Secretary Powell, Sir Jeremy Greenstock and others to discuss the draft.<sup>144</sup>

**281.** During the video conference, it was agreed that the draft should include reference to monitoring, as well as auditing, oil sales.

**282.** The Annotated Agenda for the 15 May meeting of the AHMGIR stated that initial discussions on a draft resolution in the Security Council had been as positive as could be expected.<sup>145</sup> Concerns had focused on a need for clarity in three areas:

- the extent of the UN role;
- the political process, in particular the exact nature of the IIA; and
- arrangements for oversight of oil sales and disbursement of oil revenue, as well as the fate of existing contracts under the OFF programme.

**283.** The Annotated Agenda also stated that the US wanted the resolution adopted by 22 May, as this was the date by which they wished to start exporting oil to avoid a lack of storage capacity affecting production and the local supply of gas and petrol.

**284.** Mr Blair and President Bush spoke on 16 May.<sup>146</sup> Action in the UN seemed to be going well and Mr Blair proposed two areas (a UN “Special Representative” rather than “Special Co-ordinator” and greater transparency of oil sales) in which the resolution might be amended if tactically necessary.

**285.** Resolution 1483 (2003) was adopted on 22 May.<sup>147</sup> The resolution:

- lifted all sanctions on Iraq except those related to arms;
- noted the establishment of the Development Fund for Iraq (DFI), which would be audited by independent public accountants approved by the International Advisory and Monitoring Board (IAMB);

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<sup>142</sup> Telegram 589 Washington to FCO London, 5 May 2003, ‘Iraq: Draft UNSCR’.

<sup>143</sup> Minute Bellinger to Rycroft and Manning, 6 May 2003, ‘Revised Draft: UNSCR’ attaching Paper, [undated], ‘Resolution on Post-Conflict Iraq’.

<sup>144</sup> Letter Cannon to McDonald, 6 May 2003, ‘Iraq/UN: Video-Conference with Condi Rice and Colin Powell, 6 May’.

<sup>145</sup> Annotated Agenda, 15 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>146</sup> Letter Cannon to McDonald, 16 May 2003, ‘Iraq: Prime Minister’s Conversation with Bush, 16 May’.

<sup>147</sup> UN, Press Release SC/7765, 22 May 2003, *Security Council lifts sanctions on Iraq, approves UN role, calls for appointment of Secretary-General’s Special Representative*.

- looked forward to the early meeting of the IAMB, which would include representatives of the UN Secretary-General, the IMF, the Arab Fund for Social and Economic Development, and the World Bank;
- noted that disbursements from the DFI would be “at the direction of the Authority, in consultation with the interim Iraqi administration”;
- underlined that the DFI would be used “in a transparent manner to meet the humanitarian needs of the Iraqi people, for the economic reconstruction and repair of Iraq’s infrastructure, for the continued disarmament of Iraq, and for the costs of Iraqi civilian administration, and for other purposes benefiting the people of Iraq”;
- decided that all export sales of Iraqi petroleum, petroleum products and natural gas should be made “consistent with prevailing international market best practices”, and that 95 percent of the revenue should be deposited into the DFI (with five percent deposited into the UN Compensation Fund for victims of Saddam Hussein’s 1990 invasion of Kuwait); and
- requested the UN Secretary-General to continue operation of the OFF programme for up to six months from 22 May.<sup>148</sup>

**286.** Mr Straw told a meeting of Cabinet the same day that:

“This Security Council Resolution would put the Coalition’s work in Iraq on a firm basis, including for oil sales.”<sup>149</sup>

**287.** *Hard Lessons* recorded that the resolution cleared the way for the resumption of oil exports.<sup>150</sup> The first sale was made on 22 June.

**288.** Sir Jon Cunliffe told the Inquiry that the UK’s position in the negotiations over resolution 1483 had been informed by its concern to maintain legitimacy and accountability as an Occupying Power:

“... there was great suspicion that ... the war was designed to get hold of Iraqi oil revenues and was being inspired by the US oil industry ... we thought it was very important for the perception in the international community that these [oil] resources were controlled transparently and at arm’s length and in a proper way we could account for them. We thought it would make a huge difference as to whether we could get other countries to join us in the reconstruction effort ... and we also thought that it was important for the UK generally to ensure they were used efficiently on the ground in Iraq.”<sup>151</sup>

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<sup>148</sup> UN Security Council Resolution 1483 (2003).

<sup>149</sup> Cabinet Conclusions, 22 May 2003.

<sup>150</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>151</sup> Public hearing, 9 July 2010, page 38.

“So our view of how this should be managed, accounted for, was different to the US view and there was a lot of discussion around the drafting of the resolution, and just how the resources would feed into the CPA and who would have control over them.”

## Oil policy under the Coalition Provisional Authority

**289.** Ambassador Paul Bremer III arrived in Baghdad on 12 May, to lead the CPA.

**290.** The names ORHA and CPA continued to be used interchangeably in documents seen by the Inquiry for some time after the creation of the CPA.

**291.** From late May, Ministers received reports that the CPA was not consulting the UK on policy issues in the oil sector.

**292.** The Annotated Agenda for the 22 May meeting of the AHMGIR stated that the US was driving decisions on the management of the oil sector.<sup>152</sup> The Iraqi Ministry of Oil was “run by” a US-appointed Interim Management Team, headed by an Iraqi official. That official was “effectively steered by” an Oil Advisory Board (OAB) chaired by an American (though the majority of Board members were Iraqis). The OAB planned a strategic review of the oil sector; the UK hoped that the recent arrival in the CPA of a DTI oil expert would increase its knowledge of CPA plans for the sector.

**293.** Ms Hewitt’s briefing for the AHMGIR set out the problem more explicitly.<sup>153</sup> The UK had had considerable difficulty in getting hold of the OAB’s terms of reference, and was not therefore able to establish whether it was legally constituted. A UK national was being sounded out to sit on the OAB. That could bring a different perspective and help encourage a transparent oil sector policy, but those advantages needed to be weighed against the legal uncertainties surrounding the OAB and the presentational issues of a more visible UK role in managing Iraq’s oil.

**294.** The Annotated Agenda also stated that TPUK’s ability to promote Iraq to UK oil companies was constrained by “political sensitivities and lack of ground knowledge”.<sup>154</sup> UK oil companies would only deal with a “legally acceptable authority” and remained to be convinced that one was in place:

“But most of this will change if there is a new UN resolution,<sup>155</sup> and we are reaching the stage where we and UK companies must engage or lose out. We are therefore beginning to encourage UK companies to become more closely involved in the oil sector in the same way as they are in other areas of rehabilitation.”

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<sup>152</sup> Annotated Agenda, 22 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>153</sup> Minute Briggs to PS/Mrs Hewitt, 21 May 2003, ‘Sixth Meeting of Ad Hoc Ministerial Group on Iraq Rehabilitation: 22 May 2003’.

<sup>154</sup> Annotated Agenda, 22 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>155</sup> A reference to resolution 1483 (2003), which was adopted that day.

**295.** The AHMGIR agreed that the DTI should encourage UK oil companies to “develop strategies towards the Iraqi oil sector and otherwise help the UK take advantage of oil opportunities”.<sup>156</sup>

**296.** A week later, Ministers were informed that the DTI planned a series of meetings with the major oil companies, “to begin to discuss more general Iraq oil issues discreetly”.<sup>157</sup>

**297.** Oil production was estimated at between 400,000 and 500,000 bpd; the target was to reach between 2.5m and 2.8m bpd (described as the pre-conflict level) by the end of 2003.

**298.** From early June 2003, and throughout the summer, there were signs that security in both Baghdad and the South was deteriorating (see Section 9.2).

**299.** A paper on the management of the DFI was submitted to the 5 June meeting of the AHMGIR (chaired by Mr Straw).<sup>158</sup>

**300.** The paper stated that while resolution 1483 made the UK jointly responsible (with the US) for disbursements from the DFI, it contained little detail on how the DFI should be managed. The UK needed to settle that issue quickly with the US; spending decisions could start being made in the next few weeks. The management arrangements needed to meet the UK’s objectives in terms of transparency and accountability; in particular, the arrangements needed to meet the commitments in the resolution to use resources in the DFI “in a transparent manner” and to ensure that oil sales were “made consistent with international best practice”.

**301.** The Annotated Agenda for the meeting stated that the CPA had circulated a draft regulation which gave the US Administration “sole oversight” over DFI spending.<sup>159</sup> Such an arrangement would marginalise UK influence and risk presentational problems, but was not settled US policy. The UK was lobbying in Washington and Baghdad to amend the draft regulation.

**302.** On 9 June, Ms Cathy Adams from the Legal Secretariat to the Law Officers sent a reply to a letter of 21 May from FCO Legal Advisers seeking advice on resolution 1483.<sup>160</sup>

**303.** Ms Adams advised that the resolution clearly imposed joint US/UK responsibility for disbursements from the DFI, and that it was therefore important to ensure that the

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<sup>156</sup> Minutes, 22 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>157</sup> Paper Cabinet Office, 29 May 2003, ‘Iraq: Update for Ministers’.

<sup>158</sup> Annotated Agenda, 5 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting, attaching Paper, [undated], ‘Implications of and Modalities for the Development Fund for Iraq’.

<sup>159</sup> Annotated Agenda, 5 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>160</sup> [Letter Adams to Llewellyn, 9 June 2003, ‘Iraq: Effect of Security Council Resolution 1483 on the Authority of the Occupying Powers’.](#)

US Government did not take actions in relation to the DFI which were incompatible with the resolution. She continued:

“The fact that the resolution imposes joint responsibility gives the UK a locus to argue with the US that we should be fully involved in the decision-taking process. Anything less would be legally risky.”

**304.** The following day, 10 June, the CPA issued a regulation that gave Ambassador Bremer, as “Administrator of the CPA”, authority to oversee and control the establishment, administration and use of the DFI and to direct disbursements from the DFI “for those purposes he determines to be for the benefit of the Iraqi people”.<sup>161</sup>

**305.** The regulation also established a Program Review Board (PRB) to develop funding plans and make recommendations to Ambassador Bremer on expenditures from the DFI, “in consultation with the Iraqi interim administration, when established”.

**306.** The CPA issued a further regulation on 18 June, detailing the operation of the PRB.<sup>162</sup> Voting members of the PRB included representatives of the Iraqi Ministry of Finance and the UK. Non-voting members included the representatives of the IMF, World Bank, UN Special Representative of the Secretary-General (SRSG), and IAMB.

**307.** An IPU update on reconstruction which was sent to No.10 on 20 June advised that the DFI regulations “met some, but not all of our key requirements”.<sup>163</sup>

**308.** The UK’s efforts to scrutinise disbursements from the DFI are considered later in this Section.

**309.** Mr Andy Bearpark, a UK national, arrived in Baghdad on 16 June to take up the post of CPA Director of Operations.<sup>164</sup>

**310.** Mr Bearpark told the Inquiry that, shortly after arriving in Baghdad, Ambassador Bremer asked him to take on responsibility for all the Iraqi infrastructure Ministries with the exception of the Ministry of Oil.<sup>165</sup> At that point, his title had changed to Director of Operations and Infrastructure.

**311.** The Inquiry asked Mr Bearpark why he had been excluded from the oil sector.<sup>166</sup> He responded:

“It was never, ever said to me officially – and it was certainly never, ever put in writing, but every member of my staff ... said that it was perfectly obvious that

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<sup>161</sup> Coalition Provisional Authority, Regulation No.2, 10 June 2003, *Development Fund for Iraq*.

<sup>162</sup> Coalition Provisional Authority, Regulation No.3, 18 June 2003, *Program Review Board*.

<sup>163</sup> Letter Owen to Rycroft, 20 June 2003, ‘Iraq: Reconstruction Priorities’ attaching Paper IPU, 20 June 2003, ‘Iraq Reconstruction: 30 Day Priorities, 5 June 2003’.

<sup>164</sup> Paper Cabinet Office, 18 June 2003, ‘Update for Ministers’.

<sup>165</sup> Public hearing, 6 July 2012, page 5.

<sup>166</sup> Public hearing, 6 July 2012, page 71.

I couldn't be put in charge of oil because I really wasn't American ... [and] oil would remain an American interest.

"So it was a very specific instruction from Bremer that I was not in charge of the Oil Ministry."

**312.** In his evidence to the Inquiry, Sir Jeremy Greenstock identified budgeting and oil as the two clearest examples of issues on which the UK was not consulted by the CPA:

"We did not see anything whatsoever in the oil sector; they [the CPA] kept that very closely American, because they wanted to run the oil sector."<sup>167</sup>

**313.** The Inquiry asked Sir Jeremy why the CPA sought to retain control of the oil sector. He responded:

"I think they [the CPA] felt that they understood the oil sector. They brought in American oil executives to advise them on this and to run that part of the CPA. They knew that management of the oil sector was going to be vital for the supply of finance into the Iraqi system and they wanted to be responsible for it themselves.

"There might have been a minor angle of thinking that they wanted access to the contracts that might come out of the oil sector and the Iraqi economy at a subsequent period, but the Americans were doing 95 percent of the work and putting in more than 95 percent of the money. I wouldn't like to say that they were not justified in taking that approach."<sup>168</sup>

**314.** Sir Jeremy continued:

"... the Americans had no intention to take over and own the oil sector. That was always a canard in public criticism terms of what the invasion was about. It was not about oil. I think they just felt it was such an important area that they would run it themselves."

**315.** Section 9.2 describes the Government's broader concerns about the CPA's failure to consult with the UK, as a joint Occupying Power.

**316.** The Annotated Agenda for the 12 June meeting of the AHMGIR stated that the UK Government had put forward two UK candidates to sit on the OAB.<sup>169</sup> It was likely that a UK candidate would be chosen in the next few weeks.

**317.** The Annotated Agenda for the 3 July meeting of the AHMGIR stated that the OAB would not be constituted, having been replaced by a CPA oil sector team.<sup>170</sup> The DTI

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<sup>167</sup> Public hearing, 15 December 2009, page 102.

<sup>168</sup> Public hearing, 15 December 2009, pages 103-4.

<sup>169</sup> Annotated Agenda, 12 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>170</sup> Annotated Agenda, 3 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

was exploring the possibility of seconding a senior private sector expert to that team, who would be funded by the UK and act as the UK's representative on the team.

**318.** Ms Hewitt's briefing for the meeting stated that the US had decided that the OAB, which was to "advise the Oil Ministry", would not be constituted due to the level of technical skill within the Ministry and Iraqi suspicions over the OAB's role.<sup>171</sup> The CPA oil sector team would be "more operational". It currently consisted of four Americans and one Australian; the US were "sounding out" one UK oil expert.

**319.** The CPA's 'Vision for Iraq', which had been drafted by the CPA's Office of Strategic Planning, was agreed by senior Pentagon officials on 18 July.<sup>172</sup> The underpinning implementation plan, 'Achieving the Vision to Restore Full Sovereignty to the Iraqi People', was circulated to members of Congress on 23 July.<sup>173</sup>

**320.** Neither document considered the development of the oil sector in any detail. 'Achieving the Vision' defined a large number of objectives, including:

- establish and train a Facilities Protection Service;
- remove subsidies, including on oil; and
- design an oil trust fund, to be operational by February 2004.<sup>174</sup> Work by the CPA to develop the Iraq Heritage Trust is described later in this Section.

**321.** There was no objective for increasing oil production.

**322.** On 24 July, representatives from the Iraqi Ministry of Oil, the CPA, and USACE approved the Iraq Oil Infrastructure Restoration Plan, which aimed to restore oil infrastructure to its pre-war production capacity.<sup>175</sup> The authors of the Plan described it as the result of a joint, collective effort by the Ministry of Oil, USACE, KBR staff, the Iraq Reconstruction and Development Council, and the CPA. The key event within the planning process was a workshop from 6 to 9 July, which was attended by over 100 participants.

**323.** The attendance list for the workshop did not include any UK representatives.

**324.** The Inquiry has seen no indications that the UK Government was aware of that planning process.

**325.** USACE issued the Plan to contractors on 1 August.

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<sup>171</sup> Minute DTI [junior official] to PS/Mrs Hewitt, 2 July 2003, 'Next Meeting of the Ad Hoc Ministerial Group on Iraq Rehabilitation: Thursday 3 July 2003'.

<sup>172</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>173</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>174</sup> Paper Coalition Provisional Authority, 21 July 2003, 'Achieving the Vision to Restore Full Sovereignty to the Iraqi People'.

<sup>175</sup> Tappan SE. *Shock and Awe in Fort Worth*. Pourquoi Press, 2004.

**326.** Ambassador Bremer signed CPA Order No.39 on 19 September.<sup>176</sup> The Order allowed for 100 percent foreign participation in business entities in Iraq:

“... except that foreign direct and indirect ownership of the natural resources sector involving primary extraction and initial processing remains prohibited.”

### Study on the Political Economy of Oil

In late July 2003, the London Middle East Institute produced a study on the political economy of oil and democracy-building in Iraq, which had been commissioned by the Department for International Development (DFID).<sup>177</sup>

A junior DFID official circulated the study to DFID and Treasury officials only on 31 July. He advised that the study evaluated a range of options for the allocation of oil revenues and the ownership of the oil industry. A central message from the study was that any arrangement would have long-term political, economic and social implications. There were no “risk-free” options.

The official highlighted a number of the study’s conclusions, including:

- a “cautious, incremental” approach to unbundling upstream production and downstream distribution systems to create a deconcentrated ownership structure, which could eventually be incorporated into a graduated privatisation process, was preferable to “rapid privatisation”; and
- while production-sharing agreements (PSAs) might be economically attractive in terms of mobilising capital and technology, they were unlikely to have “positive distributional benefits” and might constrain future political development.

**327.** By August, the US was focusing its efforts on increasing oil production. The UK believed there was also a need to develop sector policy and strategy. The US rebuffed UK attempts to provide an oil policy expert.

**328.** The DTI provided an update on the oil sector to the 7 August meeting of the AHMGIR.<sup>178</sup>

**329.** The DTI reported that oil production, hampered mainly by sabotage and power shortages, was between 1m and 1.2m bpd – still less than half pre-conflict levels. Despite significant imports, refined petroleum products, gasoline, petrol and gas for cooking and heating remained in short supply.

**330.** The CPA Oil Team was focused on restoring oil production to pre-conflict levels, leaving all other issues to the Iraqi authorities. The UK believed that there was a need

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<sup>176</sup> Coalition Provisional Authority, Order No.39, 19 September 2003, *Foreign Investment*.

<sup>177</sup> Minute DFID [junior official] to DFID [junior official], 31 July 2003, ‘Study on the Political Economy of Oil and Democracy Building in Iraq’ attaching Report, 24 July 2003, ‘The Political Economy of Oil and Democracy Building in Iraq’.

<sup>178</sup> Annotated Agenda, 7 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting attaching Paper DTI, 6 August 2003, ‘Iraqi Oil Sector Update 07 August 03’.

to develop “longer-term strategies and options”; a well-run oil industry was essential to Iraq’s recovery and thus to the Coalition’s overall strategy.

**331.** The UK had selected Mr Terry Adams to join the CPA Oil Team as a technical expert and Mr Ian Fletcher, Sir Andrew Turnbull’s Principal Private Secretary,<sup>179</sup> to join the CPA Oil Team as an oil policy expert. One of Mr Fletcher’s main tasks would be to help develop those longer-term strategies. The DTI reported that the CPA had welcomed Mr Adams’ appointment, but had been “less than enthusiastic” about Mr Fletcher’s, possibly because of its view that longer-term issues should be left to the Iraqi authorities.

**332.** The Annotated Agenda for the AHMGIR reported that the current Iraqi Ministry of Oil target was to increase oil production to pre-conflict levels by April 2004; that appeared optimistic.<sup>180</sup> Uncertainties over oil production levels and the oil price meant that oil revenues for 2004 remained unpredictable.

**333.** The Annotated Agenda stated that:

“Our major concerns are that the CPA and Iraqi experts are focused on revising production in the short-term and giving insufficient consideration to long-term strategy ...

“We are therefore seeking to engage the US Administration and CPA leadership over oil sector issues in order to gain influence over decisions and policy. We are inserting two senior people into the CPA Oil Team ...”

**334.** The UK and the US had agreed to establish a “senior bilateral official-level working group” on “long-term oil sector issues”.

**335.** The UK was also beginning a debate with the Iraqi Ministry of Oil on ways to address its skills gap.

**336.** Mr Bearpark commented in a meeting with DFID officials on 11 August that the UK did not have much hope of getting senior people into the oil sector, which was “sewn up by the US”.<sup>181</sup> The record of that meeting was copied only within DFID.

**337.** On 10 and 11 August, Basra experienced severe rioting.

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<sup>179</sup> Minute DTI [junior official] to PS/Mrs Hewitt, 23 July 2003, ‘Next Meeting of the Ad Hoc Ministerial Group on Iraq’.

<sup>180</sup> Annotated Agenda, 7 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>181</sup> Minute DFID [junior official] to PPS/Baroness Amos, 12 August 2003, ‘Iraq: Meeting with CPA Director of Operations’.

**338.** Mr David Richmond, the Prime Minister’s Acting Special Representative on Iraq,<sup>182</sup> reported to the FCO:

“The immediate cause of the disturbances is clear. Supplies of petrol and diesel in Basra’s service stations ran out on 9 August ... This was combined with a major blackout in Basra ... There is no doubt that political elements ... exploited the situation. There is also evidence of pre-planning ... but without the fuel and electricity crisis, agitators would not have found much purchase.”<sup>183</sup>

**339.** Section 10.1 describes the UK’s response, including the development of the US\$127m Essential Services Plan, which aimed to improve fuel, power and water infrastructure in Basra, and the redeployment of UK troops to secure fuel facilities.

**340.** Mr Adams deployed to Iraq in mid-September.<sup>184</sup>

### The Iraq Heritage Trust

In early September, the Coalition Provisional Authority (CPA) prepared a draft Order expressing the intent to establish an “Iraq Heritage Trust” (IHT), to hold Iraq’s oil and gas export revenues.<sup>185</sup> The UK Government assessed that the draft Order clearly provided for the IHT to continue to operate after the CPA had transferred power to a sovereign Iraqi Government.

The UK Government argued that the decision on whether to operate an oil trust fund should be left to a future Iraqi Government. The priority was to rebuild capacity and embed best practice in the Iraqi Ministries of Finance and Oil; the CPA was working to establish transparency and good governance in the oil sector, with “strong UK input”.

The proposal was “put on hold” after opposition from Washington and London and within the CPA.

**341.** From October, the DTI adopted a new approach to pursuing UK objectives in the oil sector, focused on engaging directly with Iraqi interlocutors rather than with the CPA.

**342.** Ms Joan MacNaughton, DTI Director General, Energy, wrote to Mr Bowen on 3 October, seeking a discussion on a new framework to guide the DTI’s engagement on Iraqi oil issues.<sup>186</sup>

**343.** Ms MacNaughton advised that communication with the US and CPA on oil issues remained difficult. Meanwhile, the DTI was receiving increasing numbers of requests for

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<sup>182</sup> Mr Richmond was the Acting Special Representative from July to September 2003, when Sir Jeremy Greenstock arrived in Iraq to take up that post. Mr Richmond became the Deputy Special Representative.

<sup>183</sup> Telegram 114 IraqRep to FCO London, 12 August 2003, ‘Situation in Basra’.

<sup>184</sup> Minute Adams to Briggs, 15 September 2003, [untitled].

<sup>185</sup> Email Treasury [junior official] to Lindsey, 23 January 2004, ‘Iraq: John Snow and Oil Trust Funds’ attaching Paper Treasury, [undated], ‘Iraq Oil Trust Fund’.

<sup>186</sup> [Letter MacNaughton to Bowen, 3 October 2003, ‘UK Engagement on Iraqi Oil Issues’.](#)

information and advice from UK businesses and there was an opportunity to develop the DTI's contacts with the Iraqi oil industry.

**344.** There were a number of issues to which the DTI needed to respond, including a “worrying” proposal for eight Iraqi citizens and eight “foreigners” to sit on the Iraq National Oil Company (INOC) Executive Board.

**345.** Ms MacNaughton proposed five “guiding principles” for the DTI's engagement in the oil sector. It should:

- provide objective information and “informed opinion” in response to Iraqi requests, but not recommend policies;
- where necessary, work directly and build relationships with the Iraqi management of INOC and the Ministry of Oil;
- continue to seek to increase its sight of US policy and process, including by continuing to try to deploy an oil policy expert to the CPA; although Mr Fletcher's deployment had been “rebuffed repeatedly”, it should remain a priority for the UK;
- ask the British Embassy Washington to redouble its efforts to engage with the US; and
- “in extremis”, instruct Sir Jeremy Greenstock (the Prime Minister's Special Representative in Iraq) to intervene with the US if CPA policy developments “contravene our overarching aim of an Iraqi oil industry which is accountable, transparent, effective and profitable and entirely in the hands of the Iraqis as soon as this is legally and operationally viable”.

**346.** In a separate background briefing on oil issues, the DTI characterised this new approach as:

“... dealing directly with the Iraqis ... in our belief that the CPA is a transient body and it is the Iraqis who will be running the business in the long run”.<sup>187</sup>

**347.** During a video conference with President Bush, Vice President Cheney and Dr Rice on 7 October, Mr Blair said that the UK would like to work more closely with the US in the oil sector.<sup>188</sup>

**348.** Ms MacNaughton's framework was discussed by the Iraq Senior Officials Group (ISOG) later that day.<sup>189</sup> A DTI official said that the key issues to resolve were the composition of INOC's Executive Board and the distribution of oil revenues. The lack of a long-term strategy for the oil sector remained a concern. To influence the US, the

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<sup>187</sup> Paper DTI, 30 October 2003, ‘Background Brief on Iraqi Oil Issues’.

<sup>188</sup> Letter Cannon to Adams, 7 October 2003, ‘Iraq: Prime Minister's Video-Conference with President Bush: 7 October 2003’.

<sup>189</sup> Minutes, 7 October 2003, Iraq Senior Officials Group meeting.

UK needed better access to policy in the CPA (US officials in Washington were “equally blind”). Mr Blair’s exchange with President Bush might help.

**349.** ISOG agreed that the DTI should proceed on the basis of principles proposed by Ms MacNaughton. It also agreed that the UK should lobby again for Mr Fletcher’s secondment to the CPA Oil Team (which the CPA had blocked so far).

**350.** The Cabinet Office issued the final version of the UK Iraq Strategy (the UK’s first cross-Whitehall strategy for Iraq) to members of the AHMGIR on 8 October.<sup>190</sup>

**351.** The Strategy was set at a high level, was only broadly consistent with the CPA’s strategy, and was extremely ambitious. Section 9.2 describes the development of the Strategy, and Section 10.1 the elements relating to reconstruction.

**352.** The Strategy stated that the US had far greater resources than the UK, that UK influence over US policy was limited and the UK’s approach would be “vulnerable to shifts in US thinking”.

**353.** The Strategy stated that “to help planning”, Iraq’s recovery should be considered in three phases: stabilisation, to December 2003; recovery, to December 2004; and normalisation, from January 2005. The Strategy defined “UK objectives” for each phase in relation to security, the political process, and reconstruction.

**354.** The Strategy included UK objectives for oil production:

- In the stabilisation phase (to December 2003), Iraq would reach pre-conflict levels of “development and order”. Oil production would reach 80 percent of pre-conflict levels (2m bpd against 2.5m bpd in the pre-conflict period).
- In the recovery phase, to December 2004, Iraq would exceed pre-conflict levels of development and order. Oil production would reach 3m bpd, and oil and other natural resources would be “managed sustainably for the long-term”.
- In the normalisation phase, from January 2005, Iraq would be largely self-supporting. The Iraqi authorities would be in full control of oil production, and operating in a transparent manner.

**355.** The Strategy did not specify how those oil production targets had been defined, or the UK’s role in achieving them.

**356.** The Strategy stated that the UK would continue to be active in a number of areas but would, as Ministers had directed, focus its engagement on economic management, security sector reform and oil.

**357.** The main source of funding for reconstruction would be the DFI. It had provided US\$1.2bn towards the 2003 Iraqi budget and was forecast to provide US\$13bn in 2004.

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<sup>190</sup> [Minute Dodd to Sheinwald, 8 October 2003, ‘UK Iraq Strategy’.](#)

**358.** TPUK provided an update for Mr Blair on commercial issues on 10 October.<sup>191</sup> The update is described in more detail later in this Section.

**359.** TPUK advised that the UK's strategy was:

“... to position UK firms ... through the provision of information about contracts, procurement issues, etc, and to press the US authorities (and the CPA) to ensure a level playing field on which UK companies can compete.”

**360.** TPUK advised that the US had made it clear that while they welcomed the participation of UK companies, there was no “special deal”.

**361.** The TPUK paper considered oil and gas contracts separately from other reconstruction contracts. TPUK advised that oil and gas contracts were let by the DoD, whose procedures were “opaque” and not as open to non-US companies as other US-funded contracts.

**362.** TPUK reported that the DTI's efforts to understand and influence the CPA's policy on oil and gas had been “consistently unsuccessful” until Mr Adams' arrival in the CPA Oil Team. That had improved the DTI's understanding to some extent, although they believed that Mr Adams' access to information and decision-making meetings had been restricted by the CPA.

**363.** The Annotated Agenda for the 16 October meeting of the AHMGIR stated that the CPA Oil Team exercised a high degree of control over the Iraqi Ministry of Oil and INOC, and:

“... behaved with a degree of secrecy towards the US Administration and Coalition partners, including the UK; the senior UK oil expert in Baghdad [Mr Adams] is routinely excluded from some meetings.”<sup>192</sup>

**364.** In contrast, the UK was building good relationships with senior Iraqi managers in the Ministry of Oil and INOC.

**365.** The main issue confronting the Iraqi oil industry was restructuring. The CPA's plan was for the INOC Executive Board to include eight Iraqi nationals and eight non-Iraqi nationals. The UK believed that non-Iraqi nationals should hold only non-executive or consultancy roles.

**366.** The AHMGIR agreed that the UK should press for greater access in Washington and Baghdad, and for INOC to be controlled by Iraqis and funded in a transparent manner.<sup>193</sup>

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<sup>191</sup> [Letter Zimmer to Rycroft, 10 October 2003, 'Iraq: Update on Commercial Issues' attaching Paper TPUK, 10 October 2003, 'Iraq: Update on Commercial Issues'](#).

<sup>192</sup> Annotated Agenda, 14 October 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>193</sup> Minutes, 16 October 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

**367.** At the 17 October meeting of ISOG, Sir Jeremy Greenstock commented that the DTI had intervened too early with the US and CPA on oil strategy.<sup>194</sup> The CPA Oil Team's focus was on reviving production.

**368.** The 21 November meeting of ISOG was advised that Mr David Richmond, the Prime Minister's Deputy Special Representative on Iraq, had "again tried to sell a UK oil policy secondee" to the US, to replace Mr Adams on the CPA Oil Team.<sup>195</sup> He had not been successful.

**369.** ISOG agreed that the UK should now "abandon this initiative". ISOG asked the DTI to consider what more it could do to foster long-term relations with the Iraqi oil industry, given the CPA's planned dissolution in summer 2004.

**370.** The IAMB was formally established on 24 October.<sup>196</sup> It would not hold its first meeting until early December.<sup>197</sup>

**371.** On 6 November, the US Congress approved the CPA's request for additional funds, allocating US\$18.4bn to the Iraq Relief and Reconstruction Fund (IRRF2).<sup>198</sup> The funds were available for two years. Of that, US\$1.7bn was allocated for oil infrastructure.<sup>199</sup>

**372.** On 15 November, the Iraqi Governing Council unveiled a timetable for the transfer of sovereignty to a transitional administration ('the transition') by 30 June 2004, at which point the CPA would dissolve.<sup>200</sup>

**373.** The OFF programme closed on 21 November, in line with the terms of resolution 1483. The AHMGIR was advised that responsibility for remaining activity had passed to the CPA and the Iraqi Ministry of Trade.<sup>201</sup> It was not expected that there would be a threat to food supply.

**374.** UK Trade and Investment (UKTI), in association with the Iraqi Ministry of Oil and other partners, hosted a conference in London in December 2003 to examine the skills development needs in the oil and gas sector in Iraq, and to recommend a series of initiatives to address those needs.<sup>202</sup>

**375.** A UK-Iraq Joint Board was established in January 2004 to carry forward the conference's recommendations, and more generally to help support the development of the oil and gas sector in Iraq.

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<sup>194</sup> Minutes, 17 October 2003, Iraq Senior Officials Group meeting.

<sup>195</sup> Minutes, 21 November 2003, Iraq Senior Officials Group meeting.

<sup>196</sup> IAMB, Press Release, 24 October 2003, *Establishment of International Advisory and Monitoring Board*.

<sup>197</sup> Briefing Treasury, [undated], 'Meeting with Gary Edson, NSC – Thursday 5<sup>th</sup> February [2004]'.

<sup>198</sup> Emergency Wartime Supplemental Appropriations Act, 2003.

<sup>199</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>200</sup> Minute Figures to CDS, 16 November 2003, 'SBMR(IRAQ) Report 047 of 16 November 2003'.

<sup>201</sup> Annotated Agenda, 27 November 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>202</sup> Briefing UKTI, [undated], 'UK-Iraq Joint Board'.

**376.** The 6 January 2004 meeting of ISOG was advised that a forthcoming presentation by the Iraqi Minister for Oil to the Iraqi Governing Council on the future of the oil sector might not give due weight to “good governance issues”.<sup>203</sup> The UK would need to consider whether it needed to intervene; poor governance would delay investment in the oil sector and be a breach of resolution 1483.

**377.** Mr Neil Hirst, Head of the DTI’s Energy Markets Unit, wrote to the Cabinet Office the following day to set out the issue in more detail.<sup>204</sup> He advised that how the oil sector was handled would have major implications for the future prosperity and stability of Iraq. The UK Government had launched a major international initiative – the Extractive Industries Transparency Initiative (EITI), led by DFID – to achieve transparency of natural resource accounting in the developing world. The principle of transparency of accounting was also set down in resolution 1483.

**378.** Mr Hirst identified two key principles that needed to be established:

- a separation of powers between the Iraqi Government as owner and regulator of energy resources, and the operating company (probably, at least initially, nationally owned) which developed those resources; and
- full transparency of oil accounts, payments and budgets.

**379.** It was unclear to what extent the US would be prepared to exert their influence to help achieve good governance in the oil sector, particularly in the light of their lukewarm response to the EITI.

**380.** Section 10.1 describes the development of DFID’s Interim Country Assistance Plan (I-CAP) for Iraq in December 2003 and January 2004. The I-CAP set priorities for DFID’s work in Iraq.

**381.** The I-CAP was agreed at the 22 January 2004 meeting of the AHMGIR.<sup>205</sup>

**382.** Before the meeting, a DFID official advised Mr Hilary Benn, the International Development Secretary, that as a result of consultation within Whitehall, DFID had agreed to engage in oil sector governance to help ensure transparency in the use of oil revenues.<sup>206</sup>

**383.** The I-CAP defined 10 priorities for 2004, including “establishing transparent systems to ensure that oil revenues are spent for the benefit of all Iraqi people”.<sup>207</sup>

**384.** Ms Hewitt wrote to Mr Straw, copied to Mr Blair and members of the AHMGIR, on 16 January seeking agreement that the UK should give a high priority, in the period

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<sup>203</sup> Minutes, 6 January 2004, Iraq Senior Officials Group meeting.

<sup>204</sup> [Letter Hirst to Fergusson, 7 January 2004, ‘Iraq Oil Industry Governance’](#).

<sup>205</sup> Minute Dodd to Buck, 21 January 2004, ‘Iraq: Senior Officials Group’.

<sup>206</sup> Minute Drummond to Malik, 21 January 2004, ‘Iraq: Ministerial’.

<sup>207</sup> Department for International Development, *Iraq: Interim Country Assistance Plan*, February 2004.

leading up to the transition, to working with the US to establish principles of good governance in the oil sector.<sup>208</sup>

**385.** Ms Hewitt reiterated that decisions on the development of Iraq's oil resources would be for the Iraqi people. But that was entirely compatible with trying to establish principles of good governance before the transition.

**386.** Mr Adams had played an important role in getting good governance onto the CPA's agenda. A study commissioned by the CPA on the modernisation of the oil industry had identified a number of key governance principles, including:

- properly defined and distinct roles for a national oil company, the Ministry of Oil, and the Iraqi Government;
- the national oil company to be run on commercial lines with transparent accounting and auditing; and
- anti-corruption policies.

**387.** After "considerable effort" by the UK, the US had agreed on the need to establish those key governance principles.

**388.** Ms Hewitt also reported Sir Jeremy Greenstock's advice: that making progress would not be easy "given the lack of a real constituency for good governance amongst senior Iraqi figures".

**389.** Mr Straw replied on 29 January, agreeing that the UK should give a high priority to establishing the principles of good governance in the oil sector before the transition.<sup>209</sup>

**390.** As the end of Occupation approached, the UK considered how to ensure that oil revenues would not be mismanaged under an Iraqi Government. Section 10.1 describes UK planning for the transition.

**391.** The Annotated Agenda for the 1 March meeting of the AHMGIR advised that a modified version of the DFI should be retained after the transition, in order to "ensure accountability and transparency".<sup>210</sup> Otherwise, there was a substantial risk of mismanagement of oil revenues. The arrangement could also ensure that Iraqi assets remained immune from claims.

**392.** The Annotated Agenda reported that the DFI currently held US\$8.8bn, and paid for 95 percent of the Iraqi budget. In addition, "substantial DFI funds had been spent off-budget on the approval of the CPA with intermittent Iraqi representation".

**393.** The Annotated Agenda did not provide any further details of the "off-budget" disbursement of DFI funds.

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<sup>208</sup> [Letter Hewitt to Straw, 16 January 2004, 'Governance in the Oil Sector'](#).

<sup>209</sup> Letter Straw to Hewitt, 29 January 2004, 'Governance in the Oil Sector'.

<sup>210</sup> Annotated Agenda, 1 March 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

**394.** The Annotated Agenda reported that the Treasury proposed:

- a single external account for Iraqi oil and other revenue, managed by the Iraqi Minister of Finance reporting to a Board of Ministers, operating “within a framework established by a future UNSCR [resolution] which ensures transparency and accountability”;
- disbursements solely for the purpose of financing the Iraqi budget; and
- continuing external audit by the IAMB, reporting to the Board of Ministers.

**395.** Such an arrangement might be seen in Iraq as a constraint on sovereignty, but conversely many Iraqis might welcome arrangements which enhanced transparency and restricted the ability of transitional Ministers to mismanage oil revenues. The US supported the idea of a modified DFI.

**396.** The AHMGIR agreed that the UK should press for the establishment of transparent and accountable arrangements for the management of oil and other Iraqi revenues through the transition period.<sup>211</sup>

**397.** Sir Jon Cunliffe told the Inquiry that while the US and the CPA were “very resistant to external monitoring and external accountability” undertaken by the IAMB:

“When the Iraqi Government itself arrived, I think both Occupying Powers decided there was joint interest in having transparency, accountability and control [over oil revenues] and, indeed, I think that the US were with us in pushing for the interim Iraqi Government to take on the DFI with all of its monitoring machinery.”<sup>212</sup>

**398.** The 12 March meeting of the Iraq Strategy Group was advised that rising oil prices meant that Iraq could fund its “recurrent costs”.<sup>213</sup>

**399.** The British Embassy Baghdad reported on 14 March that CPA proposals to improve governance and accounting standards within the Ministry of Oil “faced resistance”.<sup>214</sup> It might be difficult to overcome “vested interests” inside and beyond the Ministry in the short time left before transition.

**400.** Mr Benn called on Ambassador Bremer in Baghdad on 22 March.<sup>215</sup> Mr Benn reported to Mr Blair that he had encouraged Ambassador Bremer to promote transparency in the use of oil revenues after transition.

**401.** Mr Jim Drummond, DFID Director Iraq, who had accompanied Mr Benn on the visit, reported to DFID colleagues only that Mr Benn and Ambassador Bremer had agreed on the principle of transparency, and that Ambassador Bremer had said that

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<sup>211</sup> Minutes, 1 March 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>212</sup> Public hearing, 9 July 2010, pages 38 and 39.

<sup>213</sup> Minutes, 12 March 2004, Iraq Strategy Group meeting.

<sup>214</sup> Telegram 88 IraqRep to FCO London, 14 March 2004, ‘Iraq Economy: Update’.

<sup>215</sup> Letter Benn to Blair, 24 March 2004, [untitled].

he did not see how, politically, the Coalition could retain control over Iraq's oil revenues after transition.<sup>216</sup>

**402.** Section 9.2 describes the further deterioration in the security situation in Iraq from late March. Attacks on oil infrastructure increased.

**403.** Mr Rycroft sent 19 “unvarnished accounts” of the situation in Iraq, including one from Mr Dominic Asquith, Deputy Chief Commissioner in the CPA, on oil sector development, to Mr Blair on 23 April.<sup>217</sup>

**404.** Mr Asquith reported that oil production was rising ahead of schedule, but future capacity was threatened by an early, mistaken focus on repair rather than modernisation and development.<sup>218</sup> Oil production had reached an average of 2.3m bpd by the end of 2003, against a target of 2.0m bpd.

**405.** Mr Asquith also reported that discussions between the Ministry of Oil and the CPA on raising gasoline prices continued, with the Ministry avoiding any commitment on a politically contentious issue. Discussions on restructuring the oil industry “remained mired in politics”. There were persistent but unconfirmed allegations of corruption in both the State Oil and Marketing Organisation and the Ministry. Ambassador Bremer had recently appointed a new Inspector General to the Ministry, but after transition his capacity to monitor financial flows would be tested. International oil companies were watching carefully, but wanted to see greater security and a stable regulatory and investment environment before investing.

**406.** On 24 May, Mr Bob Morgan, an adviser to the Iraqi Ministry of Oil employed by the FCO, and his bodyguard Mr Mark Carman were killed in Baghdad.<sup>219</sup>

**407.** The Security Council adopted resolution 1546 (2004) on 8 June.<sup>220</sup> Section 9.2 describes the negotiation and content of the resolution. The resolution:

- endorsed the formation of a sovereign Interim Government of Iraq which would assume full responsibility and authority by 30 June 2004 for governing Iraq, “while refraining from taking any actions affecting Iraq’s destiny beyond the limited interim period until an elected Transitional Government of Iraq assumes office ...”
- reaffirmed the right of the Iraqi people freely to determine their own political future and to exercise full authority and control over their financial and natural resources; and

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<sup>216</sup> [Minute Drummond to DFID \[junior official\], 24 March 2004, ‘Iraq Visit’.](#)

<sup>217</sup> Minute Rycroft to Blair, 23 April 2004, ‘15 Reports on Iraq’.

<sup>218</sup> Telegram 183 IraqRep to FCO London, 21 April 2004, ‘Iraq: Oil Sector Development’.

<sup>219</sup> Minutes, 25 May 2004, Iraq Senior Officials Group meeting; *BBC News*, 26 May 2004, *Oil Expert Killed in Iraq ‘felt safe’.*

<sup>220</sup> UN Security Council resolution 1546 (2004).

- provided for the continued operation of the DFI and the IAMB. DFI funds would be disbursed in a transparent and equitable manner and through the Iraqi budget, solely at the discretion of the Iraqi Government. Funds held within the DFI would continue to be immune from attachment.

**408.** A junior Treasury official advised Mr Brown that the explicit reference to transparency and the requirement for DFI funds to be disbursed through the Iraqi budget had been inserted at the UK's request.<sup>221</sup>

**409.** The British Embassy Washington reported to the IPU on 23 June on US plans in the oil sector after 30 June.<sup>222</sup>

**410.** Senior US interlocutors had told the Embassy that all 12 members of the CPA Oil Team were expected to leave Iraq by the end of August. They would be succeeded by a number of oil sector "liaison officers" within the US Iraq Reconstruction Management Office (IRMO). The liaison officers "would obviously have less influence and leverage" than the CPA Oil Team. Mr Thamir Ghadban, Iraqi Minister of Oil, "did not need telling what to do, and would want to distance himself from the US advisers". The US understood that Mr Ghadban intended to set up his own Advisory Group.

**411.** The Embassy assessed that the US remained focused on short-term production issues, rather than "strategic industry restructuring and governance".

**412.** The Embassy also reported that policy responsibility for the oil sector within the US Administration would transfer from the DoD to the State Department on 30 June.

**413.** *Hard Lessons* recorded that, at the end June 2004, Iraq was producing more than 2m bpd of oil, still well below pre-war production of 2.58m bpd.<sup>223</sup>

### **Scrutiny of disbursements from the Development Fund for Iraq (DFI) by the UK**

Resolution 1483, which was adopted on 22 May 2003, provided that disbursements from the Development Fund for Iraq (DFI) would be "at the direction of the Authority [the US and UK as Occupying Powers], in consultation with the interim Iraqi administration".<sup>224</sup> By that time, the US was committed to a protracted Occupation and it was not clear when an interim Iraqi administration would be established.

<sup>221</sup> Minute Treasury [junior official] to Chancellor, 10 June 2004, 'Iraq – UNSCR 1546 and Financial Management Law'.

<sup>222</sup> Letter FCO [junior official] to IPU [junior official], 23 June 2004, 'Iraq Oil: US Plans post 30 June'.

<sup>223</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>224</sup> UNSCR 1483 (2003).

The US General Accountability Office (GAO) estimated that almost US\$21bn was deposited into the DFI during the Coalition Provisional Authority (CPA) period, of which US\$14bn was spent.<sup>225</sup>

On 10 June 2003, the CPA issued a regulation that gave Ambassador Paul Bremer, as “Administrator of the CPA”, authority to oversee and control the establishment, administration and use of the DFI and to direct disbursements from the DFI “for those purposes he determines to be for the benefit of the Iraqi people”.<sup>226</sup>

The regulation also established a Program Review Board (PRB) to develop funding plans and make recommendations to Ambassador Bremer on expenditures from the DFI, “in consultation with the Iraqi interim administration, when established”.

The CPA issued a further regulation on 18 June, detailing the operation of the PRB.<sup>227</sup> Voting members of the PRB included representatives of the Iraqi Ministry of Finance and the UK.

The Inquiry has seen the records of 60 meetings of the PRB (held between 7 June 2003 and 2 June 2004).<sup>228</sup> Of those records, 55 list the meeting’s attendees. A UK representative attended 41 of the 55 meetings. The UK was represented by a junior official on 36 occasions and by a senior official on five.

In March 2004, after an international competitive bidding process, the International Advisory and Monitoring Board (IAMB) approved the appointment of KPMG to audit DFI activities.<sup>229</sup> A Treasury briefing stated that the CPA had used that process to re-open debate on the scope of the IAMB’s mandate under resolution 1483.<sup>230</sup>

The CPA signed the contract with KPMG to audit the DFI on 5 April 2004 – almost one year after resolution 1483 and less than three months before the CPA would be dissolved.<sup>231</sup>

KPMG delivered its first audit reports, covering oil export sales and DFI operations from May to December 2003, to the IAMB at the end of June 2004.<sup>232</sup>

The IAMB’s response to the KPMG reports stated:

“KPMG has concluded that all known oil proceeds, reported frozen assets, and transfers from the Oil for Food Program had been properly and transparently accounted for in the DFI. At the same time, based on a review of KPMG reports, the IAMB believes that CPA controls were insufficient to provide reasonable assurance (i) for the completeness of export sales of petroleum and petroleum products for

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<sup>225</sup> US General Accountability Office, Report to Congressional Committees, July 2005, *Status of funding and reconstruction efforts*.

<sup>226</sup> Coalition Provisional Authority, Regulation No.2, 10 June 2003, *Development Fund for Iraq*.

<sup>227</sup> Coalition Provisional Authority, Regulation No.3, 18 June 2003, *Program Review Board*.

<sup>228</sup> Coalition Provisional Authority website, [undated], *Program Review Board Minute Archive*.

<sup>229</sup> International Advisory and Monitoring Board on Iraq website, 24 March 2004, *Statement by the International Advisory and Monitoring Board on Iraq*.

<sup>230</sup> Briefing Treasury, [undated], ‘Meeting with Gary Edson, NSC – Thursday 5<sup>th</sup> February [2004]’.

<sup>231</sup> International Advisory and Monitoring Board on Iraq website, 5 April 2004, *Statement by the International Advisory and Monitoring Board on Iraq*.

<sup>232</sup> Report KPMG, 29 June 2004, ‘Development Fund for Iraq: Statement of Cash Receipts and Payments For the Period from 22 May 2003 to 31 December 2003 (with Independent Auditors’ Report)’.

the period from May 22, 2003 to December 31, 2003, and (ii) whether all DFI disbursements were made for the purposes intended.”<sup>233</sup>

US Special Inspector General for Iraq Reconstruction (SIGIR) audits published in 2004 and 2005, and summarised in *Hard Lessons*, found that:

“... the CPA failed to exert adequate control of the DFI used to support the Iraqi national ministries or reconstruction projects. An audit of DFI disbursements to Iraqi ministries made through the national budget process concluded that the CPA failed to enforce adequate management, financial, and contractual controls over approximately US\$8.8bn of DFI money. SIGIR found that there was ‘no assurance that the funds were used for the purposes mandated by [UN] resolution 1483.’”<sup>234</sup>

Ambassador Bremer disagreed with SIGIR, arguing that they had failed to account for the very difficult security environment and the steps taken to improve recognised management weaknesses. SIGIR acknowledged the danger confronting the CPA, but found that the CPA’s oversight of Iraqi funds was burdened by severe inefficiencies and poor management. SIGIR concluded that the chaotic circumstances in Iraq required more stringent oversight, not less, as the CPA suggested.

*Hard Lessons* concluded that the CPA appeared to be averse to oversight of the DFI.

Sir Jeremy Greenstock, the Prime Minister’s Special Representative on Iraq from September 2003 to March 2004, told the Inquiry:

“The UK was not allowed sight of any of the figures on the use of money by the CPA ... A lot of cash was going round in suitcases to be dispensed to Iraqis, not all of which was accounted for, and I was uncomfortable that I had no sight of this, might be felt by London to be in some respects responsible for this, and had to explain clearly that I was not responsible for this, and London made it quite clear that they didn’t expect me to be responsible for this.”<sup>235</sup>

“But as you have seen from books on this, from the report of the Special Inspectorate for Iraq in the US [SIGIR], corruption crept into the system and I felt that I couldn’t do anything about it.”

The Inquiry asked Sir Jeremy whether he was able to discuss his concerns with Ambassador Bremer. He replied:

“We discussed corruption in the Iraqi administration, but when I asked for details of economic spending, it was made clear that non-Americans would not be given the details.”

<sup>233</sup> International Advisory and Monitoring Board on Iraq website, 15 July 2004, *Statement by the International Advisory and Monitoring Board on Iraq – Release of the KPMG Audit Reports on the Development Fund for Iraq, 15 July 2004*.

<sup>234</sup> H Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>235</sup> Private hearing, 26 May 2010, pages 50-51.

Ms Lindy Cameron, Deputy Head of DFID's Baghdad Office in 2004, told the Inquiry that, during the last six months of the CPA, UK officials "helped to do a level of supervision of how some of the funding was spent that had come from the Iraqi oil revenues", but any influence was "more at the tactical level than at the strategic level".<sup>236</sup>

Sir Jon Cunliffe told the Inquiry that the CPA had been "very resistant to external monitoring and external accountability".<sup>237</sup>

## UK policy under Iraqi Governments

**414.** The Occupation of Iraq formally came to an end on 28 June 2004, two days earlier than had been originally planned.

**415.** Power was transferred from the CPA and the Governing Council to the Iraqi Interim Government (IIG) headed by Prime Minister Ayad Allawi.<sup>238</sup>

**416.** As set out in resolution 1546 (2004), the IIG took on responsibility for the disbursement of oil revenues from the US and UK (as Occupying Powers).

**417.** Although oil production remained below pre-war levels, the UK Government expected that the high oil price (over US\$35 per barrel against the budgeted level of US\$22 per barrel) would result in a significant surplus for the Iraqi budget in 2004.<sup>239</sup>

**418.** On 1 July, the AHMGIR commissioned the FCO to co-ordinate an integrated UK strategy covering the period up to Iraqi elections (in early 2005).<sup>240</sup>

**419.** Mr Edward Chaplin arrived in Baghdad on 5 July to take up post as the first UK Ambassador to Iraq since 1990.<sup>241</sup>

**420.** The strategy paper commissioned by the AHMGIR was circulated on 13 July to members of the Defence and Overseas Policy Committee (DOP), a Sub-Committee of the Cabinet, on 13 July.<sup>242</sup> The paper defined seven objectives, including:

- reduction of subsidies and an agreed IMF programme leading to a debt settlement by the end of the year."

**421.** The 15 July meeting of DOP agreed those objectives.<sup>243</sup> Ministers stated that the UK needed to continue to work closely with the Iraqi Oil Minister, with a focus on reducing government subsidies in the oil sector and on technical training.

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<sup>236</sup> Public hearing, 22 June 2010, page 28.

<sup>237</sup> Public hearing, 9 July 2010, pages 38-39.

<sup>238</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>239</sup> Paper, [undated], 'Iraq – Summer 2004 Economic Overview'.

<sup>240</sup> Minutes, 1 July 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>241</sup> Public hearing, 7 December 2009, pages 1-2.

<sup>242</sup> [Paper FCO, 13 July 2004, 'Iraq: the Next Six Months'](#).

<sup>243</sup> Minutes, 15 July 2004, DOP meeting.

**422.** Mr Chaplin made an introductory call on Mr Ghadban on 30 August.<sup>244</sup> He reported that Mr Ghadban's main priority was maintaining and repairing Iraq's oil infrastructure. Attacks were taking place almost daily. Production was around 2.5m bpd; the IIG aimed to produce 3.25m bpd by the end of 2005.

**423.** Mr Chaplin reported that Mr Ghadban advocated a gradual and careful reduction in fuel subsidies (although the IIG as a whole remained reluctant), and the privatisation of the distribution system. Mr Chaplin had "encouraged" those views.

**424.** Mr Ghadban stated that encouraging investment was key, for example through internationally accepted models for production-sharing agreements (PSAs) or joint ventures. He did not favour privatising upstream<sup>245</sup> activities.

**425.** The IPU circulated a first draft of a UK Energy Strategy for Iraq on 18 August.<sup>246</sup>

**426.** A junior official at the British Embassy Baghdad commented on the draft on 25 August, highlighting the need to be realistic about what the IIG could deliver in the period before the January 2005 elections:

"While Ghadban and others may have every intention of looking longer term and plotting a strategy for the industry, the day-to-day running of the network/fire-fighting is taking up the bulk of everyone's energies just now – and is likely to continue doing so. The IIG is desperate to show improvements in the supply of electricity and fuel as soon as possible. That means focusing efforts on ensuring that oil continues to flow to the power stations and refineries, and stocks are built up."<sup>247</sup>

**427.** The IPU circulated a final version of the UK Energy Strategy for Iraq on 6 September.<sup>248</sup> The Strategy identified two UK objectives:

- the development of an efficient, outward looking and transparent oil and energy industry, capable of delivering both sustainable export revenues to meet Iraq's development needs and meeting domestic needs for energy in an efficient, equitable and secure manner; and
- Iraq's energy sector development to be complemented by the increasing involvement of UK firms, leading to sustained investment over the next five to 10 years and substantial business for the UK."

**428.** The Strategy stated that the IIG had established a Supreme Council for Oil and Gas, which the UK believed would approve strategy and major investments. The IIG was

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<sup>244</sup> Telegram 167 Baghdad to FCO London, 31 August 2004, 'Iraq: Introductory Call on Thamir Ghadban, Minister of Oil'.

<sup>245</sup> Upstream activities are generally understood to be exploration and extraction.

<sup>246</sup> Email IPU [junior official] to FCO [junior official], 18 August 2004, 'UK Energy Strategy for Iraq' attaching Paper IPU, [undated], 'Iraq-UK Energy Strategy for Iraq'.

<sup>247</sup> Email FCO [junior official] to IPU [junior official], 25 August 2004, 'UK Energy Strategy for Iraq – Comment'.

<sup>248</sup> Email IPU [junior official] to FCO [junior official], 6 September 2004, 'Energy Strategy for Iraq'.

constrained by the Transitional Administrative Law (TAL) in its ability to make decisions affecting Iraq's "long-term destiny". Key strategic decisions were therefore unlikely to be taken until after January 2005.

**429.** The Strategy stated that to meet the UK's objectives, the main challenge for Iraq's oil industry would be to institute the structural, fiscal and regulatory reform needed to attract foreign direct investment (FDI). In the absence of a "very high" oil price, Iraq would only be able to finance the investment necessary to raise production if it achieved a very generous debt relief deal and was prepared to cut government spending in other areas. As the latter was "not realistic", Iraq would need FDI.

**430.** Improved governance in the energy sector also remained key to achieving the UK's objectives.

**431.** The Strategy stated that the argument that Iraq's energy development needs were best served by FDI would be politically sensitive, both in Iraq (where it would touch on issues of sovereignty) and internationally. The Iraqi Government was aware of the scale of funding needed, but "less convinced" of the need for this to come through FDI. The Strategy concluded:

"We will wish to push the message on FDI to the Iraqis in private, but it will require careful handling to avoid the impression that we are trying to push the Iraqis down one particular path."

**432.** The Strategy also set out the "key considerations" that shaped it:

- the UK's objectives on energy security: Iraq had the second or third largest proven oil reserves in the world, and significant reserves of natural gas; sustainable increases in Iraqi oil and gas production would contribute to global energy security;
- the UK's commercial objectives; and
- Iraq's need for fiscal stability, in particular given its high level of debt and the continuing need to finance reconstruction.

**433.** The Inquiry has seen no indications that the Strategy was seen by Ministers or senior officials.

**434.** A junior official at the British Embassy Baghdad reported on 8 September that Prime Minister Allawi had recently issued 'Guidelines on Petroleum Policy'

to the Supreme Oil and Gas Council, to direct their work to develop detailed policy recommendations.<sup>249</sup> The official summarised those guidelines as:

*“Upstream Policy*

- An independent, public, Iraqi National Oil Company (INOC) should be re-established ... to manage current fields and refineries.
- Foreign investment (combined where possible with domestic private capital) should finance the development of new fields and refineries. Joint public/private operations should be avoided except where necessary as an interim measure before full privatisation.

*Downstream policy*

- INOC to rehabilitate existing refineries.
- Foreign and domestic private investment to finance major refinery expansions and new refineries.

*Marketing*

- Gradual and methodical privatisation of domestic wholesale and retail marketing.”

**435.** Prime Minister Allawi met Mr Blair in London on 19 September.<sup>250</sup> Prime Minister Allawi said that he was pursuing a four-part strategy which addressed:

- the political process;
- the economy, including meeting investment needs in the oil sector;
- security (his personal focus); and
- building up the institutions of government.

**436.** Mr Blair, Prime Minister Allawi and several Iraqi Ministers discussed reconstruction, the economy and other issues over lunch.<sup>251</sup> Prime Minister Allawi stressed the need for a generous debt reduction package that would encourage foreign investment.

**437.** In late 2004, the FCO agreed to fund a small consultancy team to assist the Ministry of Oil to “create a stable petroleum contracts regime and a modern, transparent and efficiently run Iraqi National Oil Company (INOC)”.<sup>252</sup> The project built on the

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<sup>249</sup> Email FCO [junior official] to FCO [junior official], 8 September 2004, ‘PM’s Guidelines on Petroleum Policy – Summary’.

<sup>250</sup> Letter Sheinwald to Adams, 19 September 2004, ‘Iraq: Prime Minister’s Meeting with Prime Minister Allawi, Sunday 19 September’.

<sup>251</sup> Letter Quarrey to Owen, 19 September 2004, ‘Iraq: Prime Minister’s Lunch with Allawi, 19 September’.

<sup>252</sup> Paper FCO, [undated], ‘Terms of Reference: Assistance in creating a stable petroleum contracts regime and a modern, transparent and efficiently run Iraqi National Oil Company (INOC)’.

analysis presented in a December 2003 USAID-funded report, *Options for Developing a Long Term Sustainable Iraqi Oil Industry*.<sup>253</sup>

**438.** The Terms of Reference for the consultancy stated:

“The Iraqi Government has given broad endorsement (for example through Prime Minister Allawi’s Guidelines on Petroleum Policy) to PSAs as the best means of facilitating foreign investment in the petroleum sector. It is important the MoO [Ministry of Oil] develop a good understanding of how PSAs work if Iraq is to create a stable contracts regime that effectively serves Iraq’s longer-term developmental needs and the imperative of FDI.”<sup>254</sup>

**439.** The planned outputs of the project included model contracts, including for PSAs.

**440.** Mr Chaplin called on Prime Minister Allawi on 13 December.<sup>255</sup> Mr Chaplin reported that he had taken the opportunity to raise “BP and Shell’s interests”. He had also informed Prime Minister Allawi that the UK Government had agreed to fund Mr Terry Adams (formerly of the CPA Oil Team) to assist the Ministry of Oil to draft “model production sharing agreements”.

**441.** Mr Chaplin reported that Prime Minister Allawi had said that he had made clear to the Supreme Oil and Gas Council that priority should be given to US and UK companies. Mr Chaplin commented:

“His [Prime Minister Allawi’s] wish to favour UK companies is sincere. But others in the system are not so well-disposed, so patience is required.”

**442.** A briefing prepared for Sir Nigel Sheinwald, Mr Blair’s Foreign Policy Adviser, on 17 January 2005 stated that:

“Ministry of Oil preoccupied with Baghdad fuel crisis and the protection of the oil infrastructure – meaningful engagement with the Ministry will have to wait until after the elections.”<sup>256</sup>

**443.** The briefing also stated that a plan to establish an INOC as an independent, state-run corporation “appears to have been approved”, although it was unlikely to be implemented before the elections. The briefing described the creation of an independent, state-run INOC as one of the UK’s main priorities.

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<sup>253</sup> Report, 19 December 2003, *Options for Developing a Long Term Sustainable Iraqi Oil Industry*.

<sup>254</sup> Paper FCO, [undated], ‘Terms of Reference: Assistance in creating a stable petroleum contracts regime and a modern, transparent and efficiently run Iraqi National Oil Company (INOC)’.

<sup>255</sup> Telegram 472 Baghdad to FCO London, 13 December 2004, ‘Iraq: Call on Allawi’.

<sup>256</sup> Briefing, [undated], ‘Briefing for Nigel Sheinwald’s Meeting with Malcolm Brinded (Shell): 17 January’.

**444.** Elections for the Transitional National Assembly (TNA) and Provincial Assemblies took place across Iraq on 30 January 2005.<sup>257</sup> The election results were announced in mid-February; the Iraqi Transitional Government would not convene until April.

**445.** Officials from the British Embassy Baghdad made their first post-election visit to the Ministry of Oil on 2 February.<sup>258</sup> They reported that a senior Iraqi official had been “scathing” about Prime Minister Allawi’s Guidelines, which he said had “died with the IIG”.

**446.** The Cabinet Office co-ordinated the production of a strategy paper, focused on how to achieve coalition objectives in post-election Iraq, for the 9 February meeting of the Ad Hoc Ministerial Group on Iraq.<sup>259</sup>

**447.** The strategy identified five key “governance and reconstruction” challenges in 2005, including making sustained improvements in the availability of fuel and electricity, which would require difficult reforms and cracking down on corruption and sabotage.

**448.** The strategy defined five economic priorities for the UK for 2005, including:

“Promoting an efficient, outward looking and transparent oil and energy industry and promoting the continuation of a structure for the transparent management of oil reserves.”

**449.** The Ad Hoc Ministerial Group on Iraq approved the paper on 9 February.<sup>260</sup>

**450.** A senior Iraqi official in the Ministry of Oil told Ms Ann Eggington, DTI Director, on 22 March that the Ministry was in a “caretaker” role, waiting for the formation of the new Government.<sup>261</sup> The silence from the Ministry on the UK’s offer to help develop model PSAs was due to its inability to take forward any significant project work and long-term planning until a new Government was confirmed.

**451.** The Iraqi official commented that the chief task of the new Iraqi Government would be to agree a Constitution; the Ministry would, in parallel, develop a Petroleum Law. Model contracts developed by the FCO project would need to be consistent with the Petroleum Law; there would be differing views on how FDI should be brought in.

**452.** On 28 April, following lengthy negotiations, Prime Minister Designate Ibrahim Ja’afari presented the majority of the Cabinet for the new Iraqi Transitional Government (ITG) to the TNA for ratification. The ITG was established to run Iraq until a government could be elected according to the new Constitution in December 2005.

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<sup>257</sup> Public hearing Chaplin, 7 December 2009, page 12.

<sup>258</sup> Email FCO [junior official] to IPU [junior official], 2 February 2005, ‘Iraq/Oil: Miscellaneous’.

<sup>259</sup> [Paper Cabinet Office, 7 February 2005, ‘Iraq Strategy for 2005’](#).

<sup>260</sup> Minutes, 9 February 2005, Ad Hoc Ministerial Group on Iraq meeting.

<sup>261</sup> Letter DTI [junior official] to FCO [junior official], 23 March 2005, ‘Meeting with Rhadwan Al-Saadi: 22 March 2005’.

**453.** The British Embassy Baghdad reported on 16 May that the new Minister of Oil, Mr Ibrahim Bahr Al-Ulum, had now taken up his post.<sup>262</sup> Mr Al-Ulum had stated that his priorities were to increase production and tackle corruption. Production averaged 2.1m bpd, consistently below the Ministry's 2.5m bpd target. Fuel stocks were healthy.

**454.** The Embassy also reported that insurgent attacks on oil infrastructure had "tailed off" since the elections, although the effect of attacks could still be dramatic.

**455.** The IPU provided an update on oil and commercial issues for Mr John Sawers, FCO Political Director, on 25 May, at his request.<sup>263</sup> The IPU advised that:

- The Petroleum Law would be a key piece of legislation, establishing the regulatory framework for Iraq's energy sector, including the approach to foreign investment. Major international oil companies would want to see transparent rules established.
- The Ministry of Oil would start drafting the Petroleum Law alongside the drafting of the Constitution. The UK had not been asked for help in drafting the Law, although the UK did plan to take forward the FCO project to help the Ministry develop transparent petroleum contracts.
- The UK Government's view was that a high level of oil company involvement in drafting the Petroleum Law could be counter productive: "This should be an Iraqi-drafted law and it will be for them to decide their approach to foreign investment." The UK would, however, want to encourage the Iraqi Government to consult widely in the process, including with oil companies. The UK could facilitate that exchange.
- There had been no discussions with the Iraqi Government on a UK/Iraq commercial agreement (which could provide a framework for trade and investment), but such an agreement might be beneficial.

**456.** Representatives from Shell advised officials from the British Embassy Washington on 31 May that Shell wanted to see "a Constitution in place" before making a "serious investment" in Iraq.<sup>264</sup> Most major oil companies were similarly "keeping a low profile".

**457.** In June 2005, FCO, DTI and DFID officials developed an Iraq Oil and Gas Strategy.<sup>265</sup>

**458.** The Iraq Oil and Gas Strategy, the UK's second post-Occupation oil strategy, shared much of the analysis presented in the September 2004 UK Energy Strategy for Iraq. It added a third UK objective – promoting Iraq's role within the international oil market and the Organization of the Petroleum Exporting Countries (OPEC).

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<sup>262</sup> Telegram 4635/05 Baghdad to FCO London, 16 May 2005, 'Iraq: Oil and Electricity: New Government, Old Problems'.

<sup>263</sup> [Minute IPU \[junior official\] to Sawers, 25 May 2005, 'BP: Iraq'](#).

<sup>264</sup> Minute FCO [junior official] to Braithwaite, 3 June 2005, 'Note of a Meeting with Shell, 31<sup>st</sup> May 2005'.

<sup>265</sup> Paper, [undated], 'Iraq: Oil and Gas Strategy'.

**459.** The Strategy defined three UK objectives:

- “• The development of an efficient, outward-looking and transparent oil and gas industry, capable of delivering sustainable export revenues to meet the development needs of the people of Iraq and meeting domestic needs for energy in an efficient, equitable and secure manner.
- Increasing involvement of the private sector, leading to sustained investment over the next five to 10 years and substantial business for UK companies ...
- To promote Iraq’s role in international oil and gas markets and as a constructive influence within OPEC.”

**460.** The Strategy stated that, in the absence of an “extremely high” oil price, only the international oil companies could provide the funding necessary to achieve rapid rehabilitation or significant new development.

**461.** The Strategy set out four considerations that shaped it:

- Energy security. The UK was expected to be a net importer of oil by 2010. Against a backdrop of volatile prices and limited spare global production capacity, sustainable increases in Iraqi production would make a large contribution to global energy security.
- The UK’s commercial and international development goals, including Iraq’s fiscal stability given the need to finance reconstruction. The idea that Iraq’s energy development needs were best served through FDI would be politically sensitive, both in Iraq and internationally. The UK would “promote the message on FDI to the Iraqis in private, but it will require careful handling to avoid the impression that we are trying to push the Iraqis down one particular path”.
- The need for energy price reform, required under the IMF programme.
- Oil development and the Constitution.

**462.** Mr Straw sent the Strategy to Mr Blair on 12 July.<sup>266</sup> In his covering letter, Mr Straw wrote:

“Oil and gas will inevitably form the economic foundation for Iraq’s future and remains important for the UK commercially and in terms of energy security. Foreign investment is badly needed and we need to continue to support Iraq to create the right framework for investment, while also supporting UK companies to engage. And we should continue working with the Iraqi Government to ensure the oil sector develops transparently and along lines of international best practice.”

**463.** Mr David Quarrey, Mr Blair’s Private Secretary, sent the Strategy to Sir Nigel Sheinwald with the comment: “I do not intend to put in the box! Looks OK.”<sup>267</sup>

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<sup>266</sup> [Letter Straw to Blair, 12 July 2005, ‘Iraq: Oil and Gas Strategy’.](#)

<sup>267</sup> [Manuscript comment Quarrey to Sheinwald, 13 July 2005, on Letter Straw to Blair, 12 July 2005, ‘Iraq: Oil and Gas Strategy’.](#)

**464.** Sir Nigel agreed.<sup>268</sup>

**465.** Mr Straw wrote to Mr Blair on 5 July with an update on the constitutional process.<sup>269</sup> Section 9.4 describes the development of the Iraqi Constitution from June 2005 to its adoption in October 2005.

**466.** Mr Straw attached a paper produced by the FCO Research Analysts which set out the substantive issues that the Constitutional Committee needed to address, and the UK's view on those issues. He advised Mr Blair that the paper would serve as the UK's "reference point" during the negotiations on the Constitution.

**467.** The paper recognised the importance of control over natural resources in the debate on federalism.<sup>270</sup> The Kurdish authorities were expected to champion the devolution of oil revenues and the ability to manage their own economic development. Shia Arabs were increasingly calling for some sort of economic federalism for the South and a greater share of Iraq's oil revenues. The UK had "a strong interest in avoiding any arrangement which would entrench sectarian divisions, e.g. a single large federation in the South".

**468.** Mr Straw wrote to DOP(I) members on 13 October, advising them that "despite its inevitable deficiencies, the draft Constitution represents a major achievement".<sup>271</sup>

**469.** Mr Straw attached an IPU paper which identified the "potential points of contention" within the draft Constitution, including natural resources:

"The ambiguities in the text were necessary to secure agreement. But they also pave the way for difficulties in the future. Perhaps the worst offender ... is Article 109 on oil and gas, which is a model of imprecision."<sup>272</sup>

**470.** The IPU stated that Article 109 of the draft Constitution specified that the current oil and gas resources would be managed by the federal Government "with the producing governorates and regional governments" in a manner to be regulated by a law.

**471.** The IPU commented that the law would need to clarify what "with" meant in that context.

**472.** Press reports at the end of November 2005 that a Norwegian oil company had signed a contract with the Kurdish Regional Government (KRG), rather than the Iraqi

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<sup>268</sup> [Manuscript comment Sheinwald to Quarrey on Letter Straw to Blair, 12 July 2005, 'Iraq: Oil and Gas Strategy'](#).

<sup>269</sup> Letter Straw to Prime Minister, 5 July 2005, 'Iraq: Constitution' attaching Paper FCO/RAD, June 2005, 'Constitutional Issues'.

<sup>270</sup> Paper FCO/RAD, June 2005, 'Constitutional Issues'.

<sup>271</sup> Letter Foreign Secretary to DOP(I) Committee Members, 13 October 2005, 'Iraq: Constitution Paper'.

<sup>272</sup> Letter Foreign Secretary to DOP(I) Committee Members, 13 October 2005, 'Iraq: Constitution Paper' attaching Paper IPU, [undated], 'Constitution: Potential Points of Contention'.

Government, prompted the UK Government to consider what it would be able to do if a UK company did the same.<sup>273</sup>

**473.** Mr Dominic Asquith, FCO Director Iraq, advised officials on 6 December that, in dealing with previous approaches from UK companies, he had said that:

- any contract must be with the explicit agreement of the Iraqi Government;
- any contract must have the support of the KRG, rather than any one element of it;
- even then, the legal position would be “fragile”; and
- “so wait until things become clearer”.<sup>274</sup>

**474.** FCO and IPU officials agreed that those lines were appropriate.<sup>275</sup>

**475.** Mr William Patey, British Ambassador to Iraq, reported on 13 December 2005 that:

“Oil is the critical factor in Iraq’s economic revival. Increased revenue in 2006 will depend on a continued programme of rehabilitation of current wells and infrastructure and, more importantly, improved security in the north. Serious increases will require more radical surgery. The new Government will need to focus quickly on commercialising the oil industry and a legislative framework to attract investment. The future will be complicated by discussions on constitutional provisions.”<sup>276</sup>

**476.** The pace of rehabilitation was slow. The Ministry of Oil spent less than 10 percent of its annual capital investment budget of US\$3bn (the money was used instead to pay for additional subsidised fuel imports).

**477.** There were rumours that a number of draft Petroleum Laws existed, but no one had seen them. The provisions in the Constitution on oil were unclear; ownership of the oil and how it should be managed would need to be clarified by the Constitutional Committee.

**478.** In its dialogue with potential Prime Ministers, the Embassy had emphasised:

- the importance of “getting the oil sector right” and of increasing production;
- the need for greater World Bank involvement in the sector, which would give access to additional financing on good terms and policy advice; and

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<sup>273</sup> Email Asquith to FCO [junior official], 30 November 2005, ‘Norwegian oil deal with Kurds angers Iraq’s Sunnis’.

<sup>274</sup> Email Asquith to DTI [junior official], 6 December 2005, ‘Norwegian oil deal with Kurds angers Iraq’s Sunnis’.

<sup>275</sup> Email IPU [junior official] to Asquith, 7 December 2005, ‘Norwegian oil deal with Kurds angers Iraq’s Sunnis’.

<sup>276</sup> eGram 20655/05 Baghdad to FCO London, 13 December 2005, ‘Iraq: Oil’.

- the need for increased transparency, including through the Extractive Industries Transparency Initiative (EITI).

**479.** The Iraqi elections took place on 15 December.<sup>277</sup> Negotiations to form a new government continued into spring 2006.

**480.** On 2 March 2006, DOP(I) considered a joint FCO/DTI paper setting out the UK's objectives for Iraq's oil and gas sector.<sup>278</sup>

**481.** The UK's third post-Occupation oil strategy set out a more cautious position on the potential role of the private sector, including private financing.

**482.** The FCO/DTI paper set out three "mutually reinforcing" UK objectives:

- Iraq's successful economic development;
- to promote Iraq's contribution to global energy security, and its role as a constructive influence within OPEC; and
- to support UK companies.<sup>279</sup>

**483.** The paper stated that raising oil production would require significant new investment. Iraq was unlikely to be able to finance that investment from its own resources, and did not have recent experience of the regulatory, fiscal and administrative framework needed to make optimal use of private investment or the technical and managerial expertise to manage a rapid expansion of the industry. A key challenge for the Iraqi Government was therefore to access external financing and expertise. Iraq's first step should be to engage with "experienced development partners", and specifically the World Bank, which could provide independent advice on the development of an appropriate regulatory, fiscal and administrative framework. Its second step should be to engage with international oil companies (IOCs) and oil service companies (OSCs), which could bring in technical expertise and capital.

**484.** Any form of engagement with the IOCs would be politically sensitive. The "most straightforward" form, and the one most likely to result in a rapid increase in production, was FDI; but the "appropriateness" of FDI and the contractual form it might take, along with the internal distribution of oil revenues, would be hotly contested issues within the constitutional review process. Neither Saudi Arabia nor Iran allowed PSAs, "the form of FDI most favoured by IOCs". The paper concluded that "other options such as debt/bond finance and joint ventures should also be considered".

**485.** The paper stated that IOCs, including BP, Shell and other UK companies, were not currently working in Iraq due to the security situation and the lack of a foreign investment law. BP and Shell were engaged on technical studies of oilfields and were providing training to Iraqi officials.

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<sup>277</sup> eGram 20961/05 Baghdad to FCO London, 16 December 2005, 'Iraq: Elections: Election Day'.

<sup>278</sup> Minutes, 2 March 2006, DOP(I) meeting.

<sup>279</sup> Paper IPU, 28 February 2006, 'UK Objectives for Iraq's Oil and Gas Sector'.

**486.** The paper identified five risks to UK objectives, including: “**The US dominates the field in advising Iraq on energy sector development.**”

**487.** Dr Kim Howells, FCO Minister of State, introduced the paper at the 2 March DOP(I) meeting.<sup>280</sup> He highlighted the centrality of oil to Iraq’s economy, and reported that he planned to visit southern Iraq shortly to look at issues relating to the southern oil fields. Mr Malcolm Wicks, DTI Minister of State, described projections that Iraq could produce 7.9m bpd by 2030 as very significant in the global and UK context. The UK was already working closely with IOCs and Iraq on energy issues.

**488.** In discussion, Ministers commented that oil and gas would continue to be the bedrock of Iraq’s economy, but diversification was essential in the medium term.

**489.** DOP(I) agreed that Ministers should discuss the oil sector again after Dr Howells’ visit to Iraq.

**490.** Dr Howells visited Iraq later that month. He reported to Mr Straw on 23 March that the delay in forming a Government and doubts over Iraq’s commercial legal framework were constraining investment in the oil sector, but that the biggest barrier to investment remained the security situation.<sup>281</sup> He recommended that the UK should consider what its military forces could do to provide security for international investors:

“Such a joint operation [coalition military forces and Iraqi Security Forces] would mean a different focus for our forces in the South. It would entail a shift from the urban concerns of Basra to ... desert-located oil installations ... I suggest the FCO discuss it at the earliest opportunity with the MOD.”

**491.** There are no indications that Dr Howells’ proposal was discussed by Ministers or senior officials.

**492.** Following the 2 March DOP(I) meeting and Dr Howells’ visit, the IPU assessed that Ministers would be keen to discuss the future of the oil sector again, and by the end of March had begun work to develop a “comprehensive programme of engagement” for the oil sector, covering:

- engagement with UK oil companies in support of their activities; and
- engagement with the Iraqi Government on strategic policy issues.<sup>282</sup>

**493.** Mr Asquith chaired a meeting of senior officials on 19 May to agree how the UK would like to see the Iraqi oil sector structured.<sup>283</sup> He advised Mr Straw that the group’s conclusions would be tested with “industry experts”, before being used as a basis for

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<sup>280</sup> Minutes, 2 March 2006, DOP(I) meeting.

<sup>281</sup> Letter Howells to Straw, 23 March 2006, ‘My Thoughts on Iraq’s Oil Industry’.

<sup>282</sup> Paper IPU, 29 March 2006, ‘Iraq’s Oil and Gas Sector – HMG Policy and Action’.

<sup>283</sup> Minute Asquith to Private Secretary [FCO], 24 May 2006, ‘Iraq: DOP-I: 24 May’.

engaging with the Iraqi Government. The UK was already in close contact with BP and Shell on their business planning for Iraq.

**494.** The paper was finalised in September.

**495.** On 20 May, Prime Minister Nuri al-Maliki presented his Cabinet (minus the Ministers for Interior, Security and Defence) to the Council of Representatives.<sup>284</sup> All were approved. Dr Hussain al-Shahristani was appointed Minister of Oil.

**496.** Mr Blair visited Iraq on 22 May. He met President Talabani and, separately, Prime Minister Maliki.

**497.** The following day, Sir Nigel Sheinwald wrote to Mr Straw's Principal Private Secretary setting out eight areas of work which were, in Mr Blair's view, priorities for Iraq.<sup>285</sup> The final area of work listed was capacity building for Iraqi Ministries, including:

“During our visit, we were also asked for specific assistance in the areas of agriculture, and promoting investment by oil companies. I would welcome advice on both.”

**498.** A Cabinet Office official sent Mr Blair an update on work in those eight areas on 2 June.<sup>286</sup> The official advised that the FCO was working closely with Shell and BP on an early visit to meet the new Minister of Oil, and on a plan for drawing in investors.

**499.** A further, more substantive update on work in the eight areas identified by Mr Blair was considered at the 15 June meeting of DOP(I).<sup>287</sup> The update included a section on capacity-building for Iraqi ministries, but did not address promoting investment by oil companies (or the oil sector more generally).<sup>288</sup>

**500.** Mr Patey visited the Kurdish region on 14 June.<sup>289</sup> He reported that he had encouraged KRG Prime Minister Nechirvan Barzani and KRG Minister of Natural Resources Dr Ashtee Hawramy to work with the federal Iraqi Government in drafting a Petroleum Law. Mr Barzani had warned that the Kurdish people would not give up hard-won concessions in the Constitution relating to the control of resources.

**501.** IPU and DTI officials met Dr Hawramy in London on 26 June.<sup>290</sup> An IPU official reported that Dr Hawramy had said that he not been invited to sit on the drafting committee for the Hydrocarbons Law, and had outlined the content of a draft “KRG ‘Petroleum Law’”, which gave responsibility for signing contracts to regional

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<sup>284</sup> *BBC News*, 20 May 2006, *Iraqi Parliament approves Cabinet*.

<sup>285</sup> [Letter Sheinwald to Hayes, 23 May 2006, 'Iraq'](#).

<sup>286</sup> Minute Cabinet Office [junior official] to Prime Minister, 2 June 2006, 'Iraq: Follow-up to Your Visit'.

<sup>287</sup> Minutes, 15 June 2006, DOP(I) meeting.

<sup>288</sup> [Paper Cabinet Office, 13 June 2006, 'Follow-up to the Prime Minister's Visit, including Delivering a Step-change in Basra'](#).

<sup>289</sup> eGram 24970/06 Baghdad to FCO London, 17 June 2006, 'Iraq: Visit to the Kurdish Region'.

<sup>290</sup> Email IPU [junior official] to Casey, 7 July 2006, 'Meeting with KRG Minister of Natural Resources'.

Governments. Dr Hawramy thought PSAs were the only agreements that IOCs would consider.

**502.** UK officials responded that contracts should be signed by central Government. Dr Hawramy asked the UK to stop discouraging IOCs from investing in the Kurdish region.

**503.** An IPU official commented:

“While ... IOCs such as Shell and BP are currently unwilling to invest in the KRG, as the gap widens between the investment climate in the KRG and the rest of the country, a westernised, technocratic KRG Minister offering good PSA terms under a KRG Petroleum Law is going to be increasingly tempting.

...

“We were expecting him [Dr Hawramy] to express irritation at being excluded from central Government decision-making ... The impression he gave was more that the KRG was quite content to press on regardless ... We will need to work hard to persuade the Kurds that there is a game worth playing at the centre.”

**504.** Dr Howells visited Baghdad and the Kurdish Region from 6 to 7 July.<sup>291</sup> It was the first visit to the Kurdish region by a British Minister since 2004.

**505.** KRG Prime Minister Barzani told Dr Howells that relations between the KRG and the federal Government had “soured over oil”.

**506.** Dr Hawramy outlined the KRG’s draft Oil Plan and Petroleum Law. Dr Howells encouraged Dr Hawramy to “work through” the Oil Plan with the federal Government, and said that it was vitally important that the KRG Petroleum Law and the federal Government’s Hydrocarbons Law complemented each other.

**507.** The British Embassy Baghdad commented:

“The meetings [with Dr Howells] showed KRG determination to push forward on energy and reconstruction, the Oil Plan and the draft Petroleum Law being the flagships of their efforts.”

**508.** Mr Wicks met Dr Shahrstani in London on 24 July.

**509.** Mr Wicks’ briefing for the meeting stated that, while the UK had not seen a draft of the Hydrocarbons Law, it understood that it gave the federal Government responsibility for signing new oil exploration and production contracts: “This is a course of action that

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<sup>291</sup> eGram 29832/06 Baghdad to FCO London, 11 July 2006, ‘Iraq: Dr Howells Visit to Kurdistan 6-7 July 2006’.

we [the UK] would endorse, as it would ensure that the sector was managed in the national interest.”<sup>292</sup>

**510.** The briefing also stated that the issue of corruption and transparency was rising up the UK’s agenda in Iraq.

**511.** At the meeting, Dr Shahrstani said the Iraqi Government’s aim was to get the Hydrocarbons Law through Parliament by the end of 2006.<sup>293</sup> He asked Mr Wicks whether the UK could play a role in lobbying for a national, rather than regional, approach to signing oil exploration contracts. Mr Wicks agreed to reflect on how that message could best be conveyed.

**512.** A junior official in the British Embassy Baghdad reported on 21 September that there was little support for the EITI within the Ministry of Oil.<sup>294</sup> The official identified a number of possible approaches to increase support, including asking the IOCs to express their support for the EITI to the Iraqi Government, as: “The Oil Ministry cares more about what they [the IOCs] think than about what we think.”

**513.** The work to develop a “comprehensive programme of engagement” for the oil sector that was initiated in March concluded in September with the production of a paper entitled, ‘Iraq: Building a Framework for Oil Sector Development’.<sup>295</sup>

**514.** The paper stated that:

“Our [the UK’s] starting point is that decisions on oil sector management could support or fatally undermine efforts to preserve the territorial integrity and democratic development of Iraq. Our key concern is therefore to preserve the integrity and competence of the Iraqi state as a basis for national unity, as well as to create a long-term basis for transparency and adequate investment in the sector.”

**515.** The paper defined four principles which would guide the UK’s approach:

- The oil industry should be structured to allow for managerial and financial autonomy of business units, “within an environment principally regulated at the federal (national) level”.
- The emphasis should be on creating an effective public sector national oil company. Within that overall framework, and subject to decisions by the Iraqi Government, private resources accessed through FDI, bonds, and commercial and concessional lending were likely to be needed.

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<sup>292</sup> Briefing, [undated], ‘Mr Wicks’s Meeting with Dr Hussain Al-Shahristani (Iraqi Minister of Oil) and Dr Abd Al-Sudani (Iraqi Minister of Trade)’.

<sup>293</sup> Record, [undated], ‘Mr Wicks’s Meeting with Dr Hussain Al-Shahristani (Iraqi Minister of Oil) and Dr Abd Al-Sudani (Iraqi Minister of Trade): Monday 24 July’.

<sup>294</sup> Email FCO [junior official] to FCO [junior official], 21 September 2006, ‘EITI – Update’.

<sup>295</sup> Paper British Embassy Baghdad, September 2006, ‘Iraq: Building a Framework for Oil Sector Development’.

- Any agreement on resource management must be accompanied by a guaranteed revenue-sharing formula acceptable to the KRG and Iraq's governorates.
- Transparency in the role of government institutions and in the collection and disbursement of revenues was critical. The UK endorsed the principles of the EITI.

**516.** The paper set out the UK's lobbying strategy in support of those principles, and stated:

"The current situation is characterised by severe constitutional uncertainty, a low level of trust between the key players and a lack of sense of urgency on the part of the Ministry of Oil.

"On most interpretations, the current text of the Constitution leaves the federal Government emasculated on oil sector management. Promoting the vision outlined in the main body of this paper will therefore be difficult ..."

**517.** The paper stated that the KRG refused to countenance the possibility that the "substantive" concessions they had won in the constitutional negotiations – which gave regional authorities control over the development of new fields and on some interpretations the rights to revenues from those fields – would be revisited. Meanwhile, the KRG was "putting facts on the ground" by signing PSAs with "mainly small, high-risk" IOCs, and moving ahead quickly with its own Petroleum Law.

**518.** A junior official at the British Embassy Baghdad commented that since 2003 successive interim and transitional Iraqi Governments had not had the opportunity to address oil sector management.<sup>296</sup> The issue was now "rising up the agenda" in Iraq, and the UK had to be ready to engage at a senior level.

**519.** The UK first saw a draft of the Hydrocarbons Law in late October/early November 2006.

**520.** The British Embassy Baghdad reported on 1 November that the Ministry of Oil had sent a draft Hydrocarbons Law to the Council of Ministers, for consideration before submission to the Council of Representatives.<sup>297</sup> The Embassy had seen a version of the draft Law. It made clear that oil resources must be controlled by central Government, and cited Article 109 of the Constitution (which stated that oil and gas resources were the property of the whole nation) in support of that position. The Embassy commented that it was unlikely that the KRG would accept the draft.

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<sup>296</sup> Email FCO [junior official] to Paterson, 21 September 2006, 'Oil Sector Structure Submission'.

<sup>297</sup> eGram 48261/06 Baghdad to FCO London, 1 November 2006, 'Iraq: Hydrocarbons Law Update'.

**521.** The British Embassy Baghdad produced a “core script” setting out the UK’s response to the draft Hydrocarbons Law on 7 November.<sup>298</sup> Key messages for the UK to relay to Iraqi contacts included:

- It was crucial that an agreed national law was passed soon, given the importance of oil to national economic and security interests.
- The Iraqi Constitution stated that oil resources belonged to all Iraqi citizens. The federal Government was best placed to ensure that those resources were developed to the maximum benefit for all Iraqi citizens.
- A national law should be agreed before the KRG passed a regional law.

**522.** UK officials continued to meet regularly with Ministers and senior officials in the Iraqi Government and the KRG to discuss progress towards agreeing a Hydrocarbon Law.

**523.** The IPU provided Dr Howells with an update on negotiations on a Hydrocarbons Law on 14 February 2007.<sup>299</sup> While there was not yet any agreement, there was a “strong impetus to achieve consensus”. President Bush had identified the passing of the Hydrocarbons Law as a key indicator of progress in Iraq. The US Ambassador was working hard to bring the key players together. The UK had “remained in close touch with the key negotiators ... in support”.

**524.** The update advised that the latest draft Hydrocarbons Law addressed only two of the four principles which the UK had defined in September 2006 (it would establish a national public-sector oil company and contained helpful clauses on transparency).

**525.** The update proposed that, while the UK’s influence was “limited”, it should, alongside the US, continue to lobby key Iraqi players, and encourage the IMF and World Bank to play an active role in providing assistance and advice on the more technical aspects of the negotiations.

**526.** Dr Howells accepted that proposal, and agreed that the UK’s influence was limited.<sup>300</sup>

**527.** Mr Asquith reported from Baghdad in May that disagreements continued over the extent of regional authority in the oil sector and on the implications of foreign investment.<sup>301</sup> He commented:

“The political mood makes quick passage of the HCL [Hydrocarbons Law] unlikely. Differences between the Kurds and Baghdad go beyond simple posturing, with Kurdish hardball tactics generating worrying anti-Kurdish sentiment among Arab politicians. Resolution by the summer would be an achievement.”

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<sup>298</sup> Email FCO [junior official] to IPU [junior official], 7 November 2006, ‘HCL – Core Script’.

<sup>299</sup> Minute IPU [junior official] to PS/Dr Howells, 14 February 2007, ‘Iraq: Hydrocarbons Law Update’.

<sup>300</sup> Email APS/Howells [FCO] to junior official [IPU], 19 February 2007, ‘Iraq: Hydrocarbons Law Update’.

<sup>301</sup> eGram 20342/07 Baghdad to FCO London, 14 May 2007, ‘Iraq: Update on the Hydrocarbons Law’.

**528.** Mr Gordon Brown became Prime Minister on 26 June 2007.

**529.** Before Mr Brown’s final visit to Iraq as Chancellor of the Exchequer in June 2007, he commissioned advice on how the UK could increase support for economic development and reconstruction in Iraq and, in particular, in Basra.<sup>302</sup>

**530.** The Treasury advised that greater security and political solutions were key to stability, but needed to be complemented by a focus on priority economic problems.<sup>303</sup> There were three priorities to boost economic growth:

- maintaining macroeconomic stability;
- improving the efficiency and effectiveness of the public sector; and
- expanding and improving the efficiency of the oil industry. That required:
  - a political agreement on a Hydrocarbons Law;
  - better security, to facilitate a significant increase in investment (including foreign investment); and
  - an integrated energy strategy for investment and reform, to ensure that the development of the sector delivered visible improvements in electricity supply to drive private sector recovery.

**531.** The negotiating process for a Hydrocarbons Law should be allowed to “run its course”, to minimise technical ambiguities and force all parties to address difficult political issues. The UK was “working to bring in” the World Bank to assist Iraq in developing and implementing an integrated energy strategy.

**532.** Mr Brown wrote to Prime Minister Maliki on 29 July, setting out some suggestions for how the UK could help on initiatives to develop the Iraqi economy.<sup>304</sup> Those included:

“Working with the World Bank, we are ready to help you develop an integrated energy strategy, outlining investments and reforms in oil, gas and electricity sectors.”

**533.** Prime Minister Maliki replied on 7 October, welcoming the UK’s interest in supporting private sector development in Iraq.<sup>305</sup> In relation to oil, Iraq would welcome UK help on infrastructure repairs, installation development and the development of an integrated energy strategy.

**534.** Mr Brown met Prime Minister Maliki in the UK on 3 January 2008.<sup>306</sup> Mr Brown said that he wanted to see rapid progress on the Hydrocarbons Law and local elections.

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<sup>302</sup> Email Bowler to Pillay and FCO [junior official], 12 May 2007, ‘Iraq – Latest Situation/Economic Development’.

<sup>303</sup> [Paper Pillay, 24 May 2007, ‘Economic Aspects of Stability in Iraq’.](#)

<sup>304</sup> Letter Brown to Maliki, 29 July 2007, [untitled].

<sup>305</sup> Letter Maliki to Brown, 7 October 2007, [untitled].

<sup>306</sup> Letter Fletcher to Carver, 3 January 2008, ‘Prime Minister’s Bilateral with Prime Minister of Iraq, 3 January’.

**535.** The British Embassy Baghdad provided an update on the oil sector in January 2008.<sup>307</sup> The Embassy reported that with negotiations stalled, the KRG had passed its own regional Hydrocarbons Law in August 2007 and “vigorously resumed signing contracts”. Dr Shahrstani had pronounced those contracts illegal and void and the Iraqi Government had threatened to boycott all companies that signed contracts with the KRG.

**536.** The Iraqi Government and the KRG continued to discuss a Hydrocarbons Law, but “fundamental personality clashes and political obstacles” remained and early progress was unlikely. The US continued to “shepherd” the negotiations, but to little effect.

**537.** In the update, the Embassy did not report on or propose any UK action with respect to the Hydrocarbons Law.

**538.** The Embassy also reported that, as those negotiations continued, the Iraqi Government was pursuing technical service agreements (TSAs) with IOCs to improve oil production in five major oilfields. The Embassy commented that the TSAs were less attractive to IOCs than PSAs and would increase production by only a “fraction” of what might be achieved under PSAs. There remained substantial political resistance, “on sovereignty grounds”, to PSAs within the Iraqi Government.

**539.** Oil production in 2007 had averaged 2.1m bpd, the same as in 2006. Higher oil prices – US\$73 a barrel in 2007 against US\$65 in 2006 – had meant higher revenues – US\$41bn in 2007 against US\$31bn in 2006.

**540.** Section 9.7 describes discussions within the UK Government from autumn 2008 on the transition to a normal bilateral relationship with Iraq.

**541.** On 9 December, the Overseas and Defence Sub-Committee of the Committee on National Security, International Relations and Defence (NSID(OD)), the successor to DOP(I), discussed a paper entitled ‘Iraq: Arrangements for Transition’.<sup>308</sup> An annex to the paper suggested that the key elements of future relations with Iraq should be:

- diplomatic and political activity,
- economic development,
- defence,
- energy,
- commercial, and
- education.

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<sup>307</sup> Telegram 2973/08 Baghdad to FCO London, 27 January 2008, ‘Hydrocarbons Law: Deadlock Continues’.

<sup>308</sup> Minutes, 9 December 2008, NSID(OD) meeting; Paper, 8 December 2008, ‘Iraq: Arrangements for Transition’.

**542.** The objective of the energy component was to:

“... ensure security of Iraq’s oil supply and long-term increase in oil output through political lobbying on hydrocarbons legislation and national energy policy and regional support.”

**543.** The paper invited Ministers to agree that Mr David Miliband, the Foreign Secretary, should circulate detailed proposals on the UK’s future relations with Iraq, for agreement in writing.

**544.** Summing up the discussion, Mr Brown said that it was important to make progress on the Hydrocarbons Law.<sup>309</sup>

**545.** NSID(OD) agreed that sign-off for the UK’s long-term strategy for Iraq would be sought out of committee.<sup>310</sup>

**546.** Mr Miliband’s Private Secretary circulated a draft strategy for “UK policy towards and relations with Iraq following military drawdown” on 13 January 2009.<sup>311</sup>

**547.** The draft strategy stated that the UK had a strategic national interest in a strong, stable and non-hostile Iraq, which:

“... contributes positively to stable world energy markets by maximising its potential as a producer and exporter of oil and gas; and increased EU energy security through developing new supply routes.”

**548.** The strategy identified a number of essential factors for establishing a strong and stable Iraq, including:

“... a functioning economy. In the medium term [that] will be driven by hydrocarbon production and export, which in turn requires agreement on a Hydrocarbons Law articulating the governance and development of the energy sector.”

**549.** The UK’s aim in the energy sector should be to:

“... help Iraq to maximise [its] potential, and hence its contribution to global oil markets and EU energy security. This will involve a combination of political lobbying on Iraqi legislation, policy dialogue and education, capacity building in central government ministries (including through a specific skills initiative), and working alongside foreign investors who can inject capital and skills into the wider Iraqi energy sector.”

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<sup>309</sup> Minutes, 9 December 2008, NSID(OD) meeting.

<sup>310</sup> Minutes, 9 December 2008, NSID(OD) meeting.

<sup>311</sup> [Letter Hickey to Catsaras, 13 January 2009, ‘Iraq: Strategy’ attaching Paper, \[undated\] ‘Iraq: a Review of Strategy’.](#)

**550.** An annex to the main paper described “problem areas”, including:

- no broad agreement on the extent of political and economic centralism versus devolution, including in relation to energy sector development and revenue sharing; and
- the Iraqi Government’s reliance on oil revenues (which comprised more than 90 percent of revenues). A protracted period of low oil prices could even affect the Government’s ability to fund operational expenditure.

**551.** On 9 February, Mr Brown’s Assistant Private Secretary told the Private Secretaries to Mr Miliband and Lord Mandelson, the Business, Enterprise and Regulatory Reform Secretary, that Mr Brown had endorsed the strategy.<sup>312</sup>

**552.** Sir Mark Lyall Grant, FCO Political Director, told the Inquiry that the strategy reflected the strategic importance of Iraq to the UK:

“There is no doubt in my mind that Iraq is a very important strategic country for the United Kingdom ... and that, therefore, we should have a long-term strategic relationship with Iraq ...

“The reason I say that on Iraq is because Iraq is a country which sits on the dividing line between Persia and the Arab world. It sits on the dividing line between Sunni and Shia communities. It is a neighbour of Turkey, and, therefore, could be a neighbour of the European Union, if Turkey joins the European Union. It has got massive oil and gas reserves. We therefore have a very strong strategic interest in Iraq being a successful, prosperous, stable country, and in being an ally of the United Kingdom.”<sup>313</sup>

**553.** Sir Mark said that it was not possible to strictly prioritise the UK’s political, commercial and socio-economic interests in Iraq, in terms of their importance to the UK.<sup>314</sup> What was “essential” from the UK’s perspective was that Iraq remained a single state with secure borders, with a functioning Government that could exert full security control of the country and a functioning economy.

**Table 1: Iraqi crude oil production and revenue (selected years)**

	1989	2002	2003	2004	2005	2006	2007	2008	2009
Oil production (m bpd) <sup>315</sup>	2.90	2.02	1.31	2.01	1.88	2.00	2.09	2.38	2.39
Oil revenue from exports (US\$bn) <sup>316</sup>	–	–	5.1	17.2	23.3	31.9	38.3	61.2	39.2

<sup>312</sup> Letter Catsaras to Hickey & Abel, 9 February 2009, ‘Iraq Strategy’.

<sup>313</sup> Public hearing, 20 January 2010, pages 21-22.

<sup>314</sup> Public hearing, 20 January 2010, page 26.

<sup>315</sup> US Energy Information Administration website. *Iraq Crude Oil Production by Year*.

<sup>316</sup> Brookings Center for Middle East Policy, Iraq Index, *Comparison of Oil Revenue from Exports, 2003-2012*.

## UK Government support for UK business

### UK commercial interests, 2001 to 2002

**554.** Sections 1.1 and 1.2 describe the increasing challenges from 1999 to the US/UK policy for the containment of Iraq.

**555.** In January 2001, the FCO's Middle East Department drew up an internal paper for a meeting of the FCO Policy Board, which reassessed the UK's "fundamental interests" in relation to Iraq and recommended a new approach to promoting them.<sup>317</sup> The UK's interests were identified as:

- regional stability, including through the non-proliferation of Weapons of Mass Destruction (WMD);
- energy security: the region accounted for 33 percent of the world's oil production and 66 percent of world oil reserves;
- a "level playing field" for UK companies: at its peak, UK trade with Iraq was US\$500m a year;
- preserving the credibility and authority of the UN Security Council;
- maintaining the coherence of UK policy, including on human rights, adherence to UN Security Council resolutions, and non-proliferation;
- improving the humanitarian and human rights situation in Iraq;
- avoiding a US/UK split; and
- reducing the UK's isolation in the EU.

### Planning and preparing for a post-conflict Iraq

**556.** From 20 September 2002, the Cabinet Office-led Ad Hoc Group on Iraq (AHGI) co-ordinated all non-military cross-government work on post-conflict issues. The focus of the AHGI's work was a series of analytical papers by the FCO and other departments on the post-conflict administration and reconstruction of Iraq, and the possible consequences of conflict for the UK.

**557.** The AHGI held its first meeting on 20 September.<sup>318</sup> Mr Jim Drummond, Assistant Head of the Cabinet Office Overseas and Defence Secretariat (OD Sec), wrote to Mr Desmond Bowen, Deputy Head of OD Sec, the day before, suggesting issues for discussion and proposing departmental responsibilities for those issues.

**558.** Neither Mr Drummond's minute to Mr Bowen nor the record of the 20 September AHGI meeting indicated that work was being or should be undertaken on promoting UK commercial interests in a post-conflict Iraq.<sup>319</sup>

<sup>317</sup> Paper FCO, January 2001, 'Iraq: A fresh look at UK interests'.

<sup>318</sup> Minute Drummond to Bowen, 19 September 2002, 'Ad Hoc Group on Iraq (AHGI)'.

<sup>319</sup> Minute Drummond to Bowen, 19 September 2002, 'Ad Hoc Group on Iraq (AHGI)'; Minute Drummond to Manning, 23 September 2002, 'Ad Hoc Group on Iraq'.

**559.** The record of the first AHGI meeting stated that work should remain “as internal thinking within departments” for the next few weeks.<sup>320</sup>

**560.** The AHGI remained the principal Whitehall co-ordination mechanism for non-military Iraq planning until the creation of the inter-departmental Iraq Planning Unit (IPU) in February 2003.

**561.** The AHGI did not commission or receive any papers relating to UK commercial interests in a post-conflict Iraq during its operation.

**562.** On 12 September 2002, Sir David Manning, the Head of OD Sec and Mr Blair’s Foreign Policy Adviser, commissioned a paper from the FCO setting out what a post-Saddam Government might look like.<sup>321</sup>

**563.** The FCO sent its paper on post-Saddam government in Iraq, entitled ‘Scenarios for the future of Iraq after Saddam’, to Sir David on 26 September.<sup>322</sup> It was circulated separately to the AHGI.

**564.** The paper stated that to influence developments on Iraq, the UK needed “the clearest possible sense of our objectives for Iraq”. The UK’s “fundamental interest in a stable region providing secure supplies of oil to world markets” suggested four overarching priorities:

- termination of Iraq’s WMD programme and permanent removal of the threat it posed;
- a more inclusive and effective Iraqi Government;
- a viable Iraq which was not a threat to its neighbours; and
- an end to Iraqi support for international terrorism.

**565.** The UK also had a number of “second order” objectives, including ensuring that British companies benefitted from any post-war reconstruction contracts.

**566.** Sir Christopher Meyer, British Ambassador to the US, responded to the paper by questioning whether it was right to classify securing reconstruction contracts as a second order objective.<sup>323</sup> Russia and France were, by all accounts, anxious about their economic interests in Iraq after Saddam Hussein. UK interests were not something to press immediately, but should be a “top priority” in post-Saddam contingency planning. Mr Blair would have to pursue the issue with President Bush if the UK were to have any impact.

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<sup>320</sup> Minute Drummond to Manning, 23 September 2002, ‘Ad Hoc Group on Iraq’.

<sup>321</sup> Letter Manning to McDonald, 12 September 2002, ‘Iraq’.

<sup>322</sup> [Letter McDonald to Manning, 26 September 2002, ‘Scenarios for the future of Iraq after Saddam’ attaching Paper FCO, \[undated\], ‘Scenarios for the future of Iraq after Saddam’.](#)

<sup>323</sup> Telegram 1256 Washington to FCO London, 1 October 2002, ‘Iraq: Dividing the Spoils’.

**567.** Sir Christopher concluded:

“We [the UK] will need to register with the Americans that, in the event of war, the UK will expect to get a generous share of reconstruction and oil contracts after Saddam’s defeat. This did not/not happen in Kuwait after the Gulf War.”

**568.** An oil industry representative called on Mr Edward Chaplin, FCO Director Middle East and North Africa, on 2 October to express his concern that “by sticking to the rules over Iraq and not going for post-sanctions contracts”, UK oil companies would lose out.<sup>324</sup> There were rumours that some countries would “sell their support” for US action in return for a guarantee that their deals with Saddam Hussein’s regime would be honoured by a new administration.

**569.** Mr Chaplin said that the FCO was “seized of the issue” and “determined to get a fair slice of the action for UK companies”. Most of the rumours could be discounted.

**570.** Trade Partners UK (TPUK)<sup>325</sup> began considering in early October 2002 what it could and should do in the event that Iraq returned to “any degree of normalcy”.<sup>326</sup>

**571.** On 15 October, Mr Bill Henderson, TPUK Director International Group 1, advised Baroness Symons, joint Department of Trade and Industry (DTI)/FCO Minister of State for International Trade and Investment, that TPUK’s contingency planning was “purely internal and at a very early stage”.<sup>327</sup> TPUK had made provision for a Commercial Officer to be included in the initial stage of a re-established UK mission in Baghdad. There were likely to be significant commercial opportunities for UK firms, although there were limits on what TPUK could do to identify those opportunities:

“For the moment there is some sensitivity to giving prominence to the commercial aspects. We are keen to avoid giving the impression that commercial interests are driving our policy in Iraq.”

**572.** On 25 October, Mr Tony Brenton, Deputy Head of Mission at the British Embassy Washington, reported a conversation with Vice President Dick Cheney’s office, in which he had been told that Vice President Cheney was about to discuss Iraqi oil contracts with former Russian Prime Minister Yevgeny Primakov. Mr Primakov would be told that the “bids of those countries which co-operated with the US over Iraq would be looked at more sympathetically than those which did not”.<sup>328</sup>

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<sup>324</sup> Email Chaplin to Gray, 2 October 2002, ‘Iraq – Views of UK Business’.

<sup>325</sup> Trade Partners UK was the division of British Trade International (BTI) responsible for promoting UK exports until October 2003, when BTI was renamed UK Trade and Investment (UKTI) and the Trade Partners UK identity fell out of use.

<sup>326</sup> Minute TPUK [junior official] to Henderson, 2 October 2002, ‘Iraq – Getting Back into the Market’.

<sup>327</sup> Minute Henderson to PS/Baroness Symons, 15 October 2002, ‘Iraq: Contingency Planning Commercial Aspects’.

<sup>328</sup> Letter Brenton to Chaplin, 25 October 2002, ‘Iraq: Oil’.

**573.** Representatives of BP, Shell and British Gas met Baroness Symons on 31 October to discuss their concerns.<sup>329</sup> Mr Christopher Segar, Head of the FCO's Aviation Maritime and Energy Department (AMED), reported that all three companies had argued that they had been scrupulous in observing sanctions but were keen to play a part in any reconstruction effort. They did not want a privileged position but equally did not want to be "locked out" through deals done by the US for wider political purposes. They wanted a "level playing field".

**574.** In response, Baroness Symons had said that, given the Russians' considerable economic interest in Iraq, it was "very possible that a deal or deals" might be under discussion in the US.

**575.** Baroness Symons reported her meeting to Mr Jack Straw, the Foreign Secretary, and commented:

"I said that we could not make any definitive undertakings [on securing contracts], given our determination that any action in relation to Iraq is prompted by our concerns over WMD, and not a desire for commercial gains.

"However, I undertook to draw this issue to your attention as a matter of urgency. They were genuinely convinced that deals were being struck and that British interests are being left to one side."<sup>330</sup>

**576.** The British Embassy Washington reported on 31 October that it had reassured BP representatives that the Embassy had seen no evidence of any deals.<sup>331</sup> The Embassy had agreed to "keep a watchful eye".

**577.** The Cabinet Office reported to Sir David Manning on 31 October that the instruction to departments not to engage with external actors on contingency planning for post-conflict Iraq (confirmed in the record of the first meeting of the AGHI on 20 September) was, in practice, being overtaken.<sup>332</sup> There was particular pressure for consultation from the UK oil industry; a delegation from BP would be visiting the FCO on 6 November.

**578.** The FCO hosted a presentation on Iraqi energy on 6 November given by a team from BP.<sup>333</sup> Mr Rycroft sent the record of the presentation to Mr Jonathan Powell, Mr Blair's Chief of Staff, and Sir David Manning as evidence of why Iraq was so important to BP.<sup>334</sup>

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<sup>329</sup> Minute Segar to PS/Baroness Symons, 31 October 2002, 'Iraq Oil'.

<sup>330</sup> Minute Symons to Straw, 1 November 2002, 'Iraqi Oil and Gas'.

<sup>331</sup> Telegram 1418 Washington to FCO London, 31 October 2002, 'BP & Iraqi Oil'.

<sup>332</sup> Minute Dodd to Manning, 31 October 2002, 'Iraq: After the UNSCR'.

<sup>333</sup> Minute FCO [junior official] to Arthur, 13 November 2002, 'BP/Iraqi Energy'.

<sup>334</sup> Manuscript comment Rycroft, 18 November 2002, on Minute FCO [junior official] to Arthur, 13 November 2002, 'BP/Iraqi Energy'.

**579.** Mr Powell forwarded the record to Mr Blair, who commented: “But what do we do about it?”<sup>335</sup>

**580.** On 8 November, the AHGI confirmed that departments were now “encouraged, where necessary, to engage those outside Government in prudent contingency planning as long as such contact is discreet. This extends to DTI planning on the UK role in a post-Saddam economy, particularly in the oil sector.”<sup>336</sup>

**581.** Sir Christopher Meyer wrote to Sir David Manning on 15 November, reporting the Embassy’s recent discussions with UK oil industry representatives:

“We have made clear that the US motivation as regards Iraq parallels our own: this is a matter of national security, not oil. We emphasised the flat denials we have received from State Department that any such discussions [between non-UK companies and the US Administration] are under way.

“Nevertheless, the rumours persist. It is not clear ... what went on behind the scenes at the US/Russia energy ‘summit’ in Houston last month ... We have seen a report from our team at CENTCOM [US Central Command] which suggests that the Pentagon has already awarded a contract to Kellogg, Brown and Root, a subsidiary of Halliburton, to restore the Iraqi oil industry to production levels of 3m bpd ... We have so far been unable to obtain collateral for this from the Administration, and it might well in any case amount to no more than prudent contingency planning to stabilise Iraqi oil facilities if Saddam attempts to damage them in a conflict.

“Either way, there is clearly an issue here which we need to tackle ... My view remains that the only realistic way in to this is via a PM [Mr Blair] intervention with Bush ... The points to make would be:

- Once Saddam has been disarmed ... Iraq’s oil industry will be central to ... economic recovery.
- We, as you, have energy majors who have skills and resources to help ...
- To give the lie to suggestions that this campaign is all about oil, it is vitally important that, once sanctions are lifted, there is seen to be a level playing field for all companies to work in Iraq.”<sup>337</sup>

**582.** Sir Christopher stated that “by being too squeamish and slow off the mark, the UK did badly out of the Kuwait reconstruction contracts in 1991”. The approach outlined above was the least the UK should do, to avoid a similar outcome.

**583.** The Kellogg, Brown and Root (KBR) contract referred to by Sir Christopher was likely to be the US\$1.9m contract to plan the repair of Iraq’s oil infrastructure awarded

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<sup>335</sup> Manuscript comment Blair on Minute FCO [junior official] to Arthur, 13 November 2002, ‘BP/Iraqi Energy’.

<sup>336</sup> Minute Dodd to Manning, 11 November 2002, ‘Ad Hoc Group on Iraq’.

<sup>337</sup> [Letter Meyer to Manning, 15 November 2002, ‘Iraqi Oil’.](#)

to KBR under the US Army's Logistics Civil Augmentation Program (LOGCAP) on 8 November.<sup>338</sup>

**584.** Sir David Manning raised oil and gas contracts during a meeting with Dr Condoleezza Rice, President Bush's National Security Advisor, in Washington on 9 December.<sup>339</sup> A TPUK briefing note produced for Sir David Manning in advance of the meeting summarised the UK's position:

"It would be inappropriate for HMG [Her Majesty's Government] to enter into discussions about any future carve-up of the Iraqi oil industry. None-the-less it is essential that our companies are given access to a level playing field in this and other sectors ..."<sup>340</sup>

**585.** At the meeting, Sir David said that he hoped UK energy companies "would be treated fairly and not overlooked if Saddam left the scene".<sup>341</sup> Dr Rice said that it would be particularly unjust if companies that had observed sanctions since 1991, a category which included UK companies, were not among the beneficiaries of post-Saddam Iraq.

**586.** The US Agency for International Development (USAID) began the process of letting its major post-conflict reconstruction contracts in December 2002.<sup>342</sup> At that time, US military preparations were gathering pace. It was clear that very little time remained before a military campaign.

**587.** The UK participated in two rounds of US/UK/Australia talks on post-conflict issues, on 6 November 2002 and 22 January 2003 (see Sections 6.4 and 6.5). There are no indications that commercial interests were discussed during those talks.

**588.** Mr Blair met with President Bush and Dr Rice in Washington on 31 January 2003 to discuss post-conflict planning.

**589.** A briefing prepared for Mr Blair by the FCO included in its list of objectives: "To convince President Bush ... the US needs to pay much more attention, quickly, to planning on 'day after' issues; and that the UN needs to be central to it."<sup>343</sup>

Key messages included:

- Restoring oil production will be an immediate challenge. Oil sector will need some technology and a lot of capital. We must encourage an open investment regime and a level playing field for foreign companies."

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<sup>338</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>339</sup> [Minute Manning to Prime Minister, 11 December 2002, 'Iraq'](#).

<sup>340</sup> [Paper TPUK, 29 November 2002, 'Note for Sir David Manning on UK Oil Company Interests in Iraq'](#).

<sup>341</sup> [Minute Manning to Prime Minister, 11 December 2002, 'Iraq'](#).

<sup>342</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>343</sup> [Paper FCO Middle East Department, 30 January 2003, 'Prime Minister's visit to Camp David, 31 January: Iraq'](#).

**590.** A short Cabinet Office paper offered Mr Blair a “few OD Sec points, just in case they slip through the briefing”.<sup>344</sup> Those included:

- “• Agree the importance of transparency in the use of oil revenues. Argue for a level playing field for UK companies on new exploration contracts.”

**591.** The record of the meeting between President Bush and Mr Blair does not show any discussion of oil issues.<sup>345</sup>

**592.** Officials from TPUK, the FCO, the Export Credit Guarantee Department (ECGD) and a representative from the British Consultants and Contractors Bureau (BCCB) met on 7 February to discuss post-conflict commercial issues.<sup>346</sup>

**593.** Following that meeting, Mr Henderson provided a further update for Baroness Symons on TPUK’s contingency planning. He advised that:

“Until now, most of our [TPUK] meetings have involved only internal players, and have been relatively low key, in view of our wish to avoid giving undue prominence to the commercial aspects of HMG’s handling of the crisis. The participation of BCCB in this meeting marked a new phase of our planning process.”

**594.** The meeting had concluded that the assistance needed by UK companies would fall into three categories:

- During “Stage 1”, a small number of UK companies would want UK Government help to gain quick access to infrastructure that they had installed in Iraq, as part of the humanitarian and reconstruction effort but also “to protect their competitive advantage”. Planning would require close consultation with the MOD.
- During “Stage 2”, TPUK would provide UK companies with information on opportunities arising from the initial stages of the humanitarian and reconstruction effort.
- During “Stage 3”, TPUK would help UK companies position themselves to take advantage of short- and medium-term reconstruction contracts. Close contact with the US would be a key factor.

**595.** Mr Henderson advised that UK companies were arguing strongly that the UK Government should press the US Government to guarantee a “level playing field” for UK companies on reconstruction contracts, including for oil and gas contracts. Six business representatives had recently written to Baroness Symons, expressing their concern that the UK was not extracting sufficient commercial advantage from its support for the US.

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<sup>344</sup> [Minute Drummond to Rycroft, 28 January 2003, ‘Iraq: US Visit’.](#)

<sup>345</sup> Letter Manning to McDonald, 31 January 2003, ‘Iraq: Prime Minister’s Conversation with President Bush on 31 January’.

<sup>346</sup> [Minute Henderson to Symons, 12 February 2003, ‘Iraq: Post-Conflict Commercial Issues’.](#)

**596.** Mr Henderson concluded by commenting that although TPUK participated in the weekly meetings of the AHGI:

“... the overall Whitehall agenda appears to attach little importance to the commercial aspect and the interests of UK companies.”

**597.** Mr Geoff Hoon, the Defence Secretary, discussed post-conflict issues with Mr Donald Rumsfeld, US Secretary of Defense, and Dr Rice in Washington on 12 February.

**598.** Mr Drummond sent Mr Ian Lee, MOD Director General Operational Policy, a final version of the UK’s “key messages” on post-conflict Iraq on 11 February, for Mr Hoon to use in his meetings.<sup>347</sup> The final key message was:

“Level playing field: Big contracts to rebuild Iraq. Putting UK lives on line. Expect level playing field for UK business in oil and other areas.”

**599.** The British Embassy in Washington’s record of Mr Hoon’s meetings with Secretary Rumsfeld and Dr Rice on 12 February did not include any reference to a discussion on commercial issues.<sup>348</sup>

**600.** Mr Henderson advised an FCO official on 25 February that the “general point” that UK companies should be in a position to access opportunities arising from reconstruction and rehabilitation in Iraq had been raised at an (unspecified) high level with the US Government.<sup>349</sup> The UK had been assured that a level playing field would apply. Mr Henderson commented: “however, the reality is that US companies will be in a privileged position”.

**601.** Mr Henderson sought Baroness Symons’ agreement on 27 February that officials should adopt a “more open, pro-active approach” in their dealings with UK companies.<sup>350</sup> Interest from UK companies was growing, and the UK Government needed to be seen to respond.

**602.** Baroness Symons forwarded Mr Henderson’s minute to Mr Straw and Ms Patricia Hewitt, Secretary of State for Trade and Industry and Minister for Women and Equality.<sup>351</sup> In a covering letter, Baroness Symons reported that more and more companies were approaching her and TPUK about post-conflict reconstruction. The UK Government had been careful not to take a more public stance in support of UK business. That was the

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<sup>347</sup> [Letter Drummond to Lee, 11 February 2003, ‘Iraq Post Conflict: Key Messages’ attaching Paper Cabinet Office, 11 February 2003, ‘Iraq Post Conflict: Key Messages’.](#)

<sup>348</sup> Telegram 203 Washington to FCO London, 13 February 2003, ‘Iraq: Defence Secretary’s Visit to Washington.’

<sup>349</sup> Minute Henderson to FCO [junior official], 25 February 2003, ‘Iraq: UK/US issues’.

<sup>350</sup> Minute Henderson to PS/Symons, 27 February 2003, ‘Iraq Contingency Planning: Commercial Aspects’.

<sup>351</sup> Minute Symons to Straw and Hewitt, [undated], ‘Iraq: Commercial Aspects’.

right approach, bearing in mind the UK was making the case that the conflict was about WMD and not oil:

“But the pressure from businesses is building and I fear that some of our business community fear we are not engaged. Some think that the US and France are ahead of the game already ...”

**603.** Baroness Symons concluded that she felt strongly that the time was right “to be more on the front foot”.

**604.** At the end of February, Mr Keith Allan, TPUK Deputy Director International Group 1, reported to TPUK colleagues that Mr Dominick Chilcott, the Head of the IPU, had told him that there was scope for a “TPUK slot” in the US Office of Reconstruction and Humanitarian Assistance (ORHA).<sup>352</sup> The US needed more resources in ORHA and Mr Chilcott believed that ORHA would welcome someone who could make a substantive contribution. Mr Chilcott had made it clear that the individual would need to do “a real job”.

**605.** Mr Allan commented:

“We see this as a key opportunity for UK plc. As Dominick [Chilcott] said, there would be no guarantees of contracts, but it would be a clear demonstration of our commitment to do our best for UK companies.”

**606.** A junior official in British Trade International (BTI) joined ORHA (then based in Washington) on 9 March. He subsequently deployed with ORHA to Kuwait and Baghdad.<sup>353</sup>

**607.** On 8 March, the US Army Corps of Engineers (USACE), which had responsibility within the US Government for the reconstruction of the oil sector, awarded a contract for the repair of Iraq’s oil infrastructure, worth up to US\$7bn, to KBR.<sup>354</sup> *Hard Lessons* reported that the contract was the single largest reconstruction contract in Iraq and the largest known sole-source contract in US history.

**608.** Mr Brenton reported on 10 March that “a commercial contact” had passed the British Embassy Washington a version of a USAID invitation to select US companies to bid for a US\$600m contract for infrastructure reconstruction.<sup>355</sup> USAID had confirmed that it had issued the invitation on 12 February with a closing date of 27 February. Mr Brenton had pressed for more transparency.

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<sup>352</sup> Email Allan to Warren, 27 February 2003, ‘Iraq: TPUK Position in US Office of Reconstruction and Humanitarian Assistance (ORHA)’.

<sup>353</sup> Email BTI [junior official] to Henderson, 13 June 2003, ‘End of assignment to OCPA and replacement planning’.

<sup>354</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>355</sup> Telegram 320 Washington to FCO London, 10 March 2003, ‘Iraq Day After: Infrastructure Reconstruction Contracts’.

**609.** Mr Brenton also reported that it was not clear how that USAID contract related to a separate contract “allegedly being let by the US Army Corps of Engineers” and reported in the UK press on 9 March.

**610.** On 11 March, “with the agreement of Ministers”, Mr David Warren, TPUK Director International Group, hosted a meeting with representatives of a number of UK companies to discuss possible post-conflict reconstruction opportunities in Iraq.<sup>356</sup> He reported to Baroness Symons the following day that it had been a useful opportunity to emphasise that UK policy was to secure Iraq’s disarmament. The group’s main concern had been that the US was moving ahead quickly on reconstruction and UK companies would be frozen out.

**611.** At Prime Minister’s Questions on 12 March, Dr Vincent Cable asked whether Mr Blair was aware that the US Government had “pointedly excluded British and foreign firms” from bidding for US contracts.<sup>357</sup> Mr Blair rejected Dr Cable’s charge that Mr Bush regarded international co-operation with contempt.

**612.** Mr Mike O’Brien, FCO Minister of State, visited Washington on 13 March, to discuss post-conflict issues with US interlocutors.<sup>358</sup>

**613.** A senior official from the US National Security Council (NSC) briefed Mr O’Brien on US plans for the oil sector.<sup>359</sup> In that context, Mr O’Brien emphasised the importance that the UK Government attached to UK companies having “a fair crack of the whip” in competing for contracts. He accepted that it was reasonable for US companies to be the recipients of US money for emergency contracts, but the field should be opened up “once Iraqi money came on stream”. The NSC official agreed, and said that it would not be US policy to restrict oil sector contracts to US companies.

**614.** Mr O’Brien also called on Mr Andrew Natsios, USAID Administrator.<sup>360</sup> Mr Natsios advised that, for security reasons, USAID had invited only a few US companies with the necessary clearances to bid for the 17 primary reconstruction contracts. There were no such constraints on subcontracts, and he hoped that UK companies and non-governmental organisations (NGOs) with the right expertise would be successful in securing those contracts.

**615.** In response to a question from Mr O’Brien, Mr Natsios said that it would be possible for UK companies to acquire the necessary security clearances to bid for primary contracts. Mr O’Brien agreed to send Mr Natsios a list of “trustworthy” UK companies.

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<sup>356</sup> Minute Warren to PS/Symons, 12 March 2003, ‘Iraq contingency planning: record of meeting with UK companies.’

<sup>357</sup> House of Commons, *Official Report*, 12 March 2003, column 287.

<sup>358</sup> Telegram 341 Washington to FCO London, 13 March 2003, ‘Iraq Day After: Mr O’Brien’s Visit’.

<sup>359</sup> Letter Gooderham to Chilcott, 13 March 2003, Iraq: Day After: The Oil Sector’.

<sup>360</sup> Telegram 341 Washington to FCO London, 13 March 2003, ‘Iraq Day After: Mr O’Brien’s Visit’.

**616.** On 14 March, Mr Straw marked Baroness Symons' letter to Mr Simon McDonald, his Principal Private Secretary, with the comment:

“This is really important. Please make sure it is factored into Mike O'Brien's discussions and that a senior official ... takes a personal lead on this.”<sup>361</sup>

**617.** Later that day, Mr McDonald instructed Mr Chilcott that Baroness Symons' concerns should be factored into the IPU's follow up to Mr O'Brien's discussions in Washington.<sup>362</sup>

**618.** A No.10 official sent Mr Blair a note on reconstruction contracts on 15 March, at his request.<sup>363</sup> The note reported the conclusions of Mr O'Brien's meeting with Mr Natsios on 13 March.

**619.** Ms Hewitt spoke to Mr Natsios by telephone the following week, to lobby for UK companies.<sup>364</sup>

**620.** The Coalition began military action against Iraq on the night of 19-20 March 2003.

## Influencing the Coalition Provisional Authority and the US

**621.** Mr Antony Phillipson, Counsellor (Trade and Transport) at the British Embassy Washington, summarised the effect of recent UK lobbying of the US in a report to Mr Allan on 24 March.<sup>365</sup> Mr Natsios had told both Mr O'Brien and Ms Hewitt that UK companies would have the opportunity to bid for subcontracts, that USAID would sponsor UK companies to secure the necessary security clearances, and that UK bids for subcontracts would be welcomed. UK companies could not bid for primary contracts.

**622.** Mr Phillipson reported that he had followed up those discussions with a meeting with a USAID official, who:

“... reiterated the assurances that ... Natsios had given that the UK will get a bite at the cherry when the subcontracts came up. The US prime [contractor] would be instructed to this effect and [the USAID official] could not be more blunt than to say that 'the fix is in'.”

**623.** ORHA would undertake the detailed assessments of the subcontracts; it had also been told of the need to include the UK in the process.

**624.** Mr Phillipson advised that the next step was to translate that “political assurance” into practice. The “Buy America” provisions and the inclusion of a list of US standards and specifications in the USAID “mother contract” were a cause for concern. The best

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<sup>361</sup> Manuscript comment Straw, 14 March 2003, on Minute Symons to Straw and Hewitt, [undated], 'Iraq: Commercial Aspects'.

<sup>362</sup> Minute McDonald to Chilcott, 14 March 2003, 'Iraq: Commercial Aspects'.

<sup>363</sup> [Minute Cannon to Prime Minister, 15 March 2003, 'Iraq: Reconstruction Contracts'](#).

<sup>364</sup> *Observer*, 23 March 2003, *Hewitt begs US for Iraq deals*.

<sup>365</sup> Minute Phillipson to Allan, 24 March 2003, 'Iraq: Contracts'.

approach would be for the Embassy and UK companies to focus on establishing links with the US prime contractor (rather than continuing to lobby USAID).

**625.** Mr Allan informed senior TPUK colleagues on 4 April that the BTI official seconded to ORHA:

“... has a full role to play in the Office of Reconstruction and Humanitarian Assistance ... However, his immediate priorities for us remain the identification of opportunities for UK companies; bringing UK expertise to the attention of ORHA; and identifying key contacts for UK companies. [He] has started to identify openings (e.g. oil and gas; airports).”<sup>366</sup>

**626.** The IPU briefing for Mr Blair in advance of his 8 April meeting with President Bush at Hillsborough advised:

“We need to be able to demonstrate that UK company interests continue to be raised at high levels. It would be helpful to say that UK companies remain keen to work alongside US companies ... UK companies have vast experience and knowledge of doing business in the Middle East and have a great deal to offer.”<sup>367</sup>

**627.** The record of the Hillsborough meeting does not show any exchange on that issue.<sup>368</sup>

**628.** Baroness Symons met representatives of UK companies on 8 April to discuss commercial opportunities in Iraq.<sup>369</sup> A TPUK official reported that she had made it clear that the UK was “not in this conflict for business opportunities”, but that UK companies had a great deal of expertise and knowledge to offer and should be involved in the redevelopment of Iraq.

**629.** The official reported that UK companies had raised a number of issues, including:

- DFID should provide more information on its requirements, and should not overlook UK companies;
- DFID should ring-fence reconstruction funds for UK companies, given the unique circumstances;
- the legality of working in Iraq without a UN mandate; and
- whether the requirement to meet US standards would prevent UK companies from securing subcontracts.

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<sup>366</sup> Email Allan to Henderson, 4 April 2003, ‘Iraq: Role of Sector Teams in Supporting [junior official] and Post-Conflict Sector Activity’.

<sup>367</sup> Letter Owen to Rycroft, 7 April 2003, ‘Hillsborough: Iraq’ attaching Paper IPU, 6 April 2003, ‘Iraq: Phase IV: authorising UNSCR’.

<sup>368</sup> Letter Rycroft to McDonald, 8 April 2003, ‘Iraq: Prime Minister’s meeting with Bush, 7-8 April’.

<sup>369</sup> Minute Allan to PS/Baroness Symons, 8 April 2003, ‘Iraq: record of meeting with UK companies’.

**630.** Ms Hewitt reported those concerns to the first meeting of the Ad Hoc Ministerial Group on Iraq Rehabilitation (AHMGIR) on 10 April.<sup>370</sup> She said that she had turned down the proposal that there should be a UK reconstruction fund for the exclusive use of UK companies. There were worrying signs that the US was setting technical standards which only US firms could meet.

**631.** Ms Hewitt wrote to Mr Blair on the issue of technical standards in USAID contracts on 15 April.<sup>371</sup>

**632.** The Inquiry has seen no indication that Ms Hewitt received a reply, or that Mr Blair saw the letter.

**633.** On 16 April, the US Government established the Iraq Relief and Reconstruction Fund (IRRF) and provided US\$2.475bn to fund humanitarian relief and reconstruction activities.<sup>372</sup> USAID received just over 70 percent of those funds.

**634.** The following day, USAID announced that it had awarded its main infrastructure reconstruction contract, worth up to US\$680m, to Bechtel International.<sup>373</sup>

**635.** TPUK hosted the first meeting of the Iraq Industry Working Group (IIWG) on 24 April.<sup>374</sup> TPUK intended that the IIWG would act as a channel of communication between the UK Government and industry, to support the Government's efforts to help UK companies access commercial opportunities in Iraq.

**636.** In July 2003, the IIWG established six sector working groups: power, water, oil and gas, health, education and telecommunications.<sup>375</sup>

**637.** Baroness Symons visited Washington on 16 May, accompanied by representatives of the IIWG, the BCCB and the Confederation of British Industry (CBI), to discuss the participation of UK companies in Iraq's reconstruction with the US Government and Bechtel.<sup>376</sup>

**638.** Baroness Symons wrote to Mr Straw and Ms Hewitt on 19 May, reporting that she had been repeatedly assured of US enthusiasm for granting subcontracts to UK companies.

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<sup>370</sup> Minutes, 10 April 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>371</sup> Letter Hewitt to Prime Minister, 15 April 2003, 'Iraq Reconstruction: Standards Issues'.

<sup>372</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>373</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>374</sup> Paper TPUK, 6 May 2003, 'Annex G: Iraq: Progress on Commercial Opportunities'.

<sup>375</sup> Minute Warren to TPUK [junior official], 30 July 2003, 'Iraq Sector Approach'.

<sup>376</sup> Letter Symons to Straw, 19 May 2003, 'British Construction/Humanitarian Help in Iraq'.

**639.** Mr Straw and Ms Hewitt wrote to Mr Blair on 22 May, reflecting on Baroness Symons' visit:

“Our main objective has been to create a favourable political atmosphere in which UK companies can position themselves to bid for subcontract work from these initial US-funded projects.

“However, we understand that as yet only 180 of the 3,500 companies which have registered with Bechtel as potential subcontractors ... are British. A share in the commercial effort proportionate to our contributions to the military campaign will require a higher level of commitment on the part of UK firms if they are not to be squeezed out by international competition. We could also try to secure firmer political guarantees from the US, and aim for a more co-ordinated HMG approach (e.g. involving ECGD, DFID and MOD ...).

“The feedback on the action we have taken so far from UK business and organisations such as the BCCB and the CBI has been positive. We have created the conditions in which UK companies can pursue business in a favourable climate, and contracts for British companies are now coming through. This is encouraging. But it is for the companies themselves to take advantage of these favourable conditions ...”<sup>377</sup>

**640.** The Inquiry has seen no indications that Mr Straw and Ms Hewitt received a reply, or that Mr Blair saw their letter.

**641.** On 23 May, TPUK and the US Embassy London held a joint seminar on US-funded reconstruction contracts for Iraq.<sup>378</sup> The event was attended by representatives of 250 companies “located in Britain”.

**642.** On 29 May, the UK Deputy to Ambassador Ole Olsen, the Danish Head of ORHA (South), reported to Baroness Symons' Private Secretary that some ORHA(South) secondees were, in addition to their ORHA work, “scouting around” for commercial opportunities for their parent companies.<sup>379</sup> The UK Deputy commented that UK secondees should be doing the same.

**643.** Baroness Symons' Private Secretary passed the record of the conversation to Mr Henderson, and advised that Baroness Symons was keen to “make the most” of this opportunity and would welcome advice on “how best this might be done”.

**644.** Mr Allan responded later that day, advising that the BTI official seconded to ORHA in March (and now based in Baghdad) was already “playing the sort of role” proposed

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<sup>377</sup> [Letter Straw and Hewitt to Blair, 22 May 2003, 'Iraq: Commercial Opportunities and UK Companies'](#).

<sup>378</sup> Trade Partners UK, Press Release, 23 May 2003, *Meeting on redevelopment of Iraq sponsored by Trade Partners UK and the US Embassy*.

<sup>379</sup> Email UK [junior official] to Henderson, 30 May 2003, 'Basra Commercial Opportunities'.

by the UK Deputy.<sup>380</sup> TPUK would consider the possibility of seconding individuals from UK companies to ORHA.

**645.** The UK Deputy reported her first impressions of ORHA(South) to Mr Chilcott on 1 June (see Section 10.1).<sup>381</sup> She advised that Denmark was keen to capitalise commercially from its leading role in the South (although Ambassador Olsen was at pains to distance himself from that effort). Many of the Danish staff in ORHA(South) were sponsored by private companies. Although they had agreed not to pursue commercial opportunities while working in ORHA, they were focusing their attention and expertise in areas which might offer commercial opportunities. She concluded that “the Danish model is an excellent one and something we should copy”. It provided ORHA with the managers it needed, stimulated the local commercial sector, and could help UK business.

**646.** The UK Deputy reported that she had re-tasked a UK secondee to ORHA(South) to “take on the trade portfolio including, more surreptitiously, a watching UK trade brief”.

**647.** Mr Blair visited Basra and Umm Qasr on 29 May. The visit prompted Mr Blair to direct Whitehall to go back to a “war footing” to avoid “losing the peace in Iraq” (see Section 10.1).

**648.** On his return from Iraq, Mr Blair sent a personal Note to President Bush containing specific suggestions on how to accelerate progress in delivering visible improvements in Iraq, including: “Bechtel needs to move far more quickly in letting contracts for infrastructure reconstruction – patching up won’t do.”<sup>382</sup>

**649.** Mr Blair chaired a meeting on Iraq on 3 June attended by Mr Hoon, Baroness Amos (the International Development Secretary), Sir Michael Jay (FCO Permanent Under Secretary) and No.10 officials.<sup>383</sup> Mr Blair said he had returned from Iraq convinced that “an enormous amount needed to be done”, including that:

- Coalition Provisional Authority (CPA) and US decision-making processes were too slow: contracts needed to be processed faster; and
- UK companies needed to be energised to take up opportunities in Iraq.

**650.** Following the meeting, a No.10 official commissioned a number of papers for a further meeting to be chaired by Mr Blair on 6 June. Those included a list of 10-15 outstanding practical issues for Mr Blair to raise with President Bush that would “make a big difference to the people of Iraq if they are resolved”.

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<sup>380</sup> Email Allan to Chatterton Dickson, 30 May 2003, ‘Basra Commercial Opportunities’.

<sup>381</sup> [Minute UK \[junior official\] to Chilcott, 1 June 2003, ‘ORHA South – First Impressions’.](#)

<sup>382</sup> Letter Manning to McDonald, 2 June 2003, ‘Iraq: Prime Minister’s Note’ attaching ‘Note’.

<sup>383</sup> [Letter Cannon to McDonald, 3 June 2003, ‘Iraq: Prime Minister’s meeting, 3 June’.](#)

**651.** That list was produced by the IPU on 5 June and sent to Mr Blair the same day under a covering minute from Mr Straw.<sup>384</sup> The IPU list identified as a priority:

**“Baghdad needs an extra 400 MW of power capacity now. Siemens UK can put in 170 MW in a few weeks – all they need is a letter of intent. This seems to be stuck in Washington.”**

**652.** Mr Straw highlighted that issue in his covering minute to Mr Blair, stating that Ms Hewitt was keen for Mr Blair to lobby President Bush on behalf of Siemens UK, whose bid had been stalled in Washington “by counter-lobbying from GE [General Electric]”.<sup>385</sup>

**653.** On the same day, Mr Straw sent a separate and personal letter to Mr Blair, asking him to raise a number of points “very forcefully” with President Bush.<sup>386</sup> Those included:

**“Contracts:** As you know, the US are completely ruthless on favouring US companies, and will not help UK companies unless you play hardball with Bush.”

Mr Straw offered as an example of this behaviour a Bechtel subcontract for electricity systems. Siemens UK had almost secured that contract, when it had “gone cold”.

**654.** Mr Blair held a further meeting on Iraq on 6 June, to agree the points to put to President Bush.<sup>387</sup> The meeting agreed a number of key messages and actions, including that Ms Hewitt should try to visit Iraq to promote the involvement of UK business.

**655.** Mr Blair spoke to President Bush later that day.<sup>388</sup> Mr Blair raised delays in Bechtel’s operations, including unnecessary delays in agreeing a contract for Siemens UK. The US was chasing Bechtel.

**656.** Ms Hewitt visited Iraq on 9 July, to ensure that British business expertise was not overlooked in the reconstruction effort and to ensure that Iraqi women were being properly involved in the political process.<sup>389</sup>

**657.** Ms Hewitt reported to Mr Blair on 11 July that she had raised with Ambassador Paul Bremer, the Head of the CPA, the UK’s concern about the way proposals for subcontract work from Siemens UK and Balfour Beatty were being handled by Bechtel. Ambassador Bremer had undertaken to look into the issue.

**658.** During the visit, Ms Hewitt was joined by an IIWG “scoping mission” for discussions with senior Iraqi officials and US members of the CPA’s economics team. Ms Hewitt

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<sup>384</sup> Letter Owen to Rycroft, 5 June 2003, ‘Iraq: Reconstruction Priorities’ attaching Paper IPU, 5 June 2003, ‘Iraq Reconstruction: 30 Day Priorities, 5 July 2003’.

<sup>385</sup> [Minute Straw to Blair, 5 June 2003, ‘Iraq: Winning the Peace’.](#)

<sup>386</sup> [Minute Straw to Blair, 5 June 2003, ‘Iraq’.](#)

<sup>387</sup> [Letter Cannon to McDonald, 6 June 2003, ‘Iraq: Prime Minister’s Meeting 6th June’.](#)

<sup>388</sup> Letter Cannon to McDonald, 6 June 2003, ‘Iraq: Prime Minister’s Conversation with Bush, 6 June’.

<sup>389</sup> [Minute Hewitt to Prime Minister, 11 July 2003, ‘Report of my Visit to Baghdad’.](#)

reported that with CPA officials, the group had discussed “the need to get a procurement expert into the CPA quickly (not least to ensure not all contracts go to US firms)”.

**659.** TPUK seconded a procurement officer to the CPA in August:

“... to ensure that DFI [Development Fund for Iraq] and Iraqi Ministry procurement meets international procurement standards. Our aim is to create a level playing field for UK companies in the DFI, then help to give them a competitive advantage through support and advice from TPUK.”<sup>390</sup>

**660.** On 10 and 11 August, Basra experienced severe rioting.<sup>391</sup> Section 10.1 describes the UK’s assessment of the causes of that disturbance, and its response.

**661.** Representatives of Siemens’ Washington office met officials from the British Embassy Washington on 14 August.<sup>392</sup> The Embassy reported to the DTI:

“Siemens report a favourable change in CPA attitudes to their participation in the power sector, which they attribute to HMG teamwork on their behalf in London, Baghdad and Washington. The crisis in Basra over fuel and electricity may also have tipped the balance in their favour.”

**662.** Mr Gregor Lusty, Head of the DTI’s Iraq Unit, commented to DTI colleagues on that report:

“Siemens has turned out to be quite a success story after all. A good indication of the level of political support which may be needed to unblock the US system, and the level of determination to get business success in Iraq.”<sup>393</sup>

**663.** On 14 August, Mr Blair appointed Mr Brian Wilson as his Special Representative on Trade Opportunities for British Business.<sup>394</sup> Mr Wilson’s remit was to:

- support BTI in identifying and developing opportunities for British business to help rebuild the infrastructure of Iraq and Afghanistan; and
- support BTI’s work in helping British business to invest in the energy sector.

**664.** Mr Wilson had previously been the Minister for Energy and Construction.

**665.** Mr Wilson met Sir Stephen Brown, TPUK Chief Executive, and senior TPUK officials on 4 September to discuss the practicalities of the appointment.<sup>395</sup> They agreed that the priority “was clearly Iraq”, where Mr Blair had asked departments to raise their game.

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<sup>390</sup> Paper TPUK, 3 September 2003, ‘Iraq Action Plan’.

<sup>391</sup> Telegram 114 IraqRep to FCO London, 12 August 2003, ‘Situation in Basra’.

<sup>392</sup> Telegram 3 Washington to DTI London, 15 August 2003, ‘British Commercial Interests in Iraq: Follow-up’.

<sup>393</sup> Email Lusty to TPUK [junior official], 19 August 2003, ‘British Commercial Interests in Iraq: Follow-up’.

<sup>394</sup> *PA News*, 14 August 2003, *Special Representative for British business abroad*.

<sup>395</sup> Email Tibber to Gallagher, 5 September 2003, ‘Brian Wilson’.

**666.** President Bush announced on 7 September that he had asked Congress for a further US\$20.3bn to support Iraq's reconstruction.<sup>396</sup>

**667.** Mr Lusty advised TPUK colleagues on 12 September that, following President Bush's announcement that the US would provide further funding for Iraq's reconstruction, establishing a TPUK office in Baghdad was:

“... not so much timely as a critical necessity. Without a dedicated commercial presence on the ground we will continue to miss out on ensuring that the UK private sector plays the role it is capable of to reconstruct Iraq.”<sup>397</sup>

**668.** Mr Lusty reported that the British Office in Baghdad had recently secured additional space in the Green Zone in Baghdad, which could accommodate a commercial office. The “concept” was that the commercial office would initially be staffed by two members of TPUK staff and two consultants from AMEC plc in a “public/private partnership”.

**669.** TPUK deployed three Commercial Officers to Baghdad during September.<sup>398</sup> A secondee from AMEC, to provide advice on infrastructure, followed in November.

**670.** The AMEC secondee deployed under the Short-Term Business Attachment programme, which included a conflict of interests clause in the contract.<sup>399</sup>

**671.** Those were the first Commercial Officers to deploy to Iraq after the invasion. A June 2004 briefing advised that the FCO had reneged on a pre-invasion agreement that there would be a Commercial Officer among the initial deployment of UK officials to Baghdad.<sup>400</sup>

**672.** TPUK deployed a Commercial Officer to Kuwait to cover Basra and southern Iraq in January 2004.

**673.** The Annotated Agenda for the 18 September meeting of the AHMGIR advised Ministers that the US had decided to establish a Program Management Office (PMO) to oversee CPA reconstruction funds.<sup>401</sup> The decision was a response to the persistent problems in transferring funds from CPA(Baghdad) and CPA regional offices. However:

“Our initial response is sceptical: the PMO will manage predominantly US funds, which will require US contracting and procurement procedures to be followed.

The prospect of developing Iraqi capacity, and of opening up contracts to include UK

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<sup>396</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>397</sup> Minute Lusty to Henderson, 12 September 2003, ‘Baghdad: TPUK Presence’.

<sup>398</sup> Briefing UKTI, 7 June 2004, ‘Permanent Secretaries’ Meeting on UK Civilian Staffing in Iraq, 8 June 2004’.

<sup>399</sup> Briefing UKTI, 25 November 2003, ‘Mr O’Brien’s Meeting with AMEC’.

<sup>400</sup> Briefing UKTI, 7 June 2004, ‘Permanent Secretaries’ Meeting on UK Civilian Staffing in Iraq, 8 June 2004’.

<sup>401</sup> Annotated Agenda, 18 September 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

companies (in the interests of effectiveness and value for money) remains negligible. Nevertheless, without participating in some form in the PMO, we may lose a point of influence.”

**674.** Mr Lusty provided advice to Mr O’Brien on 25 September on how TPUK would ensure that procurement for Iraq’s reconstruction was transparent and created a level playing field for UK companies.<sup>402</sup> Mr Lusty advised that, although the CPA’s procurement rules were “generally fair”, UK business remained concerned about the lack of transparency and that the dominance of US personnel in the CPA resulted in a bias towards US contractors.

**675.** Mr Lusty continued:

“It has been clear from our contacts with the Americans at all levels that there will be no special favours for British business in bidding for reconstruction work in Iraq. We have made it clear to UK firms that there is no inside track ...

“To maximise UK business involvement in Iraq reconstruction, we must ensure a level playing field for international businesses bidding for reconstruction work from the CPA and from the US Government; and give British business a competitive advantage through our [TPUK’s] own bilateral trade promotion efforts.”

**676.** To achieve that, TPUK was:

- “Sending a ... procurement expert back to the CPA asap.” The BTI official seconded to ORHA/CPA in March (who had left at the end of June) had focused on improving procurement by the Iraqi Ministries; President Bush’s announcement of further, substantial funding for Iraq’s reconstruction and the creation of the PMO had shifted the priority back to the CPA.
- Identifying public and private sector secondees for the PMO, in response to a request from Rear Admiral (retired) David Nash, the Director of the PMO.

**677.** Mr Lusty recommended that Mr O’Brien press the US for greater transparency in procurement by the CPA and the US Government (especially the Department of Defense).

**678.** The UK Government seconded two consultants to the PMO; the first arrived in March 2004.

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<sup>402</sup> Minute Lusty to PS/Mr O’Brien, 25 September 2003, ‘Iraq Reconstruction: UK Company Involvement’.

**679.** TPUK sent Mr Blair an update on commercial issues in Iraq on 10 October.<sup>403</sup> TPUK's strategy was:

“... to position UK firms ... through the provision of information about contracts, procurement issues, etc, and to press the US authorities (and the CPA) to ensure a level playing field on which UK companies can compete.”

**680.** TPUK advised that the US had made it clear that while they welcomed the participation of UK companies, there was no “special deal”.

**681.** TPUK's major concern was the lack of openness in the CPA's tendering and procurement procedures, which might result in a bias towards US companies. TPUK was lobbying on this issue in Baghdad and Washington, and had funded a procurement consultant in the CPA Ministry of Finance “to make procurement more transparent and ensure that UK firms were on the CPA's bidding lists”. It would also fund secondments to the PMO.

**682.** The TPUK paper considered oil and gas contracts separately from other reconstruction contracts; oil and gas contracts are addressed earlier in this Section.

**683.** TPUK reported that UK firms were doing “quite well”, given that most of the work so far had been US-funded. An analysis of Bechtel's subcontracts showed that Iraqi firms had won 36 percent, US firms 28 percent and UK firms 16 percent. UK firms had also won major contracts in other areas.

**684.** British Trade International was subsequently renamed UK Trade and Investment (UKTI) and the Trade Partners UK (TPUK) identity fell out of use.

**685.** Congress approved the CPA's request for additional funds on 6 November, allocating US\$18.4bn to the Iraq Relief and Reconstruction Fund (IRRF2).<sup>404</sup>

**686.** *Hard Lessons* recorded that, at that time, the PMO comprised only Adm Nash, two US Government officials, and 13 contractors.<sup>405</sup>

**687.** In December, Mr David Warren, Director of the UKTI's International Trade Division, provided a review of UKTI's experience of promoting UK business for Mr Stephen Haddrill, Director-General of the UKTI's Fair Markets Group:

“It took time, initially, to persuade Ministers that this [promoting UK commercial interests] was a legitimate objective that the Government should be seen to be promoting actively, rather than by default ...

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<sup>403</sup> [Letter Zimmer to Rycroft, 10 October 2003, 'Iraq: Update on Commercial Issues' attaching Paper UKTI, 10 October 2003, 'Iraq: Update on Commercial Issues'.](#)

<sup>404</sup> Emergency Wartime Supplemental Appropriations Act, 2003.

<sup>405</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

“The inter-departmental structures to handle reconstruction issues ... allowed UK Trade and Investment to register this interest. But the departments responsible for overseeing this co-ordination made clear at an early stage that UK commercial interests were a lower priority than other aspects of reconstruction. The result ... was that the contribution that the private sector could make to post-conflict reconstruction was less well registered. This contrasts with the US use of the private sector at the planning stage.”<sup>406</sup>

**688.** Mr Warren also advised that DFID’s concentration on international competitive tendering and the ECGD’s “understandable” reluctance to offer cover had further inhibited a “proactive and joined-up approach”. Co-operation with DFID at a working level had been “reasonable”.

**689.** The result had been that promoting UK companies was seen solely as the responsibility of UKTI.

**690.** Mr Warren concluded that the interests of the private sector had not been a high enough priority for the Government, and that the potential contribution to reconstruction that could have been made by private sector had not been recognised by the Government. UKTI activities had nevertheless resulted in “a reasonable amount” of business for UK companies.

**691.** UK Government lobbying on behalf of UK business intensified in early 2004, in anticipation of contracts that would flow from IRRF2 and against a background of growing press and Parliamentary criticism that UK companies were at a disadvantage in bidding for US-funded contracts.

**692.** CPA officials briefed UK private sector representatives on the CPA’s objectives and requirements at a conference in London on 21 November.<sup>407</sup>

**693.** On 5 December, the US announced that companies from the US, Iraq, “Coalition partners and force-contributing nations” were eligible to bid for prime contracts under IRRF2.<sup>408</sup> Prime contracts under IRRF1 had been open to US companies only.

**694.** In mid-December, the US Department of Defense invited bids for 12 major IRRF2 design and build construction contracts and six reconstruction management contracts.<sup>409</sup>

**695.** USACE awarded two design and build construction contracts in the oil sector on 16 January 2004 (the first contracts awarded under IRRF2).<sup>410</sup> The contracts were won by a US company (KBR, for the southern oilfields) and a joint US/Australian venture (for the northern oilfields). Bids submitted by three UK companies were unsuccessful.

<sup>406</sup> [Minute Warren to Haddrill, 10 December 2003, ‘Post-Conflict Resolution: Iraq’](#).

<sup>407</sup> Annotated Agenda, 27 November 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>408</sup> Paper Wolfowitz, 5 December 2003, ‘Determination and Findings’.

<sup>409</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>410</sup> Briefing DTI, [undated], ‘Key Points Brief on DTI Issues: Ad Hoc Ministerial Meeting on Iraq’.

**696.** In response, Sir Nigel Sheinwald, Mr Blair's Foreign Policy Adviser, commissioned a paper on UK access to US-funded reconstruction contracts for the 22 January meeting of the AHMGIR.<sup>411</sup>

**697.** The 20 January meeting of ISOG concluded that, in contrast to the UK's success in 2003, the UK's "current record" on winning US contracts was not good.<sup>412</sup> The ISOG agreed that the UK needed a "proper campaign plan" involving Ministers and the British Embassy Washington, targeting the next tranche of US-funded contracts that would be awarded by the PMO in March.

**698.** UKTI submitted a draft paper on UK access to US-funded reconstruction contracts to the 22 January meeting of the AHMGIR.<sup>413</sup>

**699.** The draft paper stated that UK companies had good access to most US-funded contracts, but had achieved only limited success so far. US procurement rules were complex; several UK companies had formed joint ventures with US companies to overcome that barrier. The recent award of the US-funded oil contracts to US companies (bids with significant UK components had not been successful, despite lobbying by Ministers) suggested that the UK needed to take a "stronger and more active political line" in Washington to lobby for UK commercial interests.

**700.** The draft paper stated that while the British Embassy Washington conceded that UK lobbying had not been successful, the Embassy was not convinced that the UK had yet reached the stage where "high level political pressure" was appropriate.

**701.** The draft paper concluded that, as a first step, the Government should take the line that UK companies had expertise and capacity in areas needed for Iraq's reconstruction, and that the Government wanted to see a significant UK component in the PMO's prime contracts. DTI and FCO Ministers should lead the UK's lobbying. The UK should consider targeted lobbying visits by Ministers to Washington closer to the announcement of the PMO contracts.

**702.** UKTI prepared a final version of the paper for the next meeting of the AHMGIR, on 12 February.

**703.** At Mr Straw's request, Sir Stephen Brown contacted the three unsuccessful UK companies for their views on the process.<sup>414</sup>

**704.** Sir Stephen reported to Mr O'Brien on 30 January that UK companies were unsurprised at the result; the scale and complexity of the work was such that "US giants"

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<sup>411</sup> Briefing DTI, [undated], 'Key Points Brief on DTI Issues: Ad Hoc Ministerial Meeting on Iraq'.

<sup>412</sup> Minutes, 20 January 2004, Iraq Senior Officials Group.

<sup>413</sup> Annotated Agenda, 21 January 2004, Ad Hoc Ministerial Group on Iraq Rehabilitation meeting attaching Paper UKTI [draft], 20 January 2004, 'Access to US-funded Reconstruction Contracts'.

<sup>414</sup> Minute Brown to O'Brien, 30 January 2004, 'Iraq: Access to US Funded Reconstruction Contracts'.

were exceptionally well placed. The bidding process had been “fair but ... pedantic and complex”.

**705.** Mr O’Brien circulated a core script for a lobbying campaign targeting the US Government to Mr Straw, Ms Hewitt, Mr Paul Boateng, the Chief Secretary to the Treasury, Mr Hilary Benn, the International Development Secretary, and senior officials on 9 February.<sup>415</sup>

**706.** The core script highlighted the strengths of UK industry and expressed the hope that UK companies would be given the opportunity to display those strengths in the reconstruction process.

**707.** In his covering note, Mr O’Brien stated that although UK companies had not secured either of the oil sector contracts, they were winning other contracts, including from the US Government. UK companies assessed that US procurement procedures were “essentially fair” and were not critical of the UK Government’s support, but were convinced that there was a window of opportunity to press the US. It was now vital that UK Ministers ensured that their US interlocutors were “in no doubt about the political importance we attach to UK firms being seen to contribute actively to the reconstruction process”.

**708.** On 12 February, the AHMGIR received a final version of the UKTI paper on access to US-funded reconstruction contracts.<sup>416</sup> The paper stated that UK companies had good access to most US-funded contracts, and recommended that the UK Government should take a concerted approach to lobbying for US-funded contracts.

**709.** The final paper presented a significantly more positive picture of the UK’s experience of, and potential for, accessing US-funded contracts than the draft paper which had been prepared for the 22 January meeting of the AHMGIR.

**710.** Mr Straw wrote to US Secretary of State Colin Powell on 17 February, expressing the UK’s disappointment that UK companies had not secured either of the oil infrastructure rehabilitation contracts.<sup>417</sup> Mr Straw hoped that UK companies would play a significant role in Iraq’s reconstruction, and highlighting in general terms the capability of UK companies.

**711.** Sir Nigel Sheinwald wrote to Dr Rice on 19 February, in similar terms.<sup>418</sup>

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<sup>415</sup> Minute O’Brien to Foreign Secretary, 9 February 2004, [untitled] attaching Paper, [undated], ‘UK Bids for CPA Program Management Office Prime Contracts’.

<sup>416</sup> Annotated Agenda, 12 February 2004, Ad Hoc Group on Iraq Rehabilitation meeting attaching Paper UKTI, February 2004, ‘Access to US-Funded Reconstruction Contracts’.

<sup>417</sup> Letter Straw to Powell, 17 February 2004, [untitled].

<sup>418</sup> Letter Sheinwald to Rice, 19 February 2004, ‘Iraq: Contracts’.

**712.** Mr Wilson and Mr O'Brien made separate visits to Washington on 18 to 20 February and 20 February respectively, to lobby the US on behalf of UK companies bidding for the US-funded PMO contracts.<sup>419</sup>

**713.** Sir Nigel Sheinwald reported to Mr Blair on 21 February that Mr Wilson and Mr O'Brien had "conspicuously failed to de-conflict their programmes and insisted on seeing the same people".<sup>420</sup> Sir Nigel continued: "To make things worse, Brian Wilson's visit seems to have been organised, at least in part, by a private American lobbying organisation."

**714.** The Inquiry has seen no indications that Mr Blair responded to that report.

**715.** The British Embassy Washington reported on 23 February that Mr O'Brien and Mr Wilson had stressed with all their interlocutors that the UK was not alleging any unfair treatment of UK companies, but had pointed out that there would be "intense scrutiny" of the PMO contract awards and it would be "very difficult for us [the UK], politically, if we had no successes".<sup>421</sup>

**716.** The Embassy reported that, in response, US officials "on the technical side" (described by the Embassy as comprising the PMO, US Department of Defense, and USACE) had stressed that PMO contracts would be awarded on merit, with no scope for political interference. The "political response" (from the NSC, the CPA and the Department of State) had been "more nuanced", with a recognition of the political problem that the process could cause the UK.

**717.** The Embassy commented:

"The message from those on the technical side was not surprising, although given the way the process has gone so far it is hard to take at face value their insistence that they are immune to political pressure ... The response from the political contacts was as encouraging as we could hope for. They genuinely understand the problems that this could cause us."

**718.** Mr Henderson, who had accompanied Mr Wilson and Mr O'Brien to Washington, reported on the visits on the same day.<sup>422</sup> Copies of his report were sent to officials in UKTI, DTI, the FCO and No.10. The UK's "core message" had been to demonstrate strong UK Government support for the involvement of UK companies but stop short of

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<sup>419</sup> Telegram 4 Washington to UKTI London, 23 February 2004, Iraq Reconstruction: Lobbying the US'.

<sup>420</sup> Minute Sheinwald to Prime Minister, 21 February 2004, 'Visit to Washington, 20 February'.

<sup>421</sup> Telegram 4 Washington to UKTI London, 23 February 2004, Iraq Reconstruction: Lobbying the US'.

<sup>422</sup> Minute Henderson to Tibber, 23 February 2004, 'Iraq Reconstruction: Visits of Brian Wilson and Mike O'Brien to Washington 18 – 20 February'.

demanding a “fair share”. Mr Henderson commented that it remained to be seen whether the visits would make a difference:

“... my impression is that despite the insistence of the technocrats that the process was not subject to political influence or interference, it will be more difficult now for the collective US machinery involved to produce a result that did not give the UK companies a significant share of the action.”

**719.** Mr Henderson wrote to Sir Stephen Brown on 23 February, reporting that Mr O’Brien was “deeply unhappy” that Mr Wilson’s programme had included a number of political calls, which breached the guidelines (as Mr O’Brien understood them) that Mr O’Brien should concentrate on official contacts and Mr Wilson on the private sector.<sup>423</sup> Copies of the minute were sent to UKTI officials only.

**720.** Mr Henderson concluded:

“... it is clear that the arrangement is not working ... We run the risk of spending more time on this than on the core task of helping UK companies to win business.”

**721.** Mr Henderson also reported that the British Embassy had been “furious” at the activities of a public relations company contracted by AMEC, which had sought to organise Mr Wilson’s visit.

**722.** Sir David Manning, the British Ambassador in Washington, wrote to Sir Michael Jay on 3 March, detailing the Embassy’s concerns.<sup>424</sup> He highlighted two issues, both of which had caused significant problems for the Embassy:

- the lack of clarity regarding the roles of Mr O’Brien and Mr Wilson, and the lack of communication between their offices; and
- the relationship between Mr Wilson and AMEC, which appeared uncomfortably close, with a significant risk of serious embarrassment to the UK.

**723.** Sir David concluded that the roles of Mr Wilson and Mr O’Brien needed to be clearly defined, and the potential for a conflict of interest arising from Mr Wilson’s links to AMEC resolved.

**724.** ISOG discussed the opportunities for UK companies on 24 February.<sup>425</sup> Sir Nigel Sheinwald confirmed that Mr Blair was prepared to write or speak to President Bush on the issue.

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<sup>423</sup> Email Henderson to Brown, 23 February 2004, ‘Wilson and O’Brien Visits to Washington 18-20 February’.

<sup>424</sup> Letter Manning to Jay, 3 March 2004, [untitled].

<sup>425</sup> Letter Owen to Cannon, 25 February 2004, ‘Iraq Reconstruction Contracts’.

**725.** Mr Blair wrote to President Bush on 5 March, identifying some of the UK companies bidding for PMO contracts and highlighting in general terms the expertise of UK companies.<sup>426</sup>

**726.** The US Department of Defense awarded the major remaining IRRF2 contracts during March, comprising seven project management contracts and 10 design and build construction contracts.<sup>427</sup>

**727.** The Annotated Agenda for the 18 March meeting of the AHMGIR stated that, following a campaign of high-level lobbying, UK companies had “achieved success” in the latest round of US reconstruction contracting.<sup>428</sup> Three of the project management contracts, with a total value of up to US\$80m, had been awarded to consortia with a significant UK content, and two of the design and build construction contracts with a total value of up to US\$1.1bn had been awarded to consortia with a significant UK content. It was not possible at this stage to calculate the exact value to the UK of those contracts.

**728.** Ministers were advised on 2 April that consortia with significant UK content had secured three further design and build construction contracts.<sup>429</sup> The total value of the contracts was capped at US\$1.6bn.

**729.** Following Admiral Nash’s request for UK help in staffing the PMO, UKTI contracted two consultants to work in the PMO, initially for three months. The first deployed in early March 2004, the second in early April.<sup>430</sup>

**730.** A UKTI official told ISOG that:

“Their [the consultants] role would be one of intelligence, to enable UKTI to help UK companies frame their bids [for PMO contracts] ...”<sup>431</sup>

**731.** The security situation in Iraq deteriorated significantly in March and April, leading to the withdrawal of many aid agency personnel and contractors.

**732.** The FCO tightened its travel advice on 8 April to read: “Even the most essential travel to Iraq should be delayed, if possible.”<sup>432</sup> Companies involved in reconstruction were encouraged to “ensure that they have made the appropriate security arrangements”.

**733.** The UK company Foster Wheeler Energy Ltd, which had been contracted by the PMO to provide oil and gas project management services, informed the PMO on

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<sup>426</sup> [Letter Blair to Bush, 5 March 2004, \[untitled\]](#).

<sup>427</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>428</sup> Annotated Agenda, 17 March 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>429</sup> Letter Dodd to Owen, 2 April 2004, ‘Iraq: Update’ attaching Paper Cabinet Office, 2 April 2004, ‘Iraq: update’.

<sup>430</sup> Minute UKTI [junior official] to PS/O’Brien, 21 June 2004, [untitled].

<sup>431</sup> Minutes, 3 February 2004, Iraq Senior Officials Group meeting.

<sup>432</sup> FCO Travel Advice for Iraq, 8 April 2004.

14 April that it intended to postpone the deployment of its staff to Iraq, citing the 8 April FCO travel advice.<sup>433</sup>

**734.** Under its contract, Foster Wheeler had committed to deploy 34 staff to Baghdad by 21 April.<sup>434</sup>

**735.** In response, the PMO warned Foster Wheeler that postponement could lead to the termination of its contract.<sup>435</sup>

**736.** Mr David Richmond, the Prime Minister’s Deputy Special Representative on Iraq, reported on 18 April on the challenges of “designing and executing post-conflict reconstruction in what effectively remains a conflict zone”.<sup>436</sup> He advised that there was:

“Probably less activity on the ground than CPA are prepared to admit, as aid agencies and contractors withdraw personnel to safer areas pending decisions to re-engage. Main foreign contractors operating at 50 – 75 percent staffing levels. Some NGOs well below that.”

**737.** Mr Richmond concluded that the UK needed to consider the advice it gave to UK development partners and contractors, and the divergence between UK and US advice. US contractors appeared to operate “as if their even stricter advice against coming to Iraq does not exist”. The UK’s travel advice gave the Embassy “no option but to counsel caution ... and to reinforce with [UK contractors] the importance of ensuring robust security arrangements”. Foster Wheeler encapsulated the dilemma: “risk coming out or losing out.” Mr Richmond advised that the UK should maintain its current line.

**738.** The Annotated Agenda for the 22 April meeting of the AHMGIR advised that security had deteriorated “markedly” over Easter (9 to 12 April) and that the risks to UK civilian staff in Iraq were high.<sup>437</sup> The deployment of civilians had been reviewed and, as a temporary measure, new deployments to Baghdad had been suspended and staff unable to operate in the current security environment had been withdrawn.

**739.** The British Embassy Baghdad informed UKTI on 3 May that, largely because of deteriorating security, there were “next to no” UK business visitors in Baghdad requiring UKTI assistance.<sup>438</sup>

**740.** In advance of the 6 May meeting of the AHMGIR, Mr O’Brien was advised by a DTI official that UKTI continued to try to “bridge the differences” between Foster Wheeler and

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<sup>433</sup> Letter O’Connell to CPA/PMO, 14 April 2004, ‘Oil Sector Program Management Contractor’.

<sup>434</sup> Minute Lusty to PS/O’Brien [FCO], 10 May 2004, ‘Iraq: Foster Wheeler: Dealing with the Potential Fallout’.

<sup>435</sup> Letter CPA/PMO to O’Connell, 18 April 2004, ‘Contract No. W914NS-04-C-0007’.

<sup>436</sup> [Telegram 173 IraqRep to FCO London, 18 April 2004, ‘Iraq: Effects of the Recent Crisis on Reconstruction’](#).

<sup>437</sup> Annotated Agenda, 21 April 2004, ‘Ad Hoc Meeting on Iraq Rehabilitation meeting’.

<sup>438</sup> Email Allen to Lusty, 3 May 2004, ‘Baghdad Commercial Staffing’.

the PMO.<sup>439</sup> Mr Straw was taking “a much more bullish line, and wants Foster Wheeler to deploy immediately”, but that would go beyond current UK travel advice and “play badly if leaked to the press”. The official concluded that the final decision must rest with Foster Wheeler.

**741.** The Annotated Agenda for the 6 May meeting of the AHMGIR advised that:

“If ... the [Foster Wheeler] contract is terminated the impact may go beyond the immediate loss of business and negatively affect the chances of other British companies winning US contracts in Iraq.”<sup>440</sup>

**742.** At the meeting, Sir Stephen Brown reported that Mr O’Brien had spoken to Foster Wheeler to emphasise the serious implications of its delayed deployment, including for other UK companies.<sup>441</sup>

**743.** Mr Lusty advised Mr O’Brien on 10 May that if talks between Foster Wheeler and the PMO broke down and Foster Wheeler sought UK Government support for its position, the Government should take the line that this was a contractual issue and not get drawn into a wider discussion on travel advice or the safety of foreign contractors in Iraq.<sup>442</sup>

**744.** Mr Lusty advised that the FCO’s travel advice was clear. The decision on whether to travel remained “a matter of personal or commercial judgement”. There was “no agreed position” within the Government on reconciling FCO travel advice with the need to pursue reconstruction. UKTI staff in Washington, Baghdad and the UK continued to work with Foster Wheeler to help it address its security concerns.

**745.** A UKTI official informed Mr O’Brien on 14 May that Foster Wheeler and the PMO had reached an agreement on deploying staff to Iraq.<sup>443</sup>

**746.** On 24 May, Mr Bob Morgan, an adviser to the Iraqi Oil Ministry employed by the FCO, and his bodyguard Mr Mark Carman, were killed in Baghdad.<sup>444</sup>

**747.** Mr O’Brien spoke to Mr Ian Bill, Chairman and CEO of Foster Wheeler, on 26 May.<sup>445</sup> Mr Bill said that although Foster Wheeler had deployed staff to Iraq, it remained concerned that security provided by the PMO was not adequate. One of its staff had already decided to leave as he was accommodated in a tent in the Green Zone with no protection from mortar rounds.

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<sup>439</sup> Briefing DTI Energy Markets Unit, 5 May 2004, ‘Key Points Brief on DTI Issues: Ad Hoc Ministerial Meeting on Iraq’.

<sup>440</sup> Annotated Agenda, 6 May 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>441</sup> Minutes, 6 May 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>442</sup> Minute Lusty to PS/O’Brien [FCO], 10 May 2004, ‘Iraq: Foster-Wheeler: Dealing with the Potential Fallout’.

<sup>443</sup> Minute Lusty to PS/O’Brien, 14 May 2004, ‘Iraq: Foster Wheeler Reach Agreement with the PMO’.

<sup>444</sup> Minutes, 25 May 2004, Iraq Senior Officials Group meeting; *BBC News*, 26 May 2004, *Oil Expert Killed in Iraq ‘felt safe’*.

<sup>445</sup> Minute Lusty to PS/O’Brien, 26 May 2004, ‘Iraq: Foster-Wheeler’.

**748.** In a 7 June briefing, the UKTI advised that it had stopped “all proactive commercial work” in Iraq, although it remained heavily involved in providing information to UK companies and in helping them manage existing commitments.<sup>446</sup> UKTI planned to maintain one UK Commercial Officer post in Baghdad, which it considered the “minimal level for operational needs” (reduced from the three Commercial Officers deployed in September 2003).

**749.** Mr Lusty advised Sir Stephen Brown on 9 June that the IIWG had “run its course”.<sup>447</sup> Private sector participation was poor. The IIWG had originally been conceived as the core of an early UK trade mission to Iraq, but the security situation had made that impossible. It had served instead as a useful forum for briefing industry. That function had now been taken over by the six sector working groups.

**750.** In early June, UKTI began to consider whether to continue to fund the two consultants in the PMO.<sup>448</sup>

**751.** A UKTI official set out the arguments for Mr O’Brien on 21 June:

“We can claim indirect benefit to UK plc from these consultants, but it is difficult to quantify any direct commercial benefit. PMO procurement still (rightly) has to go through a full competitive process ... But these consultancies have earned us a great deal of goodwill from PMO senior management, ensured a UK voice at the highest levels of the organisation, and [have been] a useful but unacknowledged source of commercial information.”<sup>449</sup>

**752.** The PMO had identified a prime contractor that was willing to take over the contract of one of the UKTI-funded consultants. The contract of the second ended in September.

**753.** The official recommended that given the difficulty in identifying any direct commercial benefit to the UK and the high cost of the consultants, UKTI should not agree to Admiral Nash’s request to extend the consultants’ contracts.

**754.** Mr O’Brien’s Assistant Private Secretary responded on 23 June, asking officials to look for an alternative source of funding for the posts.<sup>450</sup>

**755.** Discussions within UKTI and between UKTI and the FCO and DFID failed to identify further funding for the posts.<sup>451</sup>

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<sup>446</sup> Briefing UKTI, 7 June 2004, ‘Permanent Secretaries’ Meeting on UK Civilian Staffing in Iraq, 8 June 2004’.

<sup>447</sup> Minute Lusty to Brown, 9 June 2004, ‘What should we do with the Iraq Industry Working Group?’

<sup>448</sup> Minute Lusty to Fletcher, 9 June 2004, ‘Iraq: UKTI Consultancy Support for the PMO’.

<sup>449</sup> Minute UKTI [junior official] to PS/Mr O’Brien, 21 June 2004, [untitled].

<sup>450</sup> Minute APS/O’Brien to UKTI [junior official], 23 June 2004, ‘UKTI Secondees to the PMO in Baghdad’.

<sup>451</sup> Minute UKTI [junior official] to PS/Mr O’Brien [FCO], 13 August 2004, ‘UK Secondees in the Project and Contracting Office (PCO) Baghdad’.

## THE SUCCESS OF UK COMPANIES IN SECURING CONTRACTS IN IRAQ

**756.** On 30 July, Mr Fergus Harradence, Head of the UKTI's Gulf Unit, provided an update for Mr O'Brien on UK commercial success in Iraq.<sup>452</sup>

**757.** Mr Harradence advised that there were over 60 UK companies working in Iraq, involved in contracts which UKTI estimated were worth a total of US\$2.6bn. That figure did not represent the total value of work undertaken and goods supplied by UK companies, but rather the total value of the contracts on which UK companies worked as contractors or subcontractors.

**758.** UK companies had been successful in winning contracts from all the major contracting organisations (the US, the CPA and Iraqi Ministries, the UN and DFID), although UK companies had been particularly successful in winning work as contractors or subcontractors to US Government agencies.

**759.** UKTI believed that it had played a "leading role" in helping UK companies to secure work on contracts worth approximately US\$1.8bn (of which AMEC had secured work on contracts worth US\$1.6bn).

**760.** At BP's request, on 30 August, during his introductory call on Mr Thamir Ghadban, the Iraqi Minister of Oil, Mr Chaplin raised BP's bid for a contract relating to the Rumalia oilfield.<sup>453</sup> Mr Ghadban responded that the contract would be awarded on technical and commercial criteria, and commented that BP appeared more cautious than other companies in turning expressions of interest into "real engagement". Mr Chaplin commented:

"This is not the first time we have heard criticism of excessive caution from BP (and to a lesser extent Shell). Rightly or wrongly, the perception amongst the Iraqi oil establishment is that they are less committed than many of their international competitors."

**761.** Sir Stephen Brown met senior UKTI officials on 5 November 2004 to discuss UKTI's future engagement on Iraq, on the basis of a paper produced by UKTI's Iraq Unit.<sup>454</sup>

**762.** The paper stated that private sector interest in Iraq had started at a "feverish level", but had declined after April 2004 when contractors started to be targeted by insurgents, and had now levelled off. Over 1,300 business people had attended UKTI events in London since August 2003 and over 200 had attended UKTI-supported events in the region. UKTI had organised trade missions from Iraq to the UK focusing on financial services, health, education, oil and gas, and power and water.

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<sup>452</sup> Minute Harradence to PS/O'Brien, 30 July 2004, 'Impact of UK Firms in Iraq'.

<sup>453</sup> Telegram 167 Baghdad to FCO London, 31 August 2004, 'Iraq: Introductory Call on Thamir Ghadban, Minister of Oil'.

<sup>454</sup> Minute Lusty to Fletcher, 5 November 2004, 'Iraq Unit' attaching Paper UKTI Iraq Unit, October 2004, 'Iraq: Next Steps'.

**763.** The paper stated that staffing in London had been reduced as the number of enquiries from companies had declined, and staffing overseas would be kept under constant review; UKTI needed to retain the flexibility to move quickly to support UK companies as security improved.

**764.** The slowdown in reconstruction in Iraq had severely hampered UKTI's ability "to play a useful role in the Whitehall process, and reduced our need to be involved".

**765.** The paper concluded:

"UK business is now a strong player in post-conflict Iraq. We have met high Ministerial and business expectations and avoided a US dominance ..."

**766.** Sir Stephen agreed the paper.<sup>455</sup>

### **Responding to renewed commercial interest in Iraq, 2008**

**767.** The UK Commercial Officer post in Basra was cut in 2006 because of the security situation and UKTI's desire to free up resources for emerging markets.<sup>456</sup>

**768.** The remaining UK Commercial Officer post in Baghdad was cut in July 2007.<sup>457</sup> A UKTI official commented:

"UKTI has retained a UK-based presence in Baghdad (and previously Basra) until now because of the political imperatives of doing so rather than on the basis of the normal criteria relating to business demand ... The on-going security situation raises serious questions about whether retaining the UK-based ... slot can be justified. The resource is also very expensive – some £560,000 in cash terms ... which could be deployed more productively in other markets."

**769.** From July 2007, the UK Commercial Section in the British Embassy Baghdad comprised one junior Iraqi Commercial Officer supported by a UKTI officer based in Amman, Jordan.<sup>458</sup>

**770.** Mr Gordon Brown succeeded Mr Tony Blair as Prime Minister in June 2007. Section 10.2 describes the development and implementation from July 2007 of Mr Brown's economic initiatives for Iraq, which included measures to facilitate private sector investment in Basra and across Iraq.

**771.** The British Embassy Baghdad reported to UKTI in September 2007 that the new arrangement (of one junior Iraqi Commercial Officer supported by UK staff based in Amman, Jordan) was not working.<sup>459</sup> The lack of a senior Commercial Officer meant that

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<sup>455</sup> Minute Lusty to Fletcher, 5 November 2004, 'Iraq Unit' attaching Paper UKTI Iraq Unit, October 2004, 'Iraq: Next Steps'.

<sup>456</sup> Minute McInnes to PS/McCarthy, 20 June 2007, 'UKTI Resources in Baghdad'.

<sup>457</sup> Minute McInnes to PS/McCarthy, 20 June 2007, 'UKTI Resources in Baghdad'.

<sup>458</sup> Email Lodge to McInnes, 2 September 2007, 'Baghdad – Resourcing Commercial Work in Iraq'.

<sup>459</sup> Email Lodge to McInnes, 2 September 2007, 'Baghdad – Resourcing Commercial Work in Iraq'.

opportunities were being missed. The Embassy recommended that UKTI recruit a senior Iraqi Commercial Officer to head the commercial team in Baghdad.

**772.** Mr Douglas Alexander, the International Development Secretary, announced the appointment of Mr Michael Wareing as joint Chair of the Basra Development Commission (BDC) in December.<sup>460</sup> Mr Alexander described the BDC, which aimed to bring national, regional and international business knowledge together to provide strategic advice to the Iraqi authorities on investment and growth, as the “centrepiece” of Mr Brown’s economic initiatives.<sup>461</sup>

**773.** Mr Wareing told the Inquiry that he had three roles:

- to champion economic development, particularly in Basra and the South;
- to champion international investment into Iraq; and
- to help set up and to chair the BDC.<sup>462</sup>

**774.** Mr Wareing said that his role was not specifically to promote investment from the UK:

“... the line that I pursued was ... to try to push investment, not just from a British or indeed a European or even a Western ... point of view, but basically any investment – and there was a significant amount of investment from the Gulf region.”<sup>463</sup>

**775.** Mr Des Browne, the Defence Secretary, visited Iraq with Mr Wareing in mid-March.<sup>464</sup> Mr Browne reported to Mr Brown that: “The overall mood in Iraq is optimistic, reflecting the improved security situation, political progress and the new focus on economic regeneration to which Michael [Wareing] is contributing.” Mr Browne’s discussions with Iraqi Government Ministers had suggested several areas where the UK could do more, including:

- reinforcing the UK team in Basra and Baghdad to support Mr Wareing’s work; and
- redoubling the UK effort to unblock the investment and hydrocarbon legislation, and to encourage international business to invest in Basra.

**776.** Mr Brown hosted a reception at No.10 on 28 April 2008 to raise the profile of southern Iraq as an investment destination and to enhance Iraqi Government interaction with potential investors.<sup>465</sup>

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<sup>460</sup> Letter Jones to Aldred, 13 December 2007, ‘Basra: Situation Report’.

<sup>461</sup> [Letter Alexander to Brown, 9 November 2007, \[untitled\]](#).

<sup>462</sup> Public hearing, 16 July 2010, page 3.

<sup>463</sup> Public hearing, 16 July 2010, page 12.

<sup>464</sup> Letter Browne to Brown, 18 March 2008, ‘Visit to Iraq and Kuwait’.

<sup>465</sup> Minute Cabinet Office [junior official] to Prime Minister, 25 April 2008, ‘Basra Investors’ Reception, No.10: 28 April 2008’.

**777.** The Cabinet Office subsequently advised Mr Brown that between 25 and 30 companies had expressed a serious interest in exploring investment opportunities in Iraq.<sup>466</sup>

**778.** Mr Nick McInnes, Director of UKTI's International Group, briefed UKTI colleagues on 3 May 2008 on the growing pressure from the British Embassy Baghdad and the MOD for a larger UKTI presence in Baghdad.<sup>467</sup> Their arguments for that were:

- the increased interest in Iraq from UK companies;
- the likelihood that Mr Brown's economic initiatives would stimulate further interest; and
- the possibility of sales of UK military equipment to Iraq.

**779.** DFID advised members of the Iraq Strategy Group (ISG) on 8 May that several companies that had attended the reception had expressed an interest in visiting Iraq.<sup>468</sup> DFID was working with MOD to arrange this. DFID cautioned that there was still work to be done to secure the correct conditions for inwards investment, and such investment was unlikely to start flowing in the immediate future.

**780.** UKTI and DFID officials met on 21 May, at DFID's request, to discuss UKTI's interests in Iraq.<sup>469</sup> Mr Paul Taylor, Head of the UKTI's Middle East Department, reported to Mr Andrew Cahn, UKTI Chief Executive, that DFID had said it would be difficult for DFID to handle the "investment visits" which had emerged from Mr Brown's 28 April reception. DFID did not have the appropriate expertise and, more importantly, under the International Development Act, it could not favour UK companies by providing them with such support. DFID officials had asked UKTI to reinstate a UK Commercial Officer post in Baghdad. Mr Taylor had said that UKTI was highly unlikely to be able to find funding for such a post.

**781.** Mr Taylor reported to Mr Cahn on 2 July that a DFID proposal to fund a UK Commercial Officer post in Baghdad from the Stabilisation Aid Fund (SAF) had not proved viable.<sup>470</sup> The pressure remained on UKTI to increase its presence in Baghdad.

**782.** In response, Mr Cahn stated his strong opposition to reinstating a UK-based Commercial Officer post in Baghdad.<sup>471</sup>

**783.** The 11 September meeting of the ISG, chaired by Mr Simon McDonald, Mr Brown's Foreign Policy Adviser, discussed the need for a UKTI presence in Iraq.<sup>472</sup>

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<sup>466</sup> Minute Cabinet Office [junior official] to Prime Minister, 30 April 2008, 'Iraq: Meeting with Petraeus and Crocker, 1 May 2008'.

<sup>467</sup> Email McInnes to Haird, 3 May 2008, 'Resourcing Commercial Work in Iraq'.

<sup>468</sup> Letter DFID [junior official] to Cabinet Office [junior official], 8 May 2008, 'Iraq Strategy Group, 28 April – Response to DFID Action Points'.

<sup>469</sup> Email Taylor to Cahn, 21 May 2008, 'UKTI and Iraq: Meeting with DFID – 21 May 2008'.

<sup>470</sup> Email Taylor to Cahn, 2 July 2008, 'Resourcing Trade and Investment Work in Iraq'.

<sup>471</sup> Email Cahn to Taylor, 4 July 2008, 'Resourcing Trade and Investment in Iraq'.

<sup>472</sup> Letter Lyon to McDonald, 15 September 2008, 'Iraq Strategy Group, 11 September'.

At the meeting, it was agreed that Mr Cahn and Mr Wareing should discuss the issue further.

**784.** The following week, Mr Frank Baker, Head of the FCO's Iraq Group, wrote to Mr McInnes:

“The [11 September ISG] meeting concluded that we needed an official in Baghdad to identify investment opportunities in Basra, as well as help UK businesses work with the Government of Iraq, otherwise we risk falling behind our international competitors.”<sup>473</sup>

**785.** Mr Baker stated that, given the “exceptional circumstances” and the high priority that the UK Government attached to having a trade representative in Baghdad, that post could be funded from the SAF until the end of the UK financial year (31 March 2009).

**786.** Mr Cahn met Mr Wareing on 1 October.<sup>474</sup> Mr Wareing said that the UK needed to exploit its excellent high-level relationships in Iraq. The UK had invested heavily in Iraq, and it would be a major disappointment if other countries went on to enjoy the fruits of stabilisation and economic development. UKTI needed to be “at the table”. Mr Cahn proposed that UKTI should recruit an international business specialist for a period of six months, to scope the market and produce recommendations for UKTI on the way forward.

**787.** Mr Alexander wrote to Mr Brown on 20 November to provide an update on progress in Basra.<sup>475</sup> He reported that DFID had already facilitated 18 investor visits by 14 companies, with proposals worth over US\$9bn submitted to the Iraqi Government.

**788.** Mr Brown met Prime Minister Maliki in Iraq on 17 December.<sup>476</sup> Prime Minister Maliki called for a wider long-term relationship, including investment and economic co-operation and stronger cultural and educational links.

**789.** Mr Brown's Assistant Private Secretary wrote to the Principal Private Secretary to Lord Mandelson, the Business, Enterprise and Regulatory Reform Secretary, the following day to advise that Mr Brown believed there were opportunities in Iraq and interest from British companies that were not being exploited.<sup>477</sup> Mr Brown was convinced that there was an urgent need for a significant UKTI presence in both Baghdad and Basra, both to consolidate security gains and to ensure that UK investors had every chance to benefit from commercial opportunities in Iraq. Mr Brown asked UKTI to start planning immediately for a long-term presence in Iraq, consulting Mr Wareing and DFID.

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<sup>473</sup> Letter Baker to McInnes, 19 September 2008, 'Iraq: UKTI position'.

<sup>474</sup> Minute, 2 October 2008, 'Meeting with Michael Wareing, co-Chair of the Basra Development Commission: Wednesday 1 October 2008'.

<sup>475</sup> Letter Alexander to Brown, 20 November 2008, [untitled].

<sup>476</sup> Letter Catsaras to Gould, 18 December 2008, 'Prime Minister's Meeting with Iraqi Prime Minister, 17 December'.

<sup>477</sup> [Letter APS/Prime Minister to Abel, 18 December 2008, 'UKTI Presence in Iraq'](#).

**790.** Lord Mandelson's Principal Private Secretary replied on 16 January 2009, reporting that:

- A new Iraqi Commercial Officer would start work in the British Embassy Baghdad later that month.
- An international business specialist would deploy to Iraq on 24 January. He would support UK companies, scope opportunities for UK companies and make recommendations on UKTI's future footprint in Iraq by the end of March 2009. There would be no gap in commercial representation in Iraq.
- UKTI was recruiting an industry secondee to assist the International Business Specialist.
- The British Embassy Baghdad had just recruited a USAID employee into its vacant Commercial Assistant post.<sup>478</sup>

**791.** The international business specialist arrived in Baghdad at the end of January.<sup>479</sup> He was joined by a second UKTI-funded consultant on 12 February.<sup>480</sup>

**792.** Lord Mandelson visited Iraq on 6 April, at the head of a delegation of 23 companies (the largest official business delegation for over 20 years).<sup>481</sup> The steering brief prepared for Lord Mandelson identified a number of objectives including:

- underlining the UK's commitment to building a new broad-based, long-term partnership with Iraq, with a strong emphasis on economic and trade co-operation;
- countering Iraqi complaints (from Prime Minister Maliki and others) about the lack of interest from UK business, while assisting the business delegation to build contacts with Iraqi Ministers and members of the Iraqi business community; and
- supporting UK companies pursuing business in Iraq.

**793.** The steering brief also advised:

"Interest [in the visit] in Iraq has been surprisingly high – perhaps underlining that the time is right for a big push in our commercial relations.

"Iraqis trust British companies and products. But Iraqi politicians feel that [the] UK has been slow off the mark in terms of exploiting opportunities in the country, and there is a view (perhaps unfair) that we are lagging behind competitors from the rest of Europe, China, Russia and Japan."

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<sup>478</sup> [Letter Abel to Catsaras, 16 January 2009, \[untitled\]](#).

<sup>479</sup> Report DFID, 1 February 2009, 'Weekly update: 1<sup>st</sup> February 2009'.

<sup>480</sup> Report DFID, 15 February 2009, 'Weekly update: 15<sup>th</sup> February 2009'.

<sup>481</sup> Paper BERR, [undated], 'Visit of the Rt Hon Lord Mandelson to Bahrain, Kuwait, Iraq, Abu Dhabi and Dubai, 5-8 April 2009'.

**794.** In response to demand from UK companies, UKTI now had four staff in Baghdad and a “senior trade diplomat” would arrive in mid-2009.

**795.** The briefing for the Iraq leg of the visit provided by the British Embassy Baghdad advised:

“With our [the UK’s] effort now refocusing on support for UK investors and developing the bilateral business relationship, UKTI are resuming lead responsibility and are increasing their presence in country.”<sup>482</sup>

## Debt relief

**796.** The Treasury was the lead department within the UK Government on securing debt relief for Iraq.<sup>483</sup> It worked closely with the Foreign and Commonwealth Office (FCO) and other departments.

## UK policy

**797.** The UK’s ‘Contract with the Iraqi People’, which was developed between February and December 2001, included an objective “to facilitate Iraq’s access to financial markets by encouraging generous debt rescheduling through the Paris Club” (see Section 6.4).

**798.** The Paris Club describes itself as an informal group of official creditors whose role is to find coordinated and sustainable solutions to the payment difficulties experienced by debtor countries.<sup>484</sup> The Paris Club only negotiates debt restructurings with debtor countries that:

- need debt relief: debtor countries are expected to provide a precise description of their economic and financial situation;
- have implemented and are committed to implementing reforms to restore their economic and financial situation; and
- have a demonstrated track record of implementing reforms under an International Monetary Fund (IMF) programme.

**799.** A Treasury official sent Mr Gordon Brown, the Chancellor of the Exchequer, a paper on the global, regional and local (Iraqi) economic impact of “war” in Iraq on 6 September 2002. The paper identified the urgency of dealing with Iraq’s “huge” external debt, and suggested that a generous Paris Club deal would be the “obvious” way to address it. The Russians might be a major stumbling block, given the size of Iraq’s debt to them (around US\$8bn, or 15 percent of Iraq’s total external debt). The paper is considered in detail in Sections 6.4 and 13.1.

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<sup>482</sup> eGram 11967/09, [undated], ‘Iraq: Lord Mandelson’s visit to Baghdad and Basra: Scenesetter’.

<sup>483</sup> Paper Treasury, 2010, ‘Iraq Briefing – Debt’.

<sup>484</sup> Paris Club website, *About us: The six principles*.

**800.** The FCO Directorate of Strategy and Innovation (DSI) one-page paper ‘Vision for Iraq and the Iraqi People’, which was submitted to the Ad Hoc Group on Iraq on 11 October, listed actions that the UK/Coalition would take to help the Iraqi people, including “encouraging generous debt rescheduling”.<sup>485</sup>

**801.** In advance of the first round of US/UK/Australia talks on post-conflict issues on 6 November 2002, the Cabinet Office produced a paper synthesising work being undertaken by departments.<sup>486</sup> That paper identified the need for debt rescheduling to reconcile Iraq’s “huge external debts with reconstruction and development needs”.

**802.** During the talks, the US agreed that Iraq would require debt rescheduling.<sup>487</sup>

**803.** On 11 February 2003, a Treasury official invited Mr Brown’s comments on officials’ “first thoughts” on Treasury policies in a post-Saddam Iraq.<sup>488</sup> The official identified the Treasury’s “two main Finance Ministry interests” in Iraq as ensuring its prosperity and stability, while fairly sharing the costs of achieving this. An “emerging policy position” would include:

“... push for debt rescheduling, to ensure that Iraqi contributions [to its reconstruction] are not knocked off course by having to resume crippling debt service. The cost of this would conveniently fall to probable non-combatant countries.”

**804.** The official advised that although it was difficult to gauge the size of Iraq’s debt, the US State Department estimated that, as at 2002, Iraq owed around US\$82bn to external creditors. The State Department estimated that the four largest creditors were:

- Russia (US\$16.1bn, or some 20 percent of the total external debt);
- France (US\$9.1bn, 11 percent);
- Japan (US\$9.1bn, 11 percent); and
- Germany (US\$6.7bn, 8 percent).

The State Department estimated that the US was the sixth largest creditor (US\$4.4bn, 5 percent) and the UK the tenth largest creditor (US\$2.4bn, 3 percent).

**805.** The official commented that if those figures were accurate, Iraq was one of the most heavily indebted countries in the world.

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<sup>485</sup> Paper FCO [draft], [undated], ‘Vision for Iraq and the Iraqi People’.

<sup>486</sup> [Minute Drummond to Manning, 1 November 2002, ‘Iraq: Post-Saddam’ attaching Paper Cabinet Office, \[undated\], ‘Iraq: Models and some questions for post-Saddam government’.](#)

<sup>487</sup> Minute Drummond to Manning, 8 November 2002, ‘Iraq: Day After’.

<sup>488</sup> [Minute Treasury \[junior official\] to Chancellor, 11 February 2003, ‘HMT Policy on Post-Saddam Iraq’ attaching Paper Treasury, 11 February 2003, ‘Post-War Iraq: International Financing Policy’.](#)

**806.** The official expanded upon the rationale for debt rescheduling:

“In post-war Iraq, the UK would be entitled to pursue repayment of US\$1 – US\$2 billion bilateral debts ... However, if all creditors did the same and were successful, Iraq’s ability to fund its own reconstruction would be severely compromised. This would lead to a fiscal financing gap for Iraq, probably filled largely by bilateral financing. In such a situation, the UK might be under pressure to make a big contribution ... The other advantage to rescheduling is that we suspect that most of the debt is owed to probable non-combatant countries (e.g. France, Russia), with debt relief thus providing a neat way of burden sharing. The other strong argument for debt relief is that, without it, multilateral lending is likely to prove very difficult.”

**807.** The Treasury told the Inquiry that Mr Brown did not comment on the submission.<sup>489</sup>

**808.** Mr John Dodds, Head of the Treasury’s Defence, Diplomacy and Intelligence Team, advised Mr Brown on 19 February that the UK’s Export Credit Guarantee Department (ECGD) had already made a 96 percent provision in relation to Iraq.<sup>490</sup>

**809.** On 6 March, Mr Blair chaired a meeting on post-conflict issues with Mr Brown and other Ministers (see Section 6.5).<sup>491</sup> At the meeting, Mr Brown said that the burden of reconstructing Iraq should not be borne by just the US and the UK; other countries (and the EU) should contribute. In the long term, Iraq’s oil should fund the country’s reconstruction. Mr Brown was particularly concerned that UK funds should not be used to repay Iraq’s debts.

**810.** Mr Blair concluded that Mr Brown should draw up “a funding plan, including securing funding from wider international sources, in particular the IFIs [international financial institutions]”.

**811.** The FCO sent a number of background papers to No.10 in advance of the 16 March Azores Summit, including a revised version of the UK’s ‘A Vision for Iraq and the Iraqi People’.<sup>492</sup> The revised version of the ‘Vision’ reflected a number of changes from the version developed in October 2002, including “Seeking a fair and sustainable solution to Iraq’s debt problems” in place of “Negotiating generous debt rescheduling”.

**812.** The *Vision for Iraq and the Iraqi People* issued by Mr Blair, President Bush and Spanish Prime Minister José María Aznar at the Azores Summit did not mention debt.<sup>493</sup>

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<sup>489</sup> Email Treasury [junior official] to Iraq Inquiry [junior official], 26 February 2010, [untitled].

<sup>490</sup> Minute Dodds to Chancellor, 19 February 2003, ‘Iraq – “Aftermath” – UK Role’ attaching Paper Treasury, 19 February 2003, ‘Iraq Conflict – Public Expenditure Impact’.

<sup>491</sup> [Letter Cannon to Owen, 7 March 2003, ‘Iraq: Post-Conflict Issues’.](#)

<sup>492</sup> [Letter Owen to Rycroft, 15 March 2003, ‘Azores Summit’ attaching Paper FCO, \[undated\], ‘A Vision for Iraq and the Iraqi people’.](#)

<sup>493</sup> Statement of the Atlantic Summit, 16 March 2003, *A Vision for Iraq and the Iraqi People*.

**813.** Mr Jeremy Heywood, Mr Blair’s Principal Private Secretary, passed the US State Department estimates of debt owed by Iraq to Sir David Manning, Mr Blair’s Foreign Policy Adviser, on 25 March.<sup>494</sup> Mr Heywood advised that compensation claims from Kuwait’s Government and citizens could add up to US\$100bn to Iraq’s debt.

**814.** The Development Committee of the World Bank Group and IMF agreed at their April 2003 Spring Meetings that debt relief for Iraq should be pursued through the Paris Club.<sup>495</sup>

**815.** The Treasury prepared a paper for the 8 May meeting of the Ad Hoc Ministerial Group on Iraq Rehabilitation (AHMGIR), which considered whether a Paris Club agreement on Iraq would be achievable.<sup>496</sup>

**816.** A Treasury official advised Mr Paul Boateng, the Chief Secretary to the Treasury, in advance of the meeting that most creditors seemed content with that approach, though the US appeared to be “not fully committed” to the Paris Club route.

**817.** The Treasury paper stated that three of Iraq’s biggest Paris Club creditors – Russia, France and Germany – had been hostile to the invasion and would be deeply disappointed at the prospect of debt relief.<sup>497</sup> There were also a number of encouraging factors, however, including:

- No creditor had been paid for more than a decade. A Paris Club deal was the only real prospect of recovering any funds.
- France, as Paris Club chair, would find it hard to resist a Paris Club deal.
- Many creditors would be keen to exploit new commercial opportunities which would require a regularisation of the debt position.

**818.** A Treasury official briefed Mr Brown on progress in securing debt relief for Iraq on 17 November, in advance of a meeting the following day with Mr John Snow, the US Secretary of the Treasury.<sup>498</sup>

**819.** The official warned that the US was becoming impatient with the pace of progress in the Paris Club and concerned over the US’s lack of control over the process; a poor outcome could leave Iraq with an unsustainable debt burden. The UK continued to believe that the most effective way to achieve debt relief was through the Paris Club.

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<sup>494</sup> Minute Heywood to Manning, 25 March 2003, ‘Iraq: Debt’.

<sup>495</sup> Minute Treasury [junior official] to Chief Secretary, 7 May 2003, ‘Ad Hoc Ministerial on Iraq Rehabilitation, Thursday 8<sup>th</sup> May at 2.30pm’.

<sup>496</sup> Annotated Agenda, 8 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting attaching Paper Treasury, April 2003, ‘Iraq: Debt’.

<sup>497</sup> Paper Treasury, April 2003, ‘Iraq: Debt’.

<sup>498</sup> Minute Habeshaw to Chancellor, 17 November 2003, ‘Iraq: International Debt’ attaching Paper Treasury, [undated], ‘Chancellor – Secretary Snow: Iraq: International Debt’ and Paper Treasury, 17 November 2003, ‘Iraq: International Debt’.

**820.** The official advised that the UK estimated that Iraq had debts of at least US\$108bn, over 700 percent of GDP or 900 percent of exports. That level of debt was unsustainable, especially when it was combined with Iraq's commitment to meet at least US\$85bn in compensation claims from the Kuwait war. Preliminary Treasury analysis was that a reduction of almost 80 percent in the net present value of Iraq's external debt would be required to restore sustainability.

**821.** Mr Brown discussed debt relief for Iraq with Secretary Snow on 18 November.<sup>499</sup> Mr Brown's Private Secretary reported that Secretary Snow had agreed that Iraq's debt should be dealt with through the Paris Club, though the terms would have to be more generous than usual.

### **The US push for substantial debt relief, December 2003**

**822.** On 5 December, President Bush appointed Mr James T Baker III, former US Secretary of State, as his personal envoy on Iraqi debt.<sup>500</sup> Mr Baker embarked on a series of meetings with key creditors.

**823.** President Bush, Mr Jacques Chirac (the French President) and Mr Gerhard Schröder (the German Chancellor) issued a joint statement on debt relief for Iraq on 16 December.<sup>501</sup> It confirmed that France, Germany and the United States agreed that there should be substantial debt reduction for Iraq, but stated that: "The exact percentage of debt reduction that would constitute 'substantial' debt reduction is subject to future agreement between the parties."

**824.** Mr Baker called on Mr Blair on 18 December.<sup>502</sup>

**825.** The Treasury advised Mr Blair that Mr Baker was expected to ask the UK to:

- advocate publicly for significant debt relief, perhaps as much as 90 percent;
- lobby other key creditors; and
- act with the US in providing bilateral debt relief, should the Paris Club not look like producing a sustainable solution.

**826.** In response, the UK should:

- Commit to advocating for "significant debt relief", but not to a specific figure. The US figure of 90 percent was an "extreme case".

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<sup>499</sup> Email Bowman to Treasury [junior official], 18 November 2003, 'Iraq Debt: CX Meeting with Secretary Snow'.

<sup>500</sup> Minute Cannon to Blair, 17 December 2003, 'Iraqi Debt: Meeting with James Baker' attaching Paper Treasury, [undated], 'Brief on Iraq's International Debt'.

<sup>501</sup> Statement President Bush, President Chirac and Chancellor Schroeder, 16 December 2003, *Joint statement on Iraq and debt reduction*.

<sup>502</sup> Minute Cannon to Blair, 17 December 2003, 'Iraqi Debt: Meeting with James Baker' attaching Paper Treasury, [undated], 'Brief on Iraq's International Debt'.

- Urge the US to use the Paris Club. That offered Iraq the best chance of a sustainable solution. Bilateral debt relief would need to be funded through public expenditure.

**827.** At the meeting, Mr Baker said that he hoped to secure 80 percent debt relief for Iraq, though that might be optimistic.<sup>503</sup> Mr Baker agreed with Mr Blair’s proposal that the US should stick with the Paris Club mechanism. Mr Baker said that President Chirac was seeking debt reduction of no more than 50 percent and that Chancellor Schröder was starting from a position of 50 percent but was open to negotiation. Russia was giving mixed signals.

**828.** Mr Baker met Russian President Vladimir Putin on 18 December. The media reported that President Putin had told Mr Baker that Russia would join talks on settling Iraq’s debt, but would negotiate on the issue taking into account the economic interests of Russia and Russian companies in Iraq.<sup>504</sup>

### The UK seeks a better deal for the most heavily indebted countries

**829.** In January 2004, Mr Jon Cunliffe, Treasury Managing Director for Macroeconomic Policy and International Finance, highlighted to Mr Gary Edson, US Deputy Assistant to the President for International Economic Affairs, the UK’s need to demonstrate broad consistency between debt relief for Iraq and debt relief under the Heavily Indebted Poor Countries (HIPC) Initiative, in order to avoid charges of “aid diversion” from poor countries to Iraq.<sup>505</sup>

**830.** Mr Edson argued that Iraq was a special case, but acknowledged the need to be “creative” in developing an acceptable debt relief agreement.

**831.** Mr Blair spoke to Mr Baker again on 18 May, at President Bush’s request.<sup>506</sup>

**832.** The Treasury’s briefing for Mr Blair restated the UK’s “key interests”:

- debt relief would facilitate Iraq’s economic development;
- debt relief through the Paris Club would strengthen that multilateral process; and
- financial: the UK was Iraq’s 14th largest creditor, holding claims of approximately £1.15bn; there was also a public expenditure issue.<sup>507</sup>

<sup>503</sup> Letter Cannon to Bowman, 18 December 2003, ‘Iraq Debt: Call on Prime Minister by James Baker’.

<sup>504</sup> *The New York Times*, 19 December 2003, *Russia agrees to discuss debt relief for Iraq*; *People’s Daily Online*, 20 December 2003, *Russia says business interests crucial in Iraq debt relief*.

<sup>505</sup> Email Treasury [junior official] to Cunliffe, 9 January 2004, ‘Iraq: NSC-HMG Telecon 08-01-04’ attaching Note, [undated], ‘Note of NSC-HMG Telecon’.

<sup>506</sup> Letter Quarrey to Bowman, 18 May 2004, ‘Iraqi Debt: Prime Minister’s Phone Call with James Baker, 18 May’ attaching Paper, [undated], ‘Contingent HIPC Proposal: Extend HIPC, Accelerate Debt Reduction, Increase Grants’.

<sup>507</sup> Minute Quarrey to Blair, 18 May 2004, ‘Iraq Debt: Jim Baker, 18 May’ attaching Paper Treasury, [undated], ‘Prime Minister’s Vidcon with Secretary Baker’.

**833.** The briefing described that public expenditure issue:

“Provided debt reduction can be justified on financial grounds, the cost of writing off commercial debts does not score as departmental expenditure but is borne by ECGD and the Treasury. In practice, the most effective way of demonstrating a good financial case is to use the Paris Club process. In contrast, if the UK were to write off debts on policy grounds ... the cost would score as departmental expenditure and would need to be financed by DFID or another spending department.”

**834.** The Treasury briefing identified a fourth interest: to use UK support for debt relief for Iraq to press the US to commit to more generous treatment of HIPCs. That treatment should include extending the HIPC Initiative and providing additional relief if HIPCs experienced external shocks. The briefing observed that the cost of debt relief for Iraq was likely to exceed the cost of the debt relief for all 38 of the countries which had benefited from the HIPC Initiative.

**835.** The briefing stated that the US might be intending to cancel 100 percent of Iraqi debt owed to it, and might press the UK to do the same. Assuming a Paris Club agreement to write-off 80 percent of Iraq’s debt, such an additional write-off would cost the UK £230m. As that additional write off would be on policy (rather than financial) grounds, the cost would fall to DFID, which would almost certainly make a claim on the Reserve. The Treasury advised that while a 100 percent write-off could have presentational benefits, it might not represent the best use of the resources available to Iraq and that other debtor countries, including some that had large debts to the UK, might demand similar generosity.

**836.** Just before Mr Blair and Mr Baker’s conversation, Mr Baker’s office sent No.10 an outline proposal to extend the HIPC Initiative for up to three years and to accelerate the provision of debt reduction under HIPC programmes.<sup>508</sup>

**837.** During the phone call on 18 May, Mr Baker said that the US agreed with the UK’s proposal that debt reduction for Iraq should be accompanied by an extension of the HIPC Initiative.<sup>509</sup> He told Mr Blair that President Bush was prepared to support the HIPC Initiative only if there was a “parallel agreement” on Iraq. Referring to the outline proposal that his office had sent to No.10, Mr Baker said that it would not fly if it was seen as a US initiative, but might if it was seen as a UK and French initiative to secure concessions from the US on the HIPC Initiative in return for deep debt reduction for Iraq.

**838.** Mr Blair said that this was an important initiative and undertook to send it to President Chirac.

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<sup>508</sup> Email Rogers to Bowman, 18 May 2004, ‘Heavily Indebted Poor Country (HIPC) Program’.

<sup>509</sup> Letter Quarrey to Bowman, 18 May 2004, ‘Iraqi Debt: Prime Minister’s Phone Call with James Baker, 18 May’ attaching Paper, [undated], ‘Contingent HIPC Proposal: Extend HIPC, Accelerate Debt Reduction, Increase Grants’.

**839.** The IMF released the final elements of its Debt Sustainability Analysis (DSA) for Iraq on 25 May.<sup>510</sup> The DSA assessed that Iraq's debt stock was US\$124.8bn, of which US\$42bn was owed to Paris Club creditors, US\$67.3bn to non-Paris Club official creditors, US\$15bn to the private sector and US\$0.5bn to multilateral institutions.

**840.** A Treasury official briefed Mr Brown on the DSA two days later.<sup>511</sup> He estimated that, on the basis of the DSA assessment, Iraq required debt reduction of at least 80 percent and preferably 90 to 95 percent; the higher figures would deliver a robust exit from debt unsustainability and enable Iraq to cope with economic shocks.

**841.** Mr Blair spoke to President Chirac on 1 June, and suggested that the UK and France should make a joint approach to the US on debt relief for Iraq and HIPC.<sup>512</sup> President Chirac did not support the proposal.

**842.** The US sought to broker a deal on debt relief for Iraq at the 8 June 2004 G8 Summit at Sea Island, but without success.<sup>513</sup> The Summit did agree to extend the HIPC Initiative for two years until 31 December 2006 and to provide the necessary financing to complete the initiative, and to provide additional debt relief "where appropriate".<sup>514</sup>

**843.** During a press conference at the end of the Summit, President Chirac was asked whether he still thought that 50 percent was the right level of debt relief for Iraq.<sup>515</sup> He replied:

"It is absolutely the right one ... Iraq is potentially a rich country even though she has a substantial debt. How will you explain to the very indebted poor countries ... that we're going to do for Iraq in three months more than we've done in ten years for the world's thirty-seven poorest and most indebted countries? That ... isn't right."

**844.** Treasury officials commented the following month that the Sea Island agreement had not gone as far as they had hoped, in part because there had been no concomitant agreement on debt relief for Iraq.<sup>516</sup> They reported that Mr Brown still believed that the UK should maintain a linkage between debt relief for Iraq and "a better deal for ... HIPC".

## Paris Club agrees debt relief for Iraq, November 2004

**845.** Discussions continued over the summer between the Iraqi Government, the IMF and creditors on debt reduction and the terms of an IMF programme for Iraq.<sup>517</sup>

<sup>510</sup> International Monetary Fund, 25 May 2004, *Iraq – External Debt Sustainability Analysis*.

<sup>511</sup> Minute Habeshaw to Chancellor, 27 May 2004, 'Iraq Debt: IMF Debt Sustainability Analysis'.

<sup>512</sup> Letter Rycroft to Adams, 1 June 2004, 'Prime Minister's Conversation with Chirac, 1 June'.

<sup>513</sup> Paper Treasury, 7 July 2004, 'Iraq Debt and HIPC'.

<sup>514</sup> Sea Island Summit 2004 Communiqué, 10 June 2004, *Debt Sustainability for the Poorest*.

<sup>515</sup> Présidence de la République, 10 June 2004, *Sommet du G8 – Conférence de Presse de M. Jacques CHIRAC Président de la République, à l'issue du Sommet*.

<sup>516</sup> Paper Treasury, 7 July 2004, 'Iraq Debt and HIPC'.

<sup>517</sup> Minute Habeshaw to Chancellor, 6 September 2004, 'Iraq Debt: Update'.

The UK's position remained that Iraq required debt reduction of at least 80 percent to deliver debt sustainability. The US and the Iraqi Government sought 95 percent, which the UK assessed would leave Iraq in a "very strong" financial position. The UK's negotiating line, including in a bilateral meeting with the French on 1 September 2004, was to support the US position "while hinting flexibility".

**846.** The IMF Board approved a US\$436m Emergency Post-Conflict Assistance programme for Iraq on 29 September.<sup>518</sup> The UK Delegation to the IMF reported that unanimous approval had followed "tetchy" discussions, with a number of Executive Directors expressing unease at the speed of approval (the timetable had been driven by US demands and the IMF had cut back substantially on formal review processes) and whether the Iraqi Government would be able to implement the necessary policy reforms if the security situation did not improve. The IMF had commented that agreement paved the way for discussions on debt relief.

**847.** In early November, at the request of the Paris Club and in anticipation of an agreement on debt relief for Iraq later that month, the IMF revisited its DSA for Iraq.<sup>519</sup> Treasury officials briefed Mr Brown that, on the basis of the new figures, debt reduction of between 75 and 85 percent was required to restore sustainability; debt reduction above 85 percent could not be justified financially. Officials also told Mr Brown that the US had now circulated a draft proposal seeking debt reduction of 89.5 percent in three phases, with a generous repayment profile. The UK supported that proposal as a negotiating position, but doubted that it could be agreed with Paris Club members.

**848.** A Treasury official warned Mr Brown on 12 November that the US had decided to offer Iraq additional debt relief following a Paris Club deal, writing off 100 percent of Iraq's debt.<sup>520</sup> If the UK did the same it would cost between £172m and £344m, depending on the deal agreed at the Paris Club. Echoing the arguments offered in May 2004, the official advised that, while there were "political arguments" in favour of offering additional debt relief, there were also arguments against it:

- Significantly poorer countries had not received 100 percent debt relief.
- Iraq had no track record of using savings generated by debt relief for poverty reduction.
- Providing 100 percent debt relief would set a precedent for the UK's treatment of other countries.

**849.** The official recommended that the UK should not offer additional debt relief to Iraq.

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<sup>518</sup> Telegram 25 UKDEL IMF/IBRD to Treasury, 30 September 2004, 'Iraq: IMF Approves Emergency Post Conflict Assistance'.

<sup>519</sup> Minute Habeshaw to Chancellor, 8 November 2004, 'Iraq Debt: New Debt Sustainability Numbers'.

<sup>520</sup> Minute Treasury [junior official] to Brown, 12 November 2004, 'Iraq Debt: Update'.

**850.** The Treasury told the Inquiry that it has no record of Mr Brown responding to that advice.<sup>521</sup>

**851.** Paris Club creditors agreed on 21 November to reduce Iraq's official debt by 80 percent.<sup>522</sup> The deal would be delivered in three stages: 30 percent immediately; 30 percent on approval of a standard IMF programme; and 20 percent on completion of the standard IMF programme. The deal would write off US\$31.1bn of the US\$38.9bn owed to Paris Club creditors. The Iraqi Government committed to seek comparable treatment from its non-Paris Club creditors.

**852.** The UK's share of that write-off was approximately US\$1.39bn,<sup>523</sup> or £954m (£337m in UK financial year 2004/05, £337m in UK financial year 2005/06 and £280m in UK financial year 2008/09).<sup>524</sup> The entire amount was charged to the ECGD.

**853.** A Treasury briefing for Mr Brown stated that the deal represented an important success for the international community, demonstrating an ability to act together on an issue as divisive as Iraq.<sup>525</sup>

**854.** The Treasury told the Inquiry that the agreement followed intense negotiations between G7 officials and Ministers, including between Mr Brown, Secretary Snow and Mr Nicolas Sarkozy, the French Minister of Finance.<sup>526</sup> The deal had been finalised in a meeting between Secretary Snow and Mr Hans Eichel, the German Minister of Finance.

**855.** The Treasury told the Inquiry that it has no records of the discussions between Mr Brown and Mr Snow and Mr Sarkozy.<sup>527</sup>

**856.** The US wrote off 100 percent of Iraq's debt, totalling US\$4.1bn, on 17 December 2004.<sup>528</sup>

**857.** In November 2006, Mr Brown was asked by Dr Barham Salih, Iraqi Deputy Prime Minister, to provide 100 percent debt relief for Iraq.<sup>529</sup> Mr Brown responded by highlighting the aid that the UK was already providing and his discussions with counterparts in the Gulf states and the EU on supporting Iraq.

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<sup>521</sup> Email Treasury [junior official] to Iraq Inquiry [junior official], 17 April 2014, 'Further Queries Relating to Resources'.

<sup>522</sup> Paris Club, Press Communiqué, 21 November 2004, *Restructuring the Iraqi debt – Agreement between the Paris Club and Iraq*.

<sup>523</sup> Briefing Treasury, [undated], 'Brief: Meeting with Barham Saleh, Deputy Prime Minister of Iraq'.

<sup>524</sup> Letter Cabinet Office [junior official] to Aldred, 13 September 2011, 'Iraq Inquiry: Request for Further Information on Funding'.

<sup>525</sup> Briefing Treasury, [undated], 'Brief: Meeting with Barham Saleh, Deputy Prime Minister of Iraq'.

<sup>526</sup> Paper Treasury, 2010, 'Iraq Briefing – Debt'.

<sup>527</sup> Email Treasury [junior official] to Iraq Inquiry [junior official], 22 April 2014, 'Further Queries Relating to Resources'.

<sup>528</sup> Congressional Research Service, Report for Congress, 11 March 2005, *Iraq: Debt Relief*.

<sup>529</sup> Record, [undated], 'Chancellor's Visit to Basra: 18/11/06'.

**858.** The UK did not provide additional bilateral debt relief for Iraq, beyond the agreement reached at the Paris Club.

## Returning asylum seekers to Iraq

**859.** Iraq, with almost 50,000 applicants, was the biggest source of asylum seekers to the 29 industrialised countries that provided monthly data to the UN High Commissioner for Refugees (UNHCR) in 2002.<sup>530</sup> Of those applicants, 14,565 applied for asylum in the UK.

**860.** Table 2 shows the number of asylum applications to certain industrialised countries and the UK originating in Iraq between 2002 and 2009.

Table 2: Asylum applications to industrialised countries and to the UK originating in Iraq

	Total number of applications originating in Iraq	Number of applications to the UK originating in Iraq	Percentage of total applications
2002 <sup>531</sup>	49,368	14,565	29.5
2003 <sup>532</sup>	25,361	4,290	16.4
2004 <sup>533</sup>	9,850	1,880	19.1
2005 <sup>534</sup>	12,521	1,605	12.8
2006 <sup>535</sup>	22,908	1,305	5.7
2007 <sup>536</sup>	45,100	2,075	4.6
2008 <sup>537</sup>	40,366	2,030	5.0
2009 <sup>538</sup>	24,673	990	4.0

<sup>530</sup> UNHCR, 24 February 2004, *Asylum Levels and Trends: Europe and non-European Industrialized Countries, 2003*.

<sup>531</sup> UNHCR, 24 February 2004, *Asylum Levels and Trends: Europe and non-European Industrialized Countries, 2003*. Figures reflect origin of asylum applications in 29 countries providing monthly data to UNHCR.

<sup>532</sup> UNHCR, 1 March 2005, *Asylum Levels and Trends: Europe and non-European Industrialized Countries, 2004*. Figures reflect origin of asylum applications lodged in 36 countries providing monthly data to UNHCR.

<sup>533</sup> UNHCR, 17 March 2006, *Asylum Levels and Trends in Industrialized Countries, 2005*. Figures reflect origin of asylum applications lodged in 36 countries providing monthly data to UNHCR.

<sup>534</sup> UNHCR, 23 March 2007, *Asylum Levels and Trends in Industrialized Countries, 2006*. Figures reflect origin of asylum applications lodged in 36 countries providing monthly data to UNHCR.

<sup>535</sup> UNHCR, 18 March 2008, *Asylum Levels and Trends in Industrialized Countries, 2007*. Figures reflect origin of asylum applications lodged in 43 countries providing monthly data to UNHCR.

<sup>536</sup> UNHCR, 24 March 2009, *Asylum Levels and Trends in Industrialized Countries, 2008*. Figures reflect origin of asylum applications lodged in 44 countries providing monthly data to UNHCR.

<sup>537</sup> UNHCR, 23 March 2010, *Asylum Levels and Trends in Industrialized Countries, 2009*. Figures reflect origin of asylum applications lodged in 44 countries providing monthly data to UNHCR.

<sup>538</sup> UNHCR, 28 March 2011, *Asylum Levels and Trends in Industrialized Countries, 2010*. Figures reflect origin of asylum applications lodged in 44 countries providing monthly data to UNHCR.

**861.** Establishing a programme to enable the return of Iraqi asylum seekers currently in the UK to Iraq was an early priority for the UK Government.

**862.** On 8 April 2003, as major combat operations in Iraq continued, Mr David Blunkett, the Home Secretary, wrote to Mr Blair:

“As the conflict in Iraq moves towards a successful conclusion, we need to look at the consequences for the tens of thousands of Iraqi asylum seekers currently in the United Kingdom.

“Once peace and stability have returned to Iraq I believe it is right to press ahead with a substantial returns programme ... The new Iraq needs the skills of its exiles to help in reconstruction. And with the threat from Saddam’s regime removed there is no justification for failed Iraqi asylum seekers and new arrivals to remain in the UK.”<sup>539</sup>

**863.** No.10 replied on 10 April, confirming that Mr Blair had asked departments to work towards “forced returns ... in the course of the next three months”.<sup>540</sup>

**864.** The International Organization for Migration (IOM) facilitated a small number of voluntary returns from the UK to Iraq, beginning in June 2003.<sup>541</sup>

**865.** The Home Office reported in October 2003 that 50 Iraqis had so far returned on that basis.<sup>542</sup>

**866.** In October 2003, the UK sought the CPA’s agreement to expand its voluntary returns programme and to introduce an enforced returns programme, to the Kurdish Autonomous Zone (KAZ) only, for those who had no legal right to remain in the UK.<sup>543</sup>

**867.** Sir Jeremy Greenstock, the Prime Minister’s Special Representative on Iraq, reported on 7 November that the CPA was reluctant to agree those requests.<sup>544</sup> Ambassador Paul Bremer, the Head of the CPA, had decided in July not to encourage returnees until Iraq’s infrastructure could deal with them. The CPA argued that while the KAZ was a more stable and better serviced area of Iraq:

- there were already more than 600,000 internally displaced people there;
- the ethnic balance remained sensitive;
- there was not yet a policy on resolving disputes over property ownership; and

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<sup>539</sup> Letter Blunkett to Blair, 8 April 2003, ‘Iraq: Organising Rapid Returns’.

<sup>540</sup> Letter Miles to Razavi, 10 April 2003, ‘Iraq: Organising Rapid Returns’.

<sup>541</sup> Minute Baird to Hughes, 6 June 2003, ‘Returns to Iraq: Update’.

<sup>542</sup> Letter Baird to Fry, 16 October 2003, ‘Iraq: Return of Failed Asylum Seekers’ attaching Paper, [undated], ‘Iraq: Returns’.

<sup>543</sup> Letter Baird to Fry, 16 October 2003, ‘Iraq: Return of Failed Asylum Seekers’ attaching Paper, [undated], ‘Iraq: Returns’.

<sup>544</sup> Telegram 255 Baghdad to FCO London, 7 November 2003, ‘Iraq: Iraqi Returns’.

- UNHCR and IOM had no expatriate staff in Iraq to maintain and monitor returnee programmes.

**868.** The UK continued to lobby Ambassador Bremer.<sup>545</sup>

**869.** Ambassador Bremer agreed on 17 February 2004 that the UK could implement a pilot programme of enforced returns to northern Iraq from 1 April 2004.<sup>546</sup> The agreement covered the lifetime of the CPA only. An IPU official commented that Ambassador Bremer had not agreed to accept enforced returns from any other Western country, including the US.

**870.** Later that month, Mr Blunkett announced that the UK intended to begin a pilot programme of voluntary and enforced returns to Iraq.<sup>547</sup>

**871.** It did not prove possible to implement that pilot programme.

**872.** The Kurdish Regional Government (KRG) wrote to UNHCR on 9 May stating its opposition to enforced returns.<sup>548</sup>

**873.** The FCO subsequently cancelled a scoping mission by a Home Office delegation scheduled for late May, due to the lack of helicopters and armoured vehicles to transport them to northern Iraq and to avoid antagonising the KRG.<sup>549</sup>

**874.** Mr Blunkett wrote to Mr Straw on 28 May, to urge him to reconsider.<sup>550</sup> Mr Blunkett advised that Iraq consistently figured in the list of the “top ten asylum producing countries”. Unless the UK established the principle of forced return by sending out a flight of returnees before 30 June 2004 (the expected date of the transfer of power in Iraq from the CPA to an Iraqi Interim Administration), the new Iraqi authorities might insist that negotiations on enforced returns “recommence from the beginning”.

**875.** Mr Straw replied on 7 June, acknowledging Mr Blunkett’s concern but stating that making enforced returns before 1 July without consultation with the incoming Interim Iraqi Government (IIG), its ministries and the KRG could undermine broader UK diplomatic efforts and predispose the IIG to be unhelpful on returns in the future.<sup>551</sup>

**876.** Mr Blunkett accepted Mr Straw’s response.<sup>552</sup>

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<sup>545</sup> Minute Greenstock to Bremer, 15 February 2004, ‘Iraqi Returns from the UK’.

<sup>546</sup> Minute IPU [junior official] to PS/Baroness Symons, 18 May 2004, ‘Iraq: Enforced Returns of Failed Asylum Seekers to Iraq’.

<sup>547</sup> Paper FCO, 26 February 2004, ‘No.10 Weekly Update – 26 February 2004’.

<sup>548</sup> Letter Siwaily to UNHCR, 9 May 2004, ‘Iraqi returnees from Iran’.

<sup>549</sup> Minute IPU [junior official] to PS/Baroness Symons, 18 May 2004, ‘Iraq: Enforced Returns of Failed Asylum Seekers to Iraq’.

<sup>550</sup> Letter Blunkett to Straw, 28 May 2004, ‘Enforced Return of Failed Asylum Seekers to Iraq’.

<sup>551</sup> Letter Straw to Blunkett, 7 June 2004, ‘Enforced Return of Failed Asylum Seekers to Iraq’.

<sup>552</sup> Letter Blunkett to Straw, 22 June 2004, ‘Enforced Return of Failed Asylum Seekers to Iraq’.

**877.** The Iraqi Minister of Displacement and Migration visited the UK from 23 to 27 July, and agreed that Iraq and the UK should draw up a Memorandum of Understanding (MOU) to cover returns to Iraq.<sup>553</sup>

**878.** The Occupation of Iraq formally came to an end on 28 June. Power was transferred from the CPA and Iraqi Governing Council to the IIG.<sup>554</sup>

**879.** On 3 November, an IPU official provided an update for Mr Straw on enforced returns.<sup>555</sup> A Home Office delegation had visited Iraq from 3 to 11 September and had “eventually persuaded” KRG Ministers and officials to accept forced returns. The Minister of Displacement and Migration had not yet signed the MOU. The Home Office believed that forced returns could go ahead without it as, under the Chicago Convention, Iraq had an obligation to take back its nationals who did not qualify to remain in the UK. The Home Office was therefore making plans to send the first 15 failed asylum seekers back to northern Iraq on around 23 November.

**880.** The IPU official advised that the FCO’s view was that no forced returns should take place until the MOU was signed, for three reasons:

- to ignore IIG views could generate “ill will” from the IIG and KRG, at a time when the UK needed their support on a number of political priorities;
- the planned destinations for returnees might not be safe; and
- the presentational issue of enforced returns coinciding with military operations in Fallujah, and with Ramadan.

**881.** Mr Blunkett’s Private Secretary wrote to No.10 on 15 November, reporting that the IIG accepted the principle of enforced return, but was unlikely to accept returnees until the following year.<sup>556</sup> The Minister of Displacement and Migration had asked for an improved package of assistance for returnees. Mr Blunkett’s Private Secretary restated the FCO’s view that no enforced returns should take place without an MOU, and recommended that the UK should intensify its lobbying to secure the IIG’s signature to it.

**882.** No.10 replied on 18 November, confirming that Mr Blair agreed that no enforced returns should be made without an MOU.<sup>557</sup>

**883.** Mr Blair visited Baghdad on 21 December.<sup>558</sup> In his record of Mr Blair’s meeting with Prime Minister Ayad Allawi, Mr Quarrey reported that Prime Minister Allawi had agreed that Iraq should sign an MOU covering enforced returns before the end of the month.

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<sup>553</sup> Minute IPU [junior official] to Straw, 3 November 2004, ‘Iraq: Update on Enforced Returns’.

<sup>554</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>555</sup> Minute IPU [junior official] to Straw, 3 November 2004, ‘Iraq: Update on Enforced Returns’.

<sup>556</sup> Letter PS/Blunkett to No.10 [junior official], 15 November 2004, ‘Enforced Returns to Iraq’.

<sup>557</sup> Letter No.10 [junior official] to PS/Blunkett, 18 November 2004, ‘Enforced Returns to Iraq’.

<sup>558</sup> Letter Quarrey to Adams, 21 December 2004, ‘Prime Minister’s Visit to Baghdad, 21 December: Meeting with Allawi’.

**884.** The MOU was signed in January 2005 by the Ministry of Displacement and Migration, on behalf of the IIG, and the Home Office.<sup>559</sup>

**885.** Notwithstanding the signature of the MOU, discussions continued between the UK Government and the IIG on the implementation of an enforced return programme.<sup>560</sup> The IIG's concerns included the impact of returnees within the KRZ and the package of assistance provided to returnees.

**886.** Mr Tim Torlot, Deputy Head of Mission at the British Embassy Baghdad, called on Prime Minister Ibrahim Ja'afari on 4 August. Mr Torlot reported to the FCO that Prime Minister Ja'afari had agreed that Iraq should abide by the terms of the MOU, and to instruct the Minister of Displacement and Migration to accept enforced returns. Prime Minister Ja'afari hoped that the UK would consider substantially increasing the assistance provided to returnees.

**887.** The UK planned to operate the first flight carrying enforced returnees on 28 August.<sup>561</sup>

**888.** Mr Charles Clarke, who had succeeded Mr Blunkett as Home Secretary, wrote to Mr Blair on 25 August to confirm that he had postponed that flight, due to opposition from the KRG and a concern that the RAF aircraft carrying the returnees would be a target for insurgent activity.<sup>562</sup>

**889.** President Jalal Talabani and Mr Blair met at 10 Downing Street on 6 October.<sup>563</sup> Mr Blair said that he attached great importance to early progress on the issue of enforced returns, and said that it would be helpful if President Talabani took a personal interest.

**890.** Mr Straw was advised on 17 November that the KRG had, following Ministerial pressure, finally agreed to accept enforced returnees.<sup>564</sup>

**891.** The first flight of enforced returnees, comprising 15 failed asylum seekers, took place on 20 November, landing in Erbil.<sup>565</sup>

**892.** Mr Clarke reported to Mr Blair on 25 November that the UK had not received "the expected legal challenge" to the returns on the grounds that Iraq was an unsuitable destination.

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<sup>559</sup> Paper, 26 January 2005, 'Memorandum of Understanding between the Ministry of Displacement and Migration of the Republic of Iraq and the Home Office for the United Kingdom of Great Britain and Northern Ireland'.

<sup>560</sup> eGram 10598/05 Baghdad to FCO London, 5 August 2005, 'Iraq: Enforced Returns of Asylum Seekers: Call on Prime Minister'.

<sup>561</sup> Minute Clarke to Prime Minister, 25 July 2005, 'Enforced Returns to Iraq'.

<sup>562</sup> Minute Clarke to Prime Minister, 25 August 2005, 'Enforced Returns to Iraq'.

<sup>563</sup> Letter Quarrey to Siddiq, 6 October 2005, 'Iraq: Talabani'.

<sup>564</sup> Minute FCO [junior official] to Straw, 17 November 2005, 'Iraq: Enforced Return of Failed Asylum Seekers'.

<sup>565</sup> Note Clarke to Blair, 25 November 2005, 'Enforced Returns to Iraq'.

**893.** No flights to central or southern Bagdad were made during the period covered by this Inquiry.

## Post-conflict reconstruction and stabilisation

**894.** A cross-government review of the UK's approach to post-conflict reconstruction began in September 2003.<sup>566</sup>

**895.** The inter-departmental Post-Conflict Reconstruction Unit (PCRU) was established in September 2004.<sup>567</sup> It became operational during 2005.<sup>568</sup>

**896.** In December 2007, the PCRU was renamed the Stabilisation Unit (SU).<sup>569</sup>

**897.** The PCRU and the SU focused their activity on Afghanistan. They made limited but valuable contributions in Iraq.

**898.** Since 2007, the SU has continued to evolve in response to the strategic and policy framework established by:

- the 2008 and 2010 National Security Strategies (NSSs);
- the 2010 Strategic Defence and Security Review (SDSR); and
- the 2011 Building Stability Overseas Strategy (BSOS).

## The Post-Conflict Reconstruction Unit

**899.** On 16 September 2003, Mr Straw, Mr Hoon and Baroness Amos discussed post-conflict planning and preparation. A number of papers, including a joint FCO/DFID/MOD paper on post-conflict reconstruction, had been prepared beforehand.<sup>570</sup>

**900.** Mr Straw highlighted the contrast between the UK's preparation for domestic crises and post-conflict situations. More needed to be done to "get ahead of the curve".

**901.** Mr Hoon highlighted the absence of any civilian equivalent to military planning. The UK should aim for international agreement on the civilian resources and skills needed and where they were available.

**902.** Baroness Amos emphasised the need first to "link up" across government and to learn lessons from previous interventions.

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<sup>566</sup> [Paper \[unattributed\], 17 September 2003, 'Meeting of Secretaries of State for Foreign Affairs, Defence and International Development – 16 September 2003 at 2.15pm'](#).

<sup>567</sup> Minute [DFID junior official] to Drummond, 29 June 2005, 'PCRU Update Meeting with the PUSS, 21 June'.

<sup>568</sup> House of Commons, *Official Report*, 21 July 2005, column 155WS.

<sup>569</sup> Paper Stabilisation Unit, December 2007, 'Stabilisation Unit'.

<sup>570</sup> Paper [unattributed], 17 September 2003, 'Meeting of Secretaries of State for Foreign Affairs, Defence and International Development – 16 September 2003 at 2.15pm'.

**903.** Other points made in discussion included:

- the possibility of using Territorial Army (TA) training and pre-deployment centres for civilians involved in post-conflict work;
- the critical importance of policing and security;
- the possibility of establishing contingency arrangements to make it easier to start preparing earlier for post-conflict operations; and
- the importance of building capacity elsewhere, including in the UN and EU.

**904.** The three Ministers agreed that officials should:

- review the UK's approach to planning and preparing for post-conflict situations at the national level and then look at influencing others, with the EU a high priority;
- consider setting up an inter-departmental "co-ordinating mechanism", look at the tools needed and consider how to spread best practice; and
- take into account the resource implications.

**905.** On 28 November, Mr John Sawers, FCO Political Director, informed Sir Nigel Sheinwald, Mr Blair's Foreign Policy Adviser, that FCO, DFID and MOD officials were preparing a paper for discussion by Ministers in January 2004.<sup>571</sup> Mr Sawers identified three main issues to address:

- a. how we improve the UK performance in this area;
- b. how we help improve the international effort – especially in the UN;
- c. what our training and personnel management needs are.”

**906.** A trilateral FCO/MOD/DFID working group agreed on 7 January 2004 to focus on “the gap that has been identified in terms of planning for the initial implementation post-conflict phase”.<sup>572</sup>

**907.** Officials presented a paper setting out recommendations for the “better planning, implementation and management of the UK's contribution to post-conflict reconstruction” to DOP on 12 February.<sup>573</sup>

**908.** The paper, already agreed by Mr Straw, Mr Benn and Mr Hoon, recommended setting up an inter-departmental Post-Conflict Reconstruction Unit (PCRU) with a double remit:

- “**Policy:** developing government strategy for post-conflict reconstruction linked into concomitant military and humanitarian planning, the wider international

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<sup>571</sup> [Letter Sawers to Sheinwald, 28 November 2003, 'Foreign Policy Strategy Group: First Meeting' attaching Paper \[unattributed and undated\], 'Post Conflict Reconstruction'.](#)

<sup>572</sup> Paper [unattributed and undated], 'Post Conflict Reconstruction Trilateral Working Group: Meeting at the Royal Artillery, Woolwich on 7 January 2004'.

<sup>573</sup> [Letter Owen to Fergusson, 5 February 2004, 'Post Conflict Reconstruction: Paper for the DOP, 12 February' attaching Paper \[unattributed and undated\], 'Post Conflict Reconstruction'.](#)

community (separate from the broader political process underlying the need for intervention) and best practice.

- **Executive:** implementing and managing the UK's contribution to post-conflict reconstruction, including the identification and training of civilian personnel and the maintenance of databases, with deployable capability.”

**909.** Four options were proposed:

- a small non-permanent secretariat with a co-ordinating function;
- a small permanent unit of 15-18 people to inform strategy and devise operational plans;
- a unit of 40-50, with a component able to deploy alongside armed forces (the recommended option); and
- a large, permanent department of 150-200 of whom about half could be deployed.

**910.** DOP agreed the proposed remit and to a scale somewhere between options two and three.<sup>574</sup> DOP did not envisage that the unit itself should have a deployable capacity.

**911.** Officials sent a second paper, setting out detailed structures and already agreed by Mr Straw, Mr Benn and Mr Hoon, to DOP on 23 July.<sup>575</sup>

**912.** The paper proposed that:

“The PCRU will bring together financial, analytical, planning and personnel resources that in the past have been distributed across government. This will enable HMG to:

- **Integrate planning** for the military and civilian components of any intervention ... Advance planning for post-conflict reconstruction should influence military planning ... and force composition ...
- **Co-ordinate with the international community and burden-share** ...
- **Identify resources in advance** ... Honeymoon periods in PCR situations are short. Failing to deliver a rapid and demonstrable improvement in the quality of life to the local population can have a negative impact ...”

**913.** The paper proposed that DFID would host the PCRU and meet administrative and running costs to the end of financial year 2007/08.

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<sup>574</sup> [Letter Fergusson to Drew, 19 February 2004, 'Post-Conflict Reconstruction: Follow Up to DOP'](#).

<sup>575</sup> [Paper \[Cabinet Office\], 20 July 2004, 'DOP paper on the Post Conflict Reconstruction Unit'](#).

**914.** The paper explained that there had been “substantial discussion” between departments over governance and accountability. The proposed arrangements took into account the need for:

- policy and strategy decisions to be taken inter-departmentally (policy would be set jointly by departments through a Cabinet Office-chaired steering group, reporting to a DOP Sub-Committee chaired by the Foreign Secretary); and
- financial accountability to be the preserve of the DFID Permanent Secretary as Accounting Officer for DFID funds.

**915.** The paper stated that PCRU staffing would grow over two to three years to become fully operational with a core staff of about 40. It would have “an additional surge capacity and deployable element drawn from volunteers from across Whitehall, NGOs and the private sector”. The proposed size reflected:

“... the need to support the likely scales of effort and concurrency of UK military deployments as reflected in the Defence White Paper: one enduring minimum deployment (e.g. the Balkans or Iraq) plus either two enduring small-scale deployments (e.g. Sierra Leone or Mozambique flood relief) or one short-term medium deployment (e.g. Afghanistan).”

**916.** On 6 September, Sir Nigel Sheinwald informed members of DOP and Sir Andrew Turnbull, the Cabinet Secretary, that Mr Blair was content with the management arrangements set out in the July DOP paper. Mr Blair believed the PCRU should be “lean”, with an ability to surge when required, and wanted staffing to be kept under review.<sup>576</sup> The Cabinet Office would now start to establish the necessary committee structures.

**917.** Mr Benn informed Parliament on 16 September of “the Government’s intention to improve the United Kingdom’s capacity to deal with immediate post-conflict stabilisation, including by integrating civilian and military policy, planning and operations”.<sup>577</sup> The FCO, the MOD and DFID were working closely to develop the capabilities that were needed and expected to be in a position formally to establish the PCRU later in the year.

**918.** The PCRU was established in September 2004.<sup>578</sup>

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<sup>576</sup> [Letter Sheinwald to Malik, 6 September 2004, ‘Lessons of Iraq: Whitehall Responses’](#).

<sup>577</sup> House of Commons, *Official Report*, 16 September 2004, column 173WS.

<sup>578</sup> Minute [DFID junior official] to Drummond, 29 June 2005, ‘PCRU Update Meeting with the PUSS, 21 June’.

**919.** In March 2005, the House of Commons Defence Committee expressed concern that the PCRU might not achieve its initial operating capability by the target date of spring 2005.<sup>579</sup> Issues still to be resolved included:

- identification of the best department to manage the deployment of civilian police officers;
- the need for the PCRU to operate in “a genuinely cross-departmental manner” and not as “the advocate of a particular department’s priorities”; and
- provision of the funding needed not only to establish itself but to pay for deployments.

**920.** On 4 May 2005, Mr Neil Crompton, the departing Head of the IPU, expressed doubts to Mr Sawers about the PCRU’s ability to achieve everything expected of it:

“MOD frustration with the pace of reconstruction has been a cause of much tension within Whitehall. The creation of the PCRU should help resolve some of the issues, but I doubt that it will solve the problem completely, HMG as a whole has lost the old ODA [Overseas Development Agency] ability to ‘fix things’. DFID no longer regard this as core business. Civilians and contractors have to operate under tight security rules which prevent them operating at the required pace in environments like Iraq.

“Part of the solution is for MOD to regard post-conflict reconstruction as their core business ... MOD need to follow US practice and develop civil affairs battalions ...

“In parallel, we need to sell the notion that military assets (particularly transport) belong to HMG as a whole and that decisions on how they are deployed should be determined by HMG, rather than MOD/PJHQ on the basis of military priorities ... We [FCO] and DFID should be involved in the force level review process in a more formal way than our participation in Chiefs of Staff allows, so that wider considerations are taken into account. PJHQ will resist – but we should persist.”<sup>580</sup>

**921.** Mr Sawers shared Mr Crompton’s scepticism about the PCRU, but suggested that it would need to be tested in a real crisis.<sup>581</sup> He added:

“The MOD’s resistance to doing civilian reconstruction has been a problem and I am attracted by your proposal that they should develop civil affairs battalions who can actually restore basic services in a post-conflict environment. With DFID’s near exclusive focus on poverty, and as you say their inability these days to ‘fix things’, it is always going to be difficult to get DFID to wholeheartedly commit to underpinning the political objectives of HMG. MOD is more resource constrained than DFID but this is an area worth exploring with the new Defence Secretary.”

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<sup>579</sup> Sixth Report from the Defence Committee, Session 2004-05, *Iraq: An Initial Assessment of Post-Conflict Operations*, HC 65-1, paras 267-270.

<sup>580</sup> [Minute Crompton to Sawers, 4 May 2005, ‘Iraq Reflections’.](#)

<sup>581</sup> [Minute Sawers to Crompton, 9 May 2005, ‘Iraq: Reflections’.](#)

**922.** On 21 June, Mr Paul Schulte, Head of the PCRU, updated Mr Suma Chakrabarti, DFID Permanent Secretary, and Mr Drummond on progress setting up the Unit, explaining that it had expanded rapidly since being established in September 2004:

- 27 permanent staff had been appointed and recruitment was nearly complete;
- the PCRU had created a database of deployable civilian experts;
- progress had been made on a number of framework agreements to allow timely provision of services; and
- work on assessment and planning tools was well under way.<sup>582</sup>

**923.** Mr Schulte reported that a number of proposals for operational work were being considered, including in Afghanistan and Sierra Leone.

**924.** Mr Drummond cautioned against widening the PCRU's remit beyond stabilisation activities where UK forces were deployed.

**925.** Mr Chakrabarti asked to see a list of operations being considered and an explanation of how decisions were being made.

**926.** An internal review of the PCRU's first months, produced for Mr Schulte in July 2005, recommended a number of changes to the Unit and its remit.<sup>583</sup>

The recommendations included:

- greater engagement with multilateral operations;<sup>584</sup> and
- promoting a new approach to civilian force generation to replace what remained an "unsystematic and largely ad hoc process" for identifying, recruiting and deploying personnel.<sup>585</sup>

**927.** Mr Benn updated Parliament on 21 July:

"I wish to inform parliament of the establishment and current capabilities of the Post-Conflict Reconstruction Unit (PCRU). The PCRU is an inter-departmental unit, which has been set up by our three departments to improve the United Kingdom's capacity to contribute to the creation of a stable environment in countries emerging from conflict. The Unit's work is overseen by the Defence and Overseas Policy (Conflict and Reconstruction) Committee, chaired by the Foreign Secretary.

"The PCRU has been established to carry out two main tasks: first, to develop government strategy for post-conflict stabilisation, which includes linking military and civilian planning, as well as working with the wider international community for

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<sup>582</sup> Minute [DFID junior official] to Drummond, 29 June 2005, 'PCRU Update Meeting with the PUSS, 21 June'.

<sup>583</sup> Minute Astle and Korski to Schulte, 14 July 2005, 'PCRU – A Look Ahead'.

<sup>584</sup> Minute Astle and Korski to Schulte, 14 July 2005, 'Strategic Discussion Paper 1 – PCRU Concept of Operations'.

<sup>585</sup> Minute Astle and Korski to Schulte, 14 July 2005, 'Strategic Discussion Paper 3 – Civilian Force Generation'.

the spread of best practice, capacity building and burden sharing; and, secondly, to plan and direct activities to create stability in post-conflict environments in the period immediately following the cessation of hostilities.

“The PCRU is nearly fully staffed and has reached an initial capacity to plan for, and support, stabilisation activities. The Unit is building up a database of civilian experts who can be deployed. It is also developing methods to help the Government reach an understanding of, and plan responses to, individual conflicts. In addition the Unit is writing a series of guidance papers on a range of specific issues that may need to be tackled in post-conflict situations, such as security sector reform and governance. The PCRU is also developing links with international organisations and other Governments to ensure that the UK’s efforts are part of a co-ordinated contribution to the international response to conflict. I expect the PCRU to be able, if necessary, to plan and organise a large-scale deployment of up to several hundred civilians, including police, as part of a post-conflict stabilisation operation by mid-2006.”<sup>586</sup>

**928.** In his valedictory report on leaving the PCRU in December 2005, Mr Schulte described it as “the most sophisticated and integrated arrangement we know of”, presenting “a significant opportunity to influence international – and particularly American and EU – thinking and practice”.<sup>587</sup> But there had been difficulties, including finding people with the right experience and skills who were willing to join an unproven organisation and could be released quickly from their current jobs. There had also been “departmental sensitivities over responsibilities and boundaries”.

**929.** Mr Schulte concluded:

“... senior support will remain crucial for some time to ensure successful PCRU involvement in cross-Whitehall work. The Unit relies critically upon the development of coherent and effective cross-departmental working relationships. But they all impose costs and demands on the staff time of others. We have learned that it is sometimes difficult to persuade colleagues to take this on without direction from within their own organisations.”

**930.** A second internal review of the PCRU was carried out at the request of PCRU Directors in January and February 2006.<sup>588</sup> Directors agreed the recommendation for a new statement of the PCRU’s role to reflect the experience of its first year:

“... to provide HMG and its partners with integrated assessment and planning, and operational expertise, to deliver more effective stabilisation operations.”<sup>589</sup>

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<sup>586</sup> House of Commons, *Official Report*, 21 July 2005, column 155WS.

<sup>587</sup> [Minute Schulte to Drummond, 19 December 2005, ‘Valedictory Note’](#).

<sup>588</sup> Paper PCRU, March 2006, ‘PCRU Internal Review – Key Findings’.

<sup>589</sup> Paper PCRU, July 2006, ‘Principles for determining where PCRU deploy, what it funds and for how long’.

## THE PCRU AND IRAQ

**931.** From autumn 2005, the PCRU looked for ways to support existing UK stabilisation operations while continuing to build capacity to undertake possible “but very unlikely” future large-scale deployments.<sup>590</sup>

**932.** At the request of the FCO, the PCRU provided a temporary head for the Political Section at the British Embassy Office Basra from 9 to 23 December 2005.

**933.** During March 2006, a member of the PCRU undertook a scoping study for the UK-led Basra Provincial Reconstruction Team (PRT), which became operational during May (see Section 10.2).

**934.** In April 2006, no UK department or international partner, including the US, had a budget for PRT running costs. The PCRU filled the gap.<sup>591</sup> It agreed to recruit and fund three staff for a six-week period, including Mr Mark Etherington, the PRT Team Leader, while discussions continued on funding.<sup>592</sup>

**935.** In July 2006, the PCRU’s support to the Basra PRT was extended to July 2007, at a total cost of £758,000. Most work was expected to be completed by December 2006.<sup>593</sup>

**936.** In late July 2006, Mr Richard Teuten, Mr Schulte’s successor as Head of the PCRU, visited Baghdad and Basra to understand better the stabilisation challenges in Iraq, assess the PCRU contribution and raise awareness of what the PCRU could offer.<sup>594</sup>

**937.** In September 2006, Mr Teuten reported that, in relation to Iraq, the PCRU had:

- supported PRT management from London;
- provided funding up to December 2006 for three Deployable Civilian Experts (DCEs): the PRT Team Leader and two support officers;
- helped identify a civilian expert to set up a Prosecution Mentoring Unit in Basra;
- identified and funded a specialist to design a communications strategy in support of the UK’s Southern Iraq Steering Group; and

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<sup>590</sup> Paper PCRU, July 2006, ‘Principles for determining where PCRU deploy, what it funds and for how long’.

<sup>591</sup> Minute Middle East and North Africa Department [junior official] to Private Secretary [DFID], 19 April 2006, ‘DOP(I) Briefing, 19 April 2006’ attaching Paper MENAD, 19 April 2006, ‘Iraq Update’.

<sup>592</sup> Minute PCRU [junior official] to Private Secretary [DFID], 25 April 2006, ‘Information Note: Basra Provincial Reconstruction Team & PCRU’.

<sup>593</sup> Paper Post Conflict Reconstruction Unit, July 2006, ‘Project Memorandum: PCRU Support for HMG Engagement in Iraq’.

<sup>594</sup> Minute Teuten to PCRU [junior official], 31 July 2006, ‘Visit to Baghdad and Basra 19-25 July’.

- begun a review of PRT management and support arrangements, comparing Basra and Helmand (Afghanistan).<sup>595</sup>

**938.** The Basra/Helmand review was one of two Iraq-related reports produced by the PCRU in 2006:

- ‘Provincial Reconstruction Teams (PRTs) in Iraq and Afghanistan – A Comparison’;<sup>596</sup> and
- ‘Refocusing civilian efforts in Basra in the run up to PIC [Provincial Iraqi Control]’.<sup>597</sup>

## The Stabilisation Unit

**939.** In December 2007, the PCRU was renamed the Stabilisation Unit (SU), reflecting the emergence of the broader concept of stabilisation and the Unit’s new role managing a £269m MOD Stabilisation Aid Fund announced as part of the September 2007 Comprehensive Spending Review.<sup>598</sup>

**940.** The SU’s key tasks were:

- assessment and planning: helping departments “plan together so there is a single UK aim and strategic framework”;
- deployments: providing experienced civilian personnel; and
- lesson learning: identifying and sharing best practice in the UK and internationally.

**941.** Afghanistan was the principal focus. On 12 December, Mr Brown announced in Parliament that the UK would make available £450m in development and stabilisation assistance for Afghanistan for 2009-2012, part of which would help fund:

“... Britain’s new cross-government Stabilisation Unit, which has Afghanistan as its first priority, and which, with a global budget of £260m over the next three years, will drive forward reconstruction projects and provide expert civilian support to rebuild basic services.”<sup>599</sup>

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<sup>595</sup> Minute Teuten to Drummond, 26 September 2006, ‘PCRU Directors’ Board Meeting: 2 October 2006’ attaching Paper PCRU, 27 September 2006, ‘PCRU Headline Achievements: August-September’ and Paper PCRU, September 2006, ‘PCRU: Lessons Learning and Evaluation’.

<sup>596</sup> [Minute Teuten to PS/Minister\(AF\), 17 November 2006, ‘Provincial Reconstruction Teams \(PRTs\) in Iraq and Afghanistan – A comparison’ attaching Paper PCRU, ‘Review of Provincial Reconstruction Teams \(PRTs\) in Iraq and Afghanistan’.](#)

<sup>597</sup> Report PCRU/DFID, 19 December 2006, ‘Refocusing civilian efforts in Basra in the run up to PIC’.

<sup>598</sup> [Paper Stabilisation Unit, December 2007, ‘Stabilisation Unit’.](#)

<sup>599</sup> House of Commons, *Official Report*, 12 December 2007, columns 305-306.

**942.** During 2008 and 2009, the SU produced three reports on Iraq, described in more detail in Section 10.2:

- a review of the Basra PRT;<sup>600</sup>
- a strategic review of the Governorates Capacity Building Project;<sup>601</sup> and
- a joint paper with the MOD Development, Doctrine and Concepts Centre on civilian-military relations in Basra.<sup>602</sup>

## **The Cabinet Office Task Force Review of Stabilisation and Civil Effect**

**943.** On 19 March 2008, during a statement to Parliament on the launch of the UK's National Security Strategy, Mr Brown announced that:

“... the National Security Strategy proposes a new departure – and again, it is a lesson learned from recent conflicts ranging from Rwanda to Bosnia to Iraq, Afghanistan and Somalia. It proposes to create a stand-by international civilian capability so that for fragile and failing states, we can act quickly and comprehensively by combining the humanitarian, peacekeeping, stabilisation and reconstruction support that those countries need. In the same way as we have military forces ready to respond to conflict, we must have civilian experts and professionals ready to deploy quickly to assist failing states and to help rebuild countries emerging from conflict, putting them on the road to economic and political recovery.

“I can tell the house that Britain will start by making available a 1,000-strong UK civilian stand-by capacity that will include police, emergency service professionals, judges and trainers. I am calling on EU and NATO partners to set high and ambitious targets for their contributions to such a force.

...

“In order to maximise our contribution to all the new challenges of peacekeeping, humanitarian work and stabilisation and reconstruction, the Secretary of State for Defence is also announcing this afternoon that, as part of a wider review, the Government will now examine how our reserve forces can more effectively help with stabilisation and reconstruction in post-conflict zones around the world.”<sup>603</sup>

**944.** The Cabinet Office launched the Stabilisation Task Force Review of Stabilisation and Civil Effect (shortened to Cabinet Office Task Force (COTF)) in June 2008.<sup>604</sup>

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<sup>600</sup> [Paper Stabilisation Unit, 3 September 2008, 'Review of the Basra Provincial Reconstruction Team'.](#)

<sup>601</sup> [Paper Stabilisation Unit, November 2008, 'Strategic Review of DFID Governorates Capacity Building Programme'.](#)

<sup>602</sup> [Paper Stabilisation Unit and Development, Doctrine and Concepts Centre, 27 February 2009, 'Civilian-Military Relations in Basra'.](#)

<sup>603</sup> House of Commons, *Official Report*, 19 March 2008, columns 927-928.

<sup>604</sup> [Letter Aldred to Gould, 24 July 2008, 'Stabilisation and Deployed Civil Effect' attaching Paper Stabilisation Review Team, 27 June 2008, 'Stabilisation and Deployed Civil Effect'.](#)

**945.** Ms Margaret Aldred, Deputy Head of the Overseas and Defence Secretariat (OD Sec) in the Cabinet Office, sent an interim report to departments on 24 July.

**946.** Ms Aldred explained the background to the Review:

“The UK’s current civil effect capability has developed without a clear long-term strategy, and more specific guidance is required on what our capability goals should be. Our assessment is that existing mechanisms do not provide confidence that current activity is effective (in terms of the skills and experience of the personnel deployed) or sustainable (in terms of our ability to maintain current commitments indefinitely). Moreover, there is no robust basis on which we could calculate our “standby” or “total” capacity – of civil servants, police or contractors/consultants. If we are to make real progress then we need to agree broad policy objectives for the capability around which we can design effective structures (or improve existing ones).”

**947.** The interim report proposed definitions of “stabilisation” and “civil effect” to define the scope of the review:

“Stabilisation’ is support to places emerging from violent conflict in:

- preventing or reducing violence;
- protecting people and key institutions;
- promoting political processes which lead to greater stability; and
- preparing for longer-term development and non-violent politics.

‘Civil effect’ is activity to build public confidence and support for an enduring peace and focuses on the ‘survival functions’ of a state:

- public order and the rule of law;
- basic public services; and
- economic stability.

For success, an integrated effort – bringing together the efforts of civilian agencies (including multilateral), military and local partners – is required.”

**948.** The interim report proposed a capability that would:

- support joint civil-military stabilisation operations with at least 100 civilians and 50 police continuously deployed;
- make a further contribution of up to 100 civilians and 100 police to a wider range of multilateral deployments;
- identify at least 1,000 personnel as a “UK Civilian Standby Capability”; and
- incorporate a “Stabilisation Volunteer Network” able to draw on a wider range of volunteers than existing mechanisms.

**949.** The report emphasised that funding issues would need to be resolved. Such a capability would cost between £8m and £10m a year to maintain, with additional and more substantial deployment costs.

**950.** On the multilateral response, the interim report recommended establishing a shared international assessment of need, leading by example in seeking agreed national targets for contributions, and seeking to improve international structures.

**951.** The Cabinet Office produced a supplementary report on 5 September.<sup>605</sup> The report proposed four options:

- the status quo: about 270 civilian personnel deployed at an estimated annual cost of £70m to £90m;
- a UK standby capacity able to deploy up to 350 better qualified personnel, costing £98m to £140m per year;
- an expanded standby capacity able to deploy 550 personnel, costing £122m to £171m; or
- a Civilian Reserve Corps of around 2,500 able to deploy 500 personnel at any one time, at significant additional cost.

**952.** The final paper, reflecting discussions between Sir Gus O'Donnell, Sir Andrew Turnbull's successor as Cabinet Secretary, and the FCO, MOD and DFID Permanent Secretaries, was produced for NSID(OD) on 21 January 2009.<sup>606</sup>

**953.** The paper stated that, although the UK's performance was improving as previous reforms and learning from operational experience took effect, the review had identified a number of problems:

“Whitehall structures to deliver civil effect are currently fragmented. MOD, DFID, FCO and the Stabilisation Unit each deploy personnel to stabilisation and civil effect missions. Problems include the lack of single-point accountability for stabilisation policy, objectives, capability and delivery in Whitehall: multiple and poorly co-ordinated mechanisms for resourcing civil effect; no effective unified performance management of individuals; little effective measurement of the overall impact of civil effect; no cross-Whitehall register of available skills; limited UK civil effect planning capability; and a SU role that lacks clarity, focus and authority.”

**954.** The paper's recommendations included:

- creation of a Civilian Standby Capacity (CSC) from at least 1,000 civilians and a further 500 police, to provide a capability to deploy continuously at least 350 pre-trained personnel;

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<sup>605</sup> [Paper Stabilisation Review Team, 5 September 2008, 'Review of Stabilisation and Deployed Civil Effect, Capability Options'](#).

<sup>606</sup> [Letter Aldred to Gould, 16 January 2009, 'Civil Effect' enclosing Paper Cabinet Office, \[undated\], 'Stabilisation and Deployed Civil Effect'](#).

- expansion and refocusing of the SU, under Director-level leadership, to become the single government delivery unit for civil effect with an enhanced planning capacity and rapid response capability;
- DFID to take increased responsibility for the SU and the CSC;
- the SU to lead delivery of civil effect on operations, but conflict and regional policy to remain a joint Cabinet Office/FCO/DFID/MOD responsibility;
- establishment of a cross-Whitehall Civil Service Stabilisation Cadre (CSSC), initially of at least 200 personnel;
- development of a new International Police Assistance Group (IPAG);
- creation of a Stabilisation Volunteer Network (SVN) to widen substantially the range of potential volunteers available; and
- the MOD to identify members of the Armed Forces Volunteer Reserves with relevant skills to be available to deploy as part of the CSC.

**955.** The review made no specific recommendations on enhancing multilateral stabilisation capacity, but stated:

“A significant UK commitment to develop enhanced national civilian capabilities ... will put us in a stronger position to argue for ambitious new capability targets for civilian deployable capacity, and to galvanise other contributions to improve the effectiveness of multilateral stabilisation and early recovery capabilities.”

**956.** The review explained that previous efforts to strengthen capabilities had “lacked the strategic drive, authority and resources to overcome the obstacles encountered”. Short-term operational requirements had diverted attention from medium-term capability development. An implementation team would therefore be set up before the end of February.

**957.** Sir Gus O’Donnell commented on 20 January that, while he agreed with the report, it had:

“... taken some time to get inter-departmental agreement on the way ahead ... I hope that departments will now be able to devote the energy and resources to this issue which will be essential if we are to have significant progress to report on delivery of real capability when the update of the National Security Strategy is published before the Summer Recess.”<sup>607</sup>

**958.** Ministers agreed the recommendations in the Cabinet Office review on 21 January.<sup>608</sup>

**959.** Dr Nemat Shafik, Sir Suma Chakrabarti’s successor as DFID Permanent Secretary, replied to Sir Gus O’Donnell on behalf of DFID, the FCO and the MOD.

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<sup>607</sup> [Letter O’Donnell to Gould, 20 January 2009, ‘Civil Effect’.](#)

<sup>608</sup> [Letter Shafik to O’Donnell, 16 February 2009, ‘Civil Effect’.](#)

She explained that DFID had already taken increased responsibility for the SU. The DFID Director chairing the SU Board would act as Senior Responsible Officer for the Unit and be responsible for developing capability and overall performance. More broadly, departments had agreed that the SU Board needed to provide “more active governance and direction” for the Unit than had been the case in the past.

**960.** In October 2009, the SU took over responsibility from the FCO for managing the deployment of civilians and police officers to international missions.<sup>609</sup>

**961.** The MOD, FCO and DFID produced a joint memorandum on progress against the recommendations in the Cabinet Office review for the House of Commons Defence Committee in December 2009.<sup>610</sup> The joint memorandum stated:

“A 1,000 strong civilian capability (of whom 200 can be deployed at any one time) has been developed ahead of schedule; greater capacity for planning and rapid reaction in [the] Stabilisation Unit will be in place by the December [2009] target date; and progress has also been made on deployment of military Reservists in a civilian capacity and police deployments. The additional capabilities have been developed at a significantly lower cost than originally envisaged.”

**962.** In a brief reference to Iraq, the joint memorandum stated:

“... SU managed consultants to support capacity building in Basra International Airport, leading to the handover to Iraqi control in January 2009, improved the effectiveness of donor support in rule of law nationally and undertook a series of reviews to improve the effectiveness of the Basra PRT and identify future lessons.”

**963.** In August 2010, the Royal United Services Institute (RUSI) published a review of the Government’s progress in promoting stability in countries emerging from conflict.<sup>611</sup> The review was written by Mr Richard Teuten, a Senior Visiting Fellow at RUSI and a former Head of the PCRU, and Mr Daniel Korski, Senior Policy Fellow at the European Council of Foreign Relations and a former Deputy Head of the PCRU.

**964.** The review concluded that, between 2005 and 2010, a drive towards greater inter-departmental co-operation had led to a number of institutional innovations, an increase in the resources available for stabilisation, new cadres of practitioners and

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<sup>609</sup> Briefing Stewart, [undated], ‘From Iraq to Afghanistan – The evolution of “Stabilisation”’.

<sup>610</sup> Seventh Report from the Defence Committee, Session 2009-10, *Third supplementary memorandum from the Ministry of Defence, the Foreign and Commonwealth Office and the Department for International Development: Strengthening of the Stabilisation Unit and implementation of the Cabinet Office Task Force review of stabilisation and civil effect, 15 December 2009.*

<sup>611</sup> R. Teuten and D. Korski, *Preparing for Peace. Britain’s Contribution and Capabilities*, RUSI, 2010.

improved co-ordination in-country, but that the UK was “not yet delivering on its full potential to engage in fragile states”. Five issues were highlighted:

“The first has been a mismatch between ambitions and resources ... a gap existed between what was expected by Cabinet Ministers and promised to the public, and what was resourced by way of programmes and capabilities ...

“The second concerns the mechanisms for the allocation of resources ... and the decisions on relative priorities ... The current system pushes effort towards current crises at the expense of forestalling future crises [and] perpetuates an imbalance between the use of military and civilian tools ...

“The third problem is the fact that loyalty remains to departments rather than to the Government as a whole ... Pooled funding arrangements account for only a small proportion of resources devoted to fragile states.

...

“Fourth, there are still areas where the UK’s ability to send the right people ... to work in hostile environments needs to be on a more sustained and reliable footing ... The gap between government ambition and UK capability on policing, for example, has if anything grown rather than diminished.

“Fifth and finally ... Lessons are recorded and stored by the MOD, DFID, the Foreign Office and academia, but rarely dusted off when new decisions have to be made at Ministerial or official level.”

**965.** In November 2010, the SU produced a paper on lessons learned from the UK’s growing experience of stabilisation activities.<sup>612</sup> Designed to “provide policymakers and practitioners with accessible material, which conveys both the breadth and depth of challenges facing the UK and other international partners”, the lessons included the need to:

- exercise caution when transferring lessons from one conflict to another;
- ensure that economic and development objectives complement and support efforts to promote a peaceful political process (an effective response required understanding of multiple political interests and how they are leveraged to impede or facilitate stabilisation);
- form a single multi-disciplinary and multi-departmental team;
- implement activities in a way that builds on local culture, context and the operating environment;
- adopt a flexible and adaptive approach to monitoring and evaluation;
- secure community engagement;

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<sup>612</sup> Paper Stabilisation Unit, November 2010, ‘Responding to Challenges in Hostile and Insecure Environments: Lessons Identified by the UK’s Stabilisation Unit’.

- apply rigorous quality assurance in selecting the right people;
- recognise non-state forms of local governance, security, justice and dispute resolution that are often more familiar and meaningful to most of the population than state-wide government; and
- adopt a two-speed approach to security (short-term stabilisation, principally through local actors, at the same time as creating the conditions for longer-term security sector reform).

**966.** Sir Gus O'Donnell and Sir Peter Ricketts, the National Security Adviser, sent an update on the SU to the Inquiry on 19 January 2011.<sup>613</sup> They reported that:

- 1,289 civilians had been approved for the Civilian Stabilisation Group (CSG), including 1,012 Deployable Civilian Experts (DCE) and 277 members of the CSSC;
- the SVN now included the Local Government Association (LGA), the National Health Service (NHS), private sector companies and a number of NGOs;
- the MOD and the SU continued to discuss the best ways of identifying Reservists' civilian skills and increasing interoperability;
- now the SU was responsible for international secondments and police deployments, it was the sole government delivery unit for civil effect;
- the SU could provide planning support to UK operations with or without a UK military presence, and to international partners;
- the SU would take the lead in establishing Stabilisation Response Teams (SRTs), the joint civilian-military capability announced in the 2010 SDSR; and
- a new International Police Assistance Group (IPAG) had been formed in September 2009 to develop more robust arrangements for delivering police capabilities for civil effect. A pool of 125 police officers was now on standby for deployment for stabilisation efforts.

**967.** The Building Stability Overseas Strategy (BSOS) was published in July 2011 by DFID, the FCO and the MOD.<sup>614</sup> The three departments undertook to strengthen their integrated approach to tackling instability and conflict by increasing the integration of skills and capacities across government. Those included:

- strong intelligence and assessments;
- diplomacy;
- development work;
- defence engagement;
- promotion of trade and open markets; and
- the SU.

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<sup>613</sup> Statement, 19 January 2011, Annex C.

<sup>614</sup> DFID, FCO and MOD, July 2011, *Building Stability Overseas Strategy*.

**968.** The BSOS stated that the SU could:

“... respond rapidly to conflict or pre-conflict situations on behalf of the Government, and in partnership with other key players. The Unit draws upon expertise from across government, the police and the military to deliver these outcomes. It also manages the Civilian Stabilisation Group of over 1,000 civilian experts from the public and private sector with critical stabilisation skills and expertise.”

**969.** The MOD told the Inquiry in 2013 that Reservists mobilised through the Military Stabilisation Support Group (MSSG) were routinely employed by the SU in a civilian capacity in the CSG.<sup>615</sup> The MOD explained that the MSSG provided a full-time Regular Liaison Officer to the SU. The Commander of MSSG was a member of the SU Management Board and attended the Building Stability Overseas Board as an observer.<sup>616</sup>

**970.** ‘The UK Government’s Approach to Stabilisation (2014)’, published by the SU in May 2014, listed four characteristics of the Government’s approach:

- Any action “will be planned and implemented with an overtly political objective in mind, ideally with a means of identifying success and a process of transition to longer-term recovery”. In some environments the political need to act might make things worse in the short term.
- It will be integrated and civilian-led, unifying effort across government, including when there are military-led tasks such as patrols to bolster security.
- It will be “flexible and targeted” and can be applied in a state or part of a state affected by violent political conflict.
- Stabilisation “will be transitory but cannot afford to be short term in outlook or objectives” and “must be planned or implemented with reference to other parallel or longer-term engagement”.<sup>617</sup>

**971.** The SU paper listed three “mutually reinforcing components of stabilisation”:

- protecting political actors, the political system and the population;
- promoting, consolidating and strengthening political processes; and
- preparing for longer-term recovery.

**972.** The SU used the example of Iraq to illustrate the importance of security as one of the three components:

“... the disbanding of the Iraqi security forces after the US-led invasion in 2003 meant that large numbers of previously enfranchised Sunnis at senior and junior levels now had no role in the new Iraqi state. This not only created a security

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<sup>615</sup> [Letter Ryan to Aldred, 7 June 2013, ‘Deployment of Military Reservists in a Civilian Role’.](#)

<sup>616</sup> [Letter Ryan to Aldred, 17 September 2013, ‘Deployment of Military Reservists in a Civilian Role’.](#)

<sup>617</sup> Paper Stabilisation Unit, May 2014, ‘The UK Government’s Approach to Stabilisation (2014)’.

vacuum which Allied forces did not have the capacity to fill but also resulted in alienation of the former army. This actively contributed to deterioration in security, hampered political progress and was a factor leading to the subsequent insurgency ...”

**973.** In 2014/15, the SU was based in the FCO and jointly owned by the FCO, MOD and DFID.<sup>618</sup> It used DFID financial and risk management systems and had a DFID Senior Responsible Officer.

**974.** The SU’s 2014/15 Business Plan explained that the Unit had an operational role across all three pillars of the BSOS:

- early warning;
- rapid crisis prevention and response; and
- investing in upstream prevention.<sup>619</sup>

**975.** The SU’s contribution included:

- being the hub for Joint Analysis of Conflict and Stability (JACS);
- supporting the UK National Security Council (NSC) by facilitating development of cross-government strategies for fragile and conflict-affected states;
- providing high-quality advice on the design and implementation of programmes funded by the Conflict Pool/Conflict, Stability and Security Fund (CSSF);<sup>620</sup>
- supporting the development of monitoring and evaluation guidance;
- capturing and disseminating lessons learned;
- maintaining the CSG database; and
- providing a hub for the Government’s non-operational international policing activity.

## The impact of the PCRU and the SU

**976.** Witnesses to the Inquiry gave conflicting evidence on the impact of the PCRU and the SU.

**977.** Mr Benn told the Inquiry:

“I think the PCRU and now the Stabilisation Unit is a very practical response to a need that has been identified.

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<sup>618</sup> Stabilisation Unit, March 2014, ‘Stabilisation Unit Business Plan 2014-15’.

<sup>619</sup> Stabilisation Unit, March 2014, ‘Stabilisation Unit Business Plan 2014-15’.

<sup>620</sup> The Conflict Pool funded UK conflict prevention, stabilisation and peacekeeping activities in support of the Building Stability Overseas Strategy. In April 2015 it was replaced by the Conflict, Stability and Security Fund (CSSF).

“Of course, it doesn’t provide the whole of the answer, but it means that you are in a better position to do that range of work that is required in these kinds of circumstances. So it is about learning lessons, building capacity to be able to do it better in the future.”<sup>621</sup>

**978.** Lord Walker, Chief of the Defence Staff from May 2003 to April 2006, was critical of the early days of the PCRU. He told the Inquiry that the problem of pulling together the strands of post-conflict activity had been an issue since the Balkans, but the PCRU had gone into “university mode: lots of discussions sitting round the table”.<sup>622</sup>

**979.** Sir Suma Chakrabarti also commented on the PCRU’s difficult start in 2005, but told the Inquiry that its performance had improved during 2006 and 2007, when it became “more focused on operational work, rather than ... policy and strategy, which was left with the three departments”.<sup>623</sup>

**980.** Dr Shafik, who succeeded Sir Suma Chakrabarti as Permanent Secretary at about the time the PCRU became the SU, told the Inquiry that the SU’s contribution in Iraq was “relatively modest, because, by that stage, the numbers of people that we needed to deploy were relatively small”, whereas in Afghanistan it had been “hugely important”.<sup>624</sup> In the early days the Unit had been a “body shop”, but it had “evolved enormously”, becoming “the repository for expertise on how to do stabilisation well” and, as it had built its credibility in Whitehall, starting to lead programmes in Afghanistan.<sup>625</sup>

**981.** Dr Shafik also confirmed that agreement had been reached with the MOD on incorporating military Reservists into the pool of deployable expertise available to the SU. The key was:

“... when people deploy, they have to be clear what they are doing. Are they there as a soldier or are they there as a civilian? I think that distinction of roles is quite important, but tapping into the expertise is a huge potential gain ... if a reservist, for example, happens to have skills in accounting or in agriculture, they can be employed by the Stabilisation Unit, but in their civilian capacity.”

**982.** Ms Lindy Cameron, Head of DFID Baghdad from 2004 to 2005, told the Inquiry that it was only the SU’s work to put civilians on military courses that had eventually begun to undermine some of the military’s preconceptions about DFID. It was not until then “that people realised that actually there was a real intention on DFID’s part to actually make this work collectively”.<sup>626</sup>

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<sup>621</sup> Public hearing, 2 February 2010, page 41.

<sup>622</sup> Public hearing, 1 February 2010, pages 63-64.

<sup>623</sup> Public hearing, 22 January 2010, page 42.

<sup>624</sup> Public hearing, 13 January 2010, page 30.

<sup>625</sup> Public hearing, 13 January 2010, pages 32-34.

<sup>626</sup> Public hearing, 22 June 2010, page 84.

## SECTION 10.4

### CONCLUSIONS: RECONSTRUCTION

#### Contents

Introduction and key findings .....	528
Pre-invasion planning and preparation .....	529
Occupation .....	530
Leadership of the UK's reconstruction effort .....	531
Failure to commit to ORHA .....	532
Returning to "a war footing" .....	534
The focus on the South .....	535
Transition .....	538
Preparation for withdrawal .....	540
A new focus on economic development in Basra .....	542
Civilian-military co-ordination on the ground .....	543
Reconstruction, strategy and planning .....	544
Energy security, oil and oil revenues .....	547
Support for UK business .....	549
The Government's approach to post-conflict reconstruction .....	549
The impact of the UK's reconstruction effort .....	551
Key economic and social indicators .....	553
Lessons .....	554

## Introduction and key findings

**1.** This Section addresses analysis and findings in relation to the evidence set out in Sections 10.1, 10.2 and 10.3 on:

- humanitarian assistance;
- the development and implementation of UK reconstruction policy, strategy and plans;
- the UK's engagement with the US and successive Iraqi Governments on reconstruction;
- the UK's policy on Iraq's oil and oil revenues;
- the Government's support for UK businesses in securing reconstruction contracts;
- debt relief; and
- the reform of the UK's approach to post-conflict reconstruction and stabilisation.

**2.** This Section does not address:

- planning and preparing to provide humanitarian assistance and reconstruction, which is addressed in Sections 6.4 and 6.5;
- the financial and human resources available for post-conflict reconstruction, addressed in Sections 13 and 15 respectively;
- de-Ba'athification and Security Sector Reform, addressed in Sections 11 and 12 respectively; and
- the development of UK strategy and deployment plans, addressed in Section 9.

**3.** During the period covered by the Inquiry, the Government used a number of different terms to describe post-conflict activity in Iraq, including "reconstruction". It did not generally define those terms. The Inquiry uses the term "reconstruction" in line with the Government's common usage:

- to include work to repair and build infrastructure, deliver essential services and create jobs;
- to include work to build the capacity of Iraqi institutions and reform Iraq's economic, legislative and governance structures; and
- to exclude Security Sector Reform.

## Key findings

- The UK failed to plan or prepare for the major reconstruction programme required in Iraq.
- Reconstruction was the third pillar in a succession of UK strategies for Iraq. The Government never resolved how reconstruction would support broader UK objectives.
- Following the resignation of Ms Clare Short, the International Development Secretary, and the adoption of UN Security Council resolution 1483 in May 2003, DFID assumed leadership of the UK's reconstruction effort in Iraq. DFID would subsequently define, within the framework established by the Government, the scope and nature of that effort.
- At key points, DFID should have considered strategic questions about the scale, focus and purpose of the UK's reconstruction effort in Iraq.
- The US-led Coalition Provisional Authority excluded the UK from discussions on oil policy and on disbursements from the Development Fund for Iraq.
- Many of the failures which affected pre-invasion planning and preparation persisted throughout the post-conflict period. They included poor inter-departmental co-ordination, inadequate civilian-military co-operation and a failure to use resources coherently.
- An unstable and insecure environment made it increasingly difficult to make progress on reconstruction. Although staff and contractors developed innovative ways to deliver projects and manage risks, the constraints were never overcome. Witnesses to the Inquiry identified some successes, in particular in building the capacity of central Iraqi Government institutions and the provincial government in Basra.
- Lessons learned through successive reviews of the UK approach to post-conflict reconstruction and stabilisation, in Iraq and elsewhere, were not applied in Iraq.

## Pre-invasion planning and preparation

4. When military operations against Iraq began on the night of 19/20 March 2003, the Government had not:

- made contingency preparations for the deployment of more than a handful of UK civilians to Iraq;
- allocated any funding for post-conflict reconstruction;
- drawn up any plans to deliver essential services and reconstruction in the South, in line with the UK's likely obligations as an Occupying Power;
- established mechanisms within Whitehall which could co-ordinate and drive post-conflict reconstruction; or
- allocated responsibility to any department or unit for planning and delivering the UK's contribution to post-conflict reconstruction.

5. Section 6.5 concludes that Ministers, officials and the military continued to assume that the US could act as guarantor of the UK's objectives, including its reconstruction objectives, in Iraq.

6. The Government had established the inter-departmental (FCO/MOD/DFID) Iraq Planning Unit (IPU) on 10 February 2003 to provide "policy guidance on the practical questions" that UK civilian officials and military commanders would face in a post-conflict Iraq.<sup>1</sup> The head of the IPU was a senior member of the Diplomatic Service, who reported to the FCO Director Middle East and North Africa.

7. The creation of the Ad Hoc Group on Iraq (see Section 6.4) in September 2002 and the IPU improved co-ordination across government at official level, but neither body carried sufficient authority to establish a unified planning process across the four principal departments involved – the FCO, the MOD, DFID and the Treasury – or between military and civilian planners.

8. Crucially, with the IPU focused on policy, there remained no department or unit with responsibility for delivering the UK's contribution to the reconstruction effort.

9. After the invasion force had rapidly brought down Saddam Hussein's regime, the UK's six-year engagement in Iraq fell into three broad phases, which the Inquiry has used to provide a simplified framework for describing events:

- **Occupation – March 2003 to June 2004:** during which the UK was formally a joint Occupying Power alongside the US, and Iraq was governed by the US-led Coalition Provisional Authority (CPA);
- **Transition – June 2004 to the end of 2005:** characterised by the increasing power of Iraqi politicians and institutions, and ending with elections and the formation of the Prime Minister Nuri al-Maliki's government; and
- **Preparations for withdrawal – 2006 to 2009:** during which period the UK sought to transfer its remaining responsibilities in Multi-National Division (South-East) (MND(SE)) to Iraqi forces so that it could withdraw its remaining troops.

## Occupation

10. Shortly after the beginning of military operations in Iraq, officials advised that the humanitarian assistance capabilities available in Iraq would be inadequate in the event of a protracted conflict, significant damage to infrastructure or large-scale movements of people. The use of chemical and biological weapons could also trigger a humanitarian disaster.

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<sup>1</sup> Letter Jay to Turnbull, 17 February 2003, 'Iraq Planning Unit' attaching Paper, [undated], 'Proposed Terms of Reference for the tract [sic] Planning Unit'.

**11.** In the event, those scenarios did not materialise. The preparations for large-scale humanitarian assistance made by the international community and, in the South, by the UK military were not tested.

**12.** By the middle of April 2003, DFID was beginning to look beyond humanitarian assistance to recovery and reconstruction.

### **Leadership of the UK's reconstruction effort**

**13.** When military operations against Iraq began, there was no single Ministerial lead for reconstruction in Iraq. Mr Jack Straw (the Foreign Secretary), Mr Geoff Hoon (the Defence Secretary) and Ms Clare Short (the International Development Secretary) remained jointly responsible for directing post-conflict planning and preparation.

**14.** Ms Short told DFID officials on 26 March 2003 that Mr Blair had given her responsibility for reconstruction in Iraq.

**15.** The following day, Sir Michael Jay, FCO Permanent Under Secretary, and Sir Andrew Turnbull, the Cabinet Secretary, agreed that “it was right that the FCO should take the overall Whitehall lead on reconstruction”, including a Cabinet Committee on reconstruction chaired by Mr Straw.<sup>2</sup> Sir Michael reported his concern that DFID were “still hankering after the leadership of the Iraq reconstruction agenda”.

**16.** In early April, Mr Blair agreed to the creation of the Ad Hoc Ministerial Group on Iraq Rehabilitation (AHMGIR), chaired by Mr Straw, “to formulate policy for the rehabilitation, reform and development of Iraq”.<sup>3</sup> The first meeting took place on 10 April.

**17.** The Cabinet Office provided secretariat support for the AHMGIR but responsibility for inter-departmental co-ordination remained with the IPU.

**18.** The creation of the AHMGIR offered the possibility of a more strategic and integrated UK approach to reconstruction, with a single Minister overseeing the development and implementation of reconstruction strategy and planning. But it should have been established earlier, to better support more coherent UK planning and preparations for the post-conflict period.

**19.** Although the AHMGIR commissioned and agreed a number of strategies and plans, it did not seek to manage them. It did not, for example, scrutinise and challenge departments' support for them, ensure that the structures and resources necessary to deliver them were in place, or require substantive reports on progress and impact.

**20.** In May 2003, following the resignation of Ms Short and the adoption of resolution 1483, DFID assumed leadership of the UK's reconstruction effort in Iraq and would subsequently define, within the framework established by the AHMGIR and successive

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<sup>2</sup> Minute Jay to Secretary of State [FCO], 27 March 2003, ‘Iraq: Reconstruction: Whitehall Co-ordination’.

<sup>3</sup> Letter Turnbull to Straw, 7 April 2003, ‘Iraq: Rehabilitation’.

UK strategies for Iraq, the scope and nature of that effort. There was no formal direction that DFID should take charge.

**21.** The IPU retained responsibility for all policy issues and for administering UK secondments to the CPA. The FCO retained responsibility for Security Sector Reform (see Section 12).

**22.** Mr Blair maintained a close interest in the UK's reconstruction effort and the contribution that progress here could make to achieving broader UK objectives. He pressed DFID on a number of occasions in 2003 and 2004 to accelerate the pace of reconstruction and focus its efforts more directly in support of the political process and security. DFID Ministers responded by highlighting work that was already under way and the difficulties of making progress in the face of growing insecurity.

**23.** By late 2004, Mr Blair's attention was increasingly focused on the political process, security and "Iraqisation".

## Failure to commit to ORHA

**24.** When military operations against Iraq began, the UK had not made a decision on the level and nature of its support for the US-led Office of Reconstruction and Humanitarian Assistance (ORHA), the body responsible for immediate post-conflict administration and reconstruction.

**25.** The 10 April meeting of the AHMGIR, which Mr Straw chaired and Ms Short attended, agreed that the UK should increase its support for ORHA. That decision reflected an assessment by the IPU that, although ORHA remained "in many ways a sub-optimal organisation", it was also "the only game in town".<sup>4</sup> Greater UK engagement with ORHA would help ensure that it did not pursue activities which the UK judged not to be legal.

**26.** The FCO sought volunteers to deploy to ORHA on 22 April. The first arrived in Iraq in early May.

**27.** Mr Straw visited ORHA on 14 April. He later wrote in his memoir:

"I could not believe the shambles before my eyes. There were around forty people in the room, who, somehow or other, were going to be the nucleus of the government of this large, disputatious and traumatised nation."<sup>5</sup>

**28.** Ms Short received a report from a DFID official the following day:

"... ORHA is incredibly awful ... There may be things we could do to support it, but it would be a political judgement (and a big political risk)."<sup>6</sup>

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<sup>4</sup> [Paper IPU, 28 March 2003, 'Iraq: Office for Reconstruction and Humanitarian Assistance \(ORHA\)'](#).

<sup>5</sup> Straw J. *Last Man Standing: Memoirs of a Political Survivor*. Macmillan, 2012.

<sup>6</sup> Minute Bewes to Secretary of State [DFID], 15 April 2003, [untitled].

- 29.** On 17 April, Mr Blair agreed that the UK should “increase significantly the level of ... political and practical support to ORHA, including the secondment of significant numbers of staff in priority areas”.<sup>7</sup>
- 30.** Notwithstanding the Government’s decision to increase support for ORHA, Ms Short remained cautious about the extent of DFID’s engagement. Her assessment was that ORHA was not the only game in town. In particular, “immediate assistance” was a job for the International Committee of the Red Cross (ICRC) rather than ORHA.<sup>8</sup> While ORHA was responsible for “paying wages”, other recovery issues would emerge from a formal needs assessment undertaken by the World Bank and the International Monetary Fund (IMF).
- 31.** Ms Short concluded on 23 April that DFID needed “one or two people” within ORHA to act as DFID’s “eyes and ears”. DFID “should not bow to external pressure to put people into ORHA for the sake of it”.
- 32.** Ms Short’s assessment reflected her reluctance to engage in post-conflict activity other than for the immediate humanitarian response to conflict, until it was confirmed that the UN would lead the reconstruction effort.
- 33.** ORHA was, as Ministers and officials had reported, an extremely weak organisation. But it was the organisation responsible for immediate reconstruction, and the scale and urgency of the reconstruction challenge was already apparent. DFID should have supported the Government’s decision to increase support for ORHA. The decision to adopt a unilateral position fed concerns within Whitehall and in Iraq over the lack of DFID engagement.
- 34.** The AHMGIR agreed on 24 April that the UK should offer to play “a leading role” in ORHA(South), provided that ORHA confirmed that the UK would not be required to pay for reconstruction.<sup>9</sup> The AHMGIR also endorsed the UK military assumption that the post-conflict UK Area of Responsibility (AOR) would comprise four provinces in southern Iraq coterminous with the boundaries of ORHA’s southern region.
- 35.** The AHMGIR did so at a time when there was considerable concern about ORHA’s capabilities and without robust analysis either of the strategic implications for the UK or of the military’s capacity to support the UK’s potential civilian obligations in the region.
- 36.** Ambassador Paul Bremer arrived in Baghdad on 12 May to lead the CPA. The creation of the CPA signalled a change in US policy: instead of a rapid withdrawal, the US was now working on the assumption of a protracted occupation. ORHA was absorbed into the CPA in June.

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<sup>7</sup> [Letter Rycroft to McDonald, 17 April 2003, ‘Iraq: ORHA’.](#)

<sup>8</sup> Minute Bewes to Miller, 24 April 2003, ‘Iraq: 23 April’.

<sup>9</sup> Minutes, 24 April 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

## Returning to “a war footing”

**37.** In early summer 2003, there was a chance for the Government to revisit its reconstruction effort to put it on a more sustainable basis.

**38.** On 12 May, Baroness Amos succeeded Ms Short as International Development Secretary. Baroness Amos’s arrival coincided with reports from Basra that ORHA’s inability to deliver reconstruction might undermine the level of consent enjoyed by UK forces in the South, and hence affect plans for their withdrawal.

**39.** Baroness Amos immediately signalled DFID’s willingness to do more on reconstruction.

**40.** On 22 May, the UN Security Council adopted resolution 1483. The resolution formally designated the US and UK as joint Occupying Powers in Iraq. It confirmed that the UN would not – as the Government had at an earlier stage assumed – have lead responsibility for the administration and reconstruction of Iraq. Sir Suma Chakrabarti, DFID Permanent Secretary from 2002 to 2007, told the Inquiry that Ms Short’s resignation and the adoption of the resolution led to a significant shift in DFID’s attitude: “From that point on, we had to try and make ORHA work better whether we liked it or not.”<sup>10</sup>

**41.** Resolution 1483 also created the Development Fund for Iraq (DFI) to hold 95 percent of Iraq’s oil revenues and other Iraqi assets, and imposed joint US/UK responsibility (as Occupying Powers) over disbursements from it. The CPA would use those revenues to fund Iraq’s reconstruction; of the US\$19.4bn spent by the US/CPA on the relief and reconstruction of Iraq during the Occupation, US\$14bn came from the DFI and a further US\$2.4bn from vested and seized Iraqi assets.

**42.** Section 9.8 concludes that resolution 1483 set the conditions for the CPA’s dominance over post-invasion strategy and policy by handing it control of funding for reconstruction and influence on political development.

### UK scrutiny of disbursements from the Development Fund for Iraq

Resolution 1483, which was adopted on 22 May 2003, provided that disbursements from the Development Fund for Iraq (DFI) would be “at the direction of the Authority [the US and UK as Occupying Powers], in consultation with the interim Iraqi administration”. By that time, the US was committed to a protracted Occupation and it was not clear when an interim Iraqi administration would be established.

On 10 June 2003, the CPA issued a regulation that gave Ambassador Paul Bremer, as “Administrator of the CPA”, authority to oversee and control the establishment, administration and use of the DFI and to direct disbursements from the DFI.

<sup>10</sup> Public hearing, 8 December 2009, page 34.

Audits undertaken by the US Special Inspector General for Iraq Reconstruction (SIGIR) found that the CPA failed to enforce adequate management, financial and contractual controls over approximately US\$8.8bn of DFI money, and that there was “no assurance that the funds were used for the purposes mandated by resolution 1483”.<sup>11</sup> Ambassador Bremer disagreed with that assessment.

The CPA excluded the UK from decisions on disbursements from the DFI. Sir Jeremy Greenstock, the Prime Minister’s Special Representative on Iraq from September 2003 to March 2004, told the Inquiry: “The UK was not allowed sight of any of the figures on the use of money by the CPA ... London made it quite clear that they didn’t expect me to be responsible for this.”<sup>12</sup>

Section 9.8 addresses the UK’s inability to influence decisions made by the CPA, commensurate with its responsibilities as an Occupying Power.

**43.** On 3 June, following a visit to Iraq, Mr Blair told Ministers that the Government should return to “a war footing” to avoid “losing the peace in Iraq”.<sup>13</sup>

**44.** Following the adoption of resolution 1483, with the AHMGIR now established, and with Mr Blair and DFID engaged, there was a chance to set clear and realistic priorities for the UK’s reconstruction effort, within the framework provided by a broader UK strategy for Iraq, and to identify and secure the human and financial resources necessary to manage and deliver that effort.

**45.** Despite Mr Blair’s recognition of the risk that the UK could lose the peace in Iraq, the Government failed to take that chance. There are no indications that Mr Blair’s direction led to any substantive changes in the UK’s reconstruction effort.

**46.** From early June 2003, and throughout the summer, there were signs that security in Baghdad and the South was deteriorating. Following the attack on UN staff on 19 August, UN and other international staff withdrew from Iraq.

### The focus on the South

**47.** The Government was aware by early June that the Danish Head of ORHA(South), Ambassador Ole Olsen, might shortly leave Iraq.

**48.** In June, driven by the Government’s concern over the declining level of consent for the UK military presence in the South, which the Government attributed to CPA(South’s) inability to deliver reconstruction, DFID agreed to provide £15m to support CPA(South) and Quick Impact Projects (QIPs) delivered by the UK Armed Forces. DFID and MOD officials also advised Ministers that the Government needed to “identify a line of

<sup>11</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>12</sup> Private hearing, 26 May 2010, pages 50-51.

<sup>13</sup> [Letter Cannon to McDonald, 3 June 2003, ‘Iraq: Prime Minister’s Meeting’, 3 June’.](#)

funding that will ... cover the costs of being an Occupying Power until other sources are freed up".<sup>14</sup>

**49.** The Inquiry has seen no indications that any work was done to identify an alternative source of funding. The UK's assumption remained that the US/CPA should provide funding for the South.

**50.** Section 9.8 concludes that, from early July, security was seen in Whitehall as the key concern. A circular analysis began to develop, in which progress on reconstruction required security to be improved, and improved security required the consent generated by reconstruction.

**51.** Cabinet agreed on 3 July that the UK should make CPA(South) "a model".<sup>15</sup> What that meant, and what resources might be required to realise it, was not specified or recognised as an issue. It was ill-advised to set ambitious objectives without any plan or commitment of resources for meeting them.

**52.** By 9 July, Sir Michael Jay had agreed with FCO officials that a British official should replace Ambassador Olsen as Head of CPA(South), if he decided to resign.

**53.** Ministers agreed the following day that the UK should offer to replace Ambassador Olsen with a British official.

**54.** Although the significant strategic, resource and reputational implications of such a decision had been identified in March and April 2003, there are no indications that those assessments were reviewed, or that any arrangements were to put in place to support a British Head of CPA(South) and, more broadly, the UK's leadership of CPA(South).

**55.** Sir Hilary Synnott arrived in Basra on 30 July to take up post as Head of CPA(South). Sir Hilary wrote in his memoir that his arrival, along with the British military command of MND(SE), established "some sort of British Fiefdom" in the South, but one which he saw as "still entirely dependent on American resources for its lifeblood".<sup>16</sup>

**56.** Sir Jeremy Greenstock, the Prime Minister's Special Representative on Iraq from September 2003 to March 2004, told the Inquiry that there was a "separation in the American mind between the British area and the rest of Iraq, which was their area".<sup>17</sup> Sir Jeremy added that that separation was reflected in the US resources available for the South: "The Americans said let the Brits look after Basra."<sup>18</sup>

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<sup>14</sup> Annotated Agenda, 12 June 2003 Ad Hoc Group on Iraq Rehabilitation meeting attaching Paper DFID/MOD, 11 June 2003, 'UK Support to the CPA South Area – Next Steps'.

<sup>15</sup> Cabinet Conclusions, 3 July 2003.

<sup>16</sup> Synnott H. *Bad Days in Basra: My Turbulent Time as Britain's Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

<sup>17</sup> Public hearing, 15 December 2009, page 94.

<sup>18</sup> Private hearing, 26 May 2010, page 54.

**57.** In his first report from Basra, sent on 7 August, Sir Hilary wrote that he currently had no secure communication with Baghdad or London, there were no telephone landlines and mobile coverage was patchy.

**58.** On 10 and 11 August, there were serious riots in Basra. Cabinet Office officials attributed the disturbances to increasing frustration with the Coalition's failure to restore basic services. Ministers agreed that Sir Hilary "should be given such assistance and staff as he deemed necessary to improve the workings of CPA(South)".<sup>19</sup>

**59.** At the end of August, Sir Hilary Synnott requested 37 specialist staff and 20 armoured vehicles for CPA(South). He requested a further 44 staff at the end of October. In his valedictory report in January 2004, Sir Hilary stated that:

"A bid for 37 additional and expert staff ... was endorsed by Ministers immediately ... by early January, 18 of the 37 new staff had still not arrived."<sup>20</sup>

**60.** The FCO did not provide adequate practical support to Sir Hilary Synnott as Head of CPA(South).

**61.** Departments' failure to respond to Ministers' demands for additional civilian personnel in Basra and elsewhere in Iraq is addressed in Section 15.2.

**62.** The decision to take on the leadership of the CPA(South) had significant implications, lasting well beyond the end of the Occupation. The South would occupy the attention of Ministers and senior officials and absorb the majority of the UK resources available for reconstruction.

**63.** Sir Michael Jay was aware, in particular through his participation in Mr Blair's 6 March and 17 April meetings, that the decision to provide the Head of CPA(South) would have significant resource implications. He did not ensure that those were addressed.

**64.** Sir Michael, as FCO Permanent Under Secretary, failed to ensure that the FCO provided the support needed by Sir Hilary Synnott as Head of CPA(South).

**65.** On 15 November, the Iraqi Governing Council unveiled a timetable for the transfer of power to a transitional Iraqi administration by 30 June 2004, at which point the CPA would be dissolved. The announcement took UK officials and contractors working in the CPA by surprise.

**66.** The decision to transfer power earlier than had been expected (the CPA's plans had extended for some years) had significant implications for the reconstruction effort. The CPA focused on programmes which could deliver a visible and immediate impact in support of reconciliation and the political transition process, and shelved programmes

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<sup>19</sup> Minutes, 28 August 2003, Ad Hoc Ministerial Group on Iraq Rehabilitation meeting.

<sup>20</sup> [Telegram 10 Basra to FCO London, 26 January 2004, 'Basra Valedictory'](#).

(such as privatisation) that risked undermining that process. It also sought to increase support for Iraqi government institutions, to prepare them to fulfil their responsibilities for the administration of Iraq (in only seven months' time).

**67.** In December, DFID approved the first of a series of projects which aimed to build the capacity of key institutions at the centre of the Iraqi Government, including the Prime Minister's Office. The Treasury also provided support to the Iraqi Government on budgeting and financial management.

**68.** Resolution 1546, which was adopted on 8 June 2004, endorsed the formation of a sovereign Interim Government of Iraq (IGI) which would assume full responsibility for governing Iraq by 30 June 2004. The IGI would have "the primary role" in co-ordinating international assistance, with the support of the UN.<sup>21</sup>

**69.** The resolution requested Member States, international financial institutions and other organisations to strengthen their efforts to support reconstruction and development.

## Transition

**70.** At the end of June 2004, the CPA formally handed over power to the Interim Iraqi Government (IIG) and the US and UK ceased to be Occupying Powers in Iraq. Mr Hilary Benn, the International Development Secretary, welcomed the fact that "Iraqis were clearly in charge" and that the UK was moving "from a phase of doing things for the Iraqis to supporting them doing it for themselves".<sup>22</sup> Despite that, there were concerns among DFID officials that the IIG was ill-prepared to administer Iraq and lead the reconstruction effort.

**71.** Both the incoming Iraqi Government and the US established new structures to manage and deliver reconstruction in Iraq.

**72.** The UK's priorities were to maintain the momentum of the political process towards elections in January 2005 and to ensure that the conditions for the drawdown of UK forces (planned to begin in 2005) were achieved.

**73.** An immediate UK concern was the growing insurgency in Sunni areas. During the autumn, Mr Blair pressed DFID to increase the pace of reconstruction so that Iraqi citizens could see a reconstruction dividend before the elections and to do more in cities across Iraq where the IIG had regained control from insurgents.

**74.** DFID's response focused on the steps it had already taken to accelerate the pace of reconstruction in the South, in the face of growing insecurity. It did not substantively address Mr Blair's request that it should do more in cities where the IIG had regained control from insurgents.

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<sup>21</sup> UN Security Council resolution 1546 (2004).

<sup>22</sup> Minutes, 1 July 2004, Ad Hoc Ministerial Group on Iraq Rehabilitation meeting.

**75.** Mr Blair’s assessment of the contribution that reconstruction could make to addressing insecurity in Iraq and to achieving wider UK objectives was reasonable. While there were certainly obstacles to increasing DFID’s focus on the areas identified by Mr Blair, including insecurity and the dominant role of the US, DFID should have reviewed its effort in Iraq in the light of the worsening situation on the ground. It did not do so.

**76.** From this point on, Mr Blair increasingly focused on pressing issues relating to the political process, security and “Iraqisation” (building the ability of Iraqi Security Forces to take the lead on security within Iraq).

**77.** By the end of 2004, the obstacles to delivering reconstruction in the South were clear.

**78.** Insecurity remained the most serious obstacle to progress.

**79.** The UK had been pressing the US to move quickly to establish a reconstruction presence in the South since the transition to the IIG in June 2004. In December, officials confirmed that the US intended to focus on reconstruction projects that had a more immediate and visible impact at the expense of larger, longer-term projects, and was likely to reallocate funding from more to less stable areas of Iraq. That meant less US funding for the South. Mr Chakrabarti reported that:

“As junior partners in the coalition, our ideas are listened to, but our influence over US spending will remain limited. We need to face up to the fact: the South will not be a strategic priority for the US.”<sup>23</sup>

**80.** At the same time, concerns grew over the capacity of the Iraqi Government to lead and manage the reconstruction effort. Faster progress on reconstruction was unlikely without greater Iraqi capacity, and building that capacity could take years. A particular concern for the UK was the weakness of the relationship between Baghdad and Basra. That relationship would become increasingly difficult.

**81.** The UN and World Bank continued to limit their presence on the ground in Iraq.

**82.** Reports from Iraq highlighted that progress in delivering essential services, and in particular power, had fallen far below Iraqi expectations.

**83.** DFID concluded in December 2004 that it would “have to take more of the strain bilaterally in 2005”.<sup>24</sup> Planned support for infrastructure in the South would be brought forward.

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<sup>23</sup> Minute Chakrabarti and Drummond to Secretary of State [DFID], 13 December 2004, ‘Iraq Visit, 6-8 December’.

<sup>24</sup> Minute Chakrabarti and Drummond to Secretary of State [DFID], 13 December 2004, ‘Iraq Visit, 6-8 December’.

## UK funding for reconstruction

DFID provided £297m for reconstruction and a further £209m for humanitarian assistance in Iraq between 2002/03 and 2009/10. Iraq was DFID's largest bilateral programme in 2003/04, when DFID spent a total of £220m. That included a £110m contribution to the humanitarian relief effort following the invasion and a £70m contribution to the World Bank and UN Trust Funds (which would be spent by the World Bank and UN in subsequent years). The size of DFID's programme decreased over the following years.

In addition, UK forces in MND(SE) spent £38m from UK funds on Quick Impact Projects (QIPs).

It is not possible, from the information available to the Inquiry, to produce a definitive breakdown of the allocation of DFID funding between national programmes and programmes in the South. The Inquiry calculates that, from 2003/04 to 2007/08, between 76 percent and 52 percent of DFID funding was allocated to programmes in the South.<sup>25</sup> DFID's expenditure in the South peaked in 2005/06.

UK forces also had access to significant amounts of US funding from the Commander's Emergency Response Program (CERPs) to spend on urgent relief and reconstruction needs. The Government has not been able to provide a full breakdown of the amount of CERPs funding used by UK military commanders, but it appears to have been greater than the total amount provided by the UK for reconstruction. The US allocated US\$66m from CERPs to MND(SE) in the US fiscal year 2005/06. In the same year, in MND(SE), DFID spent some £35m on infrastructure and job creation and the MOD spent £3m from UK funds on QIPs.

By April 2009, the US had spent or allocated to ongoing projects US\$351m from CERPs in MND(SE), and spent or allocated to ongoing projects some US\$3.3bn from all sources in MND(SE). Over the same period, in MND(SE), DFID spent at least £100m and the MOD spent £38m from UK funds on QIPs.

UK funding was also available for Iraq from the Global Conflict Prevention Pool (and subsequently the Stabilisation Aid Fund and the Conflict Pool). Most of that funding was allocated to Security Sector Reform (see Section 12).

## Preparation for withdrawal

**84.** From June 2005, the Government considered a series of papers on the transfer of security responsibilities for southern provinces to Iraqi Security Forces (leading to withdrawal of UK forces from Iraq).

**85.** DFID assessed that it could not operate effectively in the South without UK military support and, in October, indicated its intention to refocus on building the capacity of the Iraqi Government in Baghdad. Existing projects in the South would continue to completion but, given the security situation, no new projects would be started.

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<sup>25</sup> Calculation excludes DFID funding for humanitarian assistance, the World Bank and UN Trust Funds, and programme support costs such as security, accommodation and communications. It is not possible to produce a reliable estimate of the proportion of the funding provided for those purposes that related to the South.

**86.** There was some resistance to that new approach from other departments: it was not until October 2006 that a DFID official could advise Mr Benn that “we have largely won the argument that DFID should shift focus ... to technical assistance in Baghdad”.<sup>26</sup>

**87.** In October 2005, the US launched its new “Clear-Hold-Build” strategy for Iraq. One component of the strategy was the deployment of integrated civilian-military Provincial Reconstruction Teams (PRTs) into each Iraqi province.

**88.** The US initiative created a dilemma for the UK: how to meet US expectations that the UK would play a leading role in establishing PRTs in the South and that each PRT should be a “new venture” supported by additional resources, while not disrupting the UK’s plans to withdraw.<sup>27</sup> The Government’s solution was to “be constructive; find out more and try and influence the US approach; and ... repackage our effort in the South as a PRT but not do very much differently”.<sup>28</sup> UK plans for withdrawal would not change.

**89.** The UK-led PRT in Basra was established in May 2006, by bringing together existing US, UK and Danish programme teams.

**90.** An FCO paper described the situation in Basra at that time:

“Security and governance in Basra are bad and worsening ... Attacks on us, and both criminal and sectarian violence, are rising. Basic services are not being delivered ...

“The UK civilian effort in Basra is increasingly hunkered down. We face a lack of co-operation from the local authorities and severe restrictions on our movement. Our local staff ... suffer growing intimidation. Against this background, much of our effort – notably the Provincial Reconstruction Team we are standing up ... can make little headway.”<sup>29</sup>

**91.** The UK’s response to the US strategy, including the introduction of PRTs, was entirely shaped by its plans to withdraw (militarily and in relation to reconstruction). The decision simply to repackage the UK effort meant that the possibility of establishing a coherent international effort in the South, adapted to the difficult security environment, was left unexplored. The PRT was a less effective organisation than it might have been. The weaknesses in the PRT would be exposed in 2008, as security improved and international partners looked to it to do more.

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<sup>26</sup> Minute DFID [junior official] to Private Secretary [DFID], 6 October 2006, ‘Iraq: Future for DFID Programme from 2007’.

<sup>27</sup> eGram Baghdad to FCO London, 22 November 2005, ‘Iraq: Update PRTs’.

<sup>28</sup> Minute DFID [junior official] to Private Secretary [DFID], 1 November 2005, ‘Iraq: Oral Briefing in Preparation for DOP(I), 3 November’.

<sup>29</sup> Paper FCO, 27 April 2006, ‘DOP(I): Basra’.

### The Better Basra Plans

Between June 2006 and March 2007, officials in Basra produced three “Better Basra Plans”, which aimed to get Basra on track for the transfer to Provincial Iraqi Control (PIC).

The first, produced under the direction of Mr Des Browne, the Defence Secretary, focused on Security Sector Reform. The third was a comprehensive plan, produced by the British Embassy Office Basra, MND(SE) and the PRT, setting out nine lines of operation including reconstruction under an “over-arching political strategy”.

The Stabilisation Unit subsequently reported that the “Better Basra Plans” had gone some way to make up for the absence of a UK strategy for Iraq, but had been undermined by a lack of strategic guidance from Whitehall and frequent changeover of personnel in theatre, and so “eventually fell by the wayside during the course of 2007”.<sup>30</sup>

**92.** The security situation in Basra continued to deteriorate. In October 2006, the majority of civilian staff were withdrawn from the Basra Palace Compound to Basra Air Station (BAS), where MND(SE) was already based. The lack of hardened accommodation at BAS meant that the PRT withdrew first to Kuwait and redeployed to BAS in February 2007.

### A new focus on economic development in Basra

**93.** Mr Gordon Brown took office as Prime Minister at the end of June 2007. In relation to Iraq, he focused his attention on initiatives to support economic growth and private sector investment in Basra. DFID increased staffing in both Basra and Baghdad to support those economic initiatives.

**94.** The UK-led PRT in Basra continued to be the primary means of delivering the UK’s reconstruction effort in the South.

**95.** In March 2008, Prime Minister Maliki launched a major offensive against militia groups in Basra, known as the “Charge of the Knights”. The operation led to an immediate improvement in the security situation in Basra. The US and the Iraqi Government moved quickly to exploit it by pouring in resources for reconstruction and in particular for projects which would have an immediate, visible impact.

**96.** A junior DFID official reported from Basra that it seemed the US could “do things” that the UK had not tried.<sup>31</sup> It was able to dedicate more people and more money to the task; change the security environment to secure better civilian access; operate outside Iraqi structures; ensure better linkages to US work in Baghdad; and “apply sufficient clout at the Baghdad end” to secure the Iraqi Government’s attention.

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<sup>30</sup> [Report Stabilisation Unit, 3 September 2008, ‘Review of the Basra Provincial Reconstruction Team’.](#)

<sup>31</sup> [Email DFID \[junior official\] to DFID \[junior official\], 9 April 2008, ‘Basra’.](#)

**97.** Within the UK Government, initial reactions to those developments were mixed. Some saw them as an opportunity, others as undermining the UK's work to build the capacity of the provincial government (which risked being sidelined by decisions to channel funds directly to line ministries, tribal leaders and non-governmental organisations), as a distraction for the UK team, and as a risk to the UK's reputation.

**98.** Mr David Miliband, the Foreign Secretary, wrote to Mr Brown in April, describing the Charge of the Knights as “an opportunity” which had paved the way for a “proper and respectable end” to the UK's role as “lead partner in the coalition” in the course of 2009.<sup>32</sup>

## Civilian-military co-ordination on the ground

**99.** The withdrawal of civilian staff from Basra Palace in October 2006 came as frustrations within some elements of the military over the lack of an integrated civilian-military effort reached a critical point.

**100.** In March and April 2003, the Government had adopted new structures, centred on the AHMGIR, to co-ordinate its work on Iraq in the post-conflict period. There are no indications that the Government considered how civilian teams from different departments and the military would co-ordinate their efforts on the ground. It was left to those teams to determine how they should work together.

**101.** In December 2006, Major General Richard Shirreff, General Officer Commanding (GOC) MND(SE), wrote to Mr Blair proposing that the UK should establish a Joint Inter-Agency Task Force combining military and civilian reconstruction expertise under military command. Lt Gen Shirreff told the Inquiry that, by that time, the “inter-governmental piece” had failed, and characterised his proposal as “desperate times and desperate measures”.<sup>33</sup>

**102.** Maj Gen Shirreff's proposal was the subject of heated debate within the Government. Mr Blair expressed support for it, but it was rejected by the MOD, other senior military officers, the FCO and DFID. Sir Nigel Sheinwald, Mr Blair's Foreign Policy Adviser, advised Mr Blair that there had been constant problems between military and civilian teams in Basra “from the start” and concluded: “We must make a last effort to get a joined up operation.”<sup>34</sup>

**103.** The Government concluded that it was not appropriate to establish a military lead for reconstruction. The co-location of MND(SE), the PRT and other civilian teams at BAS was expected to help co-ordination. In March 2007, the UK civilian and military teams in

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<sup>32</sup> [Letter Miliband to Prime Minister, 29 April 2008, 'Iraq'](#).

<sup>33</sup> Public hearing, 11 January 2010, pages 20-21 and 42.

<sup>34</sup> [Minute Sheinwald to Prime Minister, 5 January 2007, 'Iraq: Weekly Update' attaching Note Cabinet Office, 5 January 2007, 'Basra'](#).

Basra proposed a new structure, with a civilian lead, to co-ordinate the UK's effort in the South.

**104.** Reports from Basra after March 2007 indicate that civilian-military co-ordination improved.

**105.** Co-ordination on the ground was complicated by:

- the lack of an integrated UK strategy (within which civilian and military teams on the ground could locate their efforts); and
- the physical separation of the UK's civilian and military teams until February 2007 – the effect of that separation was exacerbated by the constraints on travel in Basra and the lack of a common communications system.

**106.** The Government should have acted much sooner to support civilian-military co-ordination on the ground in Iraq.

## Reconstruction, strategy and planning

**107.** Section 9.8 concludes that the Government's frequent new strategies for Iraq did not result in substantial changes in direction, due to their focus on describing a desired end state (rather than on how it would be reached), the absence of a Cabinet Minister with overall responsibility for Iraq, and the difficulty in translating Government strategy into action by departments. Although Iraq was designated the UK's highest foreign policy priority, it was not the top priority within individual departments.

**108.** Throughout the period, reconstruction was presented as the third pillar of UK strategy, after the political process and security. None of the UK's strategies defined how reconstruction related to the political process and security, how progress on reconstruction could contribute to achieving broader UK objectives and, in that context, whether the focus and scale of the UK's reconstruction effort was appropriate.

### The role of reconstruction

Only once during the period covered by the Inquiry were Ministers invited to consider fundamental questions on the size, focus and impact of the UK's reconstruction effort and the contribution that reconstruction could make to achieving broader UK objectives.

The Ministerial Committee on Defence and Overseas Policy on Iraq (DOP(I)), chaired by Mr Blair, met for the first time on 26 May 2005.<sup>35</sup> The Annotated Agenda for the meeting, prepared by the Cabinet Office, invited Ministers to consider a number of questions, including:

- Was the funding available for reconstruction across Government adequate?
- Was the UK investing at a level that supported its objective of creating stability such that there could be troop withdrawals?

<sup>35</sup> Annotated Agenda, 24 May 2005, DOP(I) meeting.

- Was the UK delivering a short-term return which would boost the political process?

Those were important questions. It should not have taken until May 2005 for officials to pose them, or for Ministers to require advice on them.

DOP(I) did not address those questions.

Work by officials to establish the funding available for reconstruction across Government was fed into discussions on the UK's deployment to Helmand province, Afghanistan.

**109.** DFID's intent in March 2003 was to deliver a development programme in Iraq which fitted their standard model for Middle-Income Countries. The programme would focus on providing technical assistance for the economic and institutional reforms which would underpin the reconstruction process and, given Iraq's potential wealth, would be relatively short term. The majority of assistance would be delivered through multilateral channels.

**110.** That approach was not tailored to the known scale and nature of the post-conflict reconstruction task in Iraq. The information available to the Government before the invasion clearly set out the deteriorated state of Iraq's infrastructure. Ms Short told the House of Commons at the end of January 2003 that Iraq's infrastructure was "in chronic disrepair. Hospitals, clinics, sanitation facilities and water treatment plants suffer from a terrible lack of maintenance. The result is that the Iraqi people's lives are perilously fragile."<sup>36</sup>

**111.** By May 2003, DFID had begun to change its approach.

**112.** There were two major shifts in DFID's focus in Iraq over the period covered by the Inquiry, in response to broader UK objectives and the situation on the ground. The speed and scale of DFID's response were informed by its own departmental priorities.

**113.** Those shifts were the product of series of individual judgments and decisions by DFID Ministers and officials, rather than of a structured strategy-making process. That incremental approach was facilitated by the weaknesses in the Government's strategy-making process (described in Section 9.8).

**114.** First, from June 2003, DFID moved to support programmes in the South that would have an immediate and visible impact. That shift was driven by the Government's concern over the declining level of consent for the UK military presence in the South due, in the Government's view, to CPA(South)'s inability to deliver reconstruction.

**115.** DFID produced an Interim Country Assistance Plan for Iraq in February 2004, setting out how it planned to contribute to Iraq's reconstruction and development. The Plan stated that, given the rapidly changing situation in Iraq, it would need a substantial review after one year.

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<sup>36</sup> House of Commons, *Official Report*, 30 January 2003, columns 1053-1054.

**116.** Despite that statement, and the significant changes on the ground (including the deterioration in the security situation and the transition from Occupation to a sovereign Iraqi Government), DFID did not undertake any further, structured strategic reviews of its engagement in Iraq.

**117.** The focus on the South continued during 2004 and 2005, driven by the Government's assessment that the South was not a priority for the US, the lack of funding from the central Iraqi Government, and the continuing absence of other donors, the World Bank and UN.

**118.** Second, from October 2005, when DFID indicated that it would refocus on building the capacity of the Iraqi Government in Baghdad. Existing projects in the South would continue to completion but, given the security situation, no new projects would be started.

**119.** The Inquiry considers that DFID missed several opportunities to address hard, strategic questions over the scale and focus of its programme in Iraq and the contribution that it could make to achieving broader UK objectives. Addressing those questions did not necessarily require a formal review of the Country Assistance Plan, but did require a structured process which:

- included a comprehensive assessment of the political, economic and social context in Iraq;
- considered the lessons that DFID had identified and how it would respond to them;
- challenged DFID's approach in Iraq;
- engaged and reflected the policies and priorities of the Iraqi Government, the US and other international partners; and
- engaged other departments, in particular to consider how the reconstruction effort could contribute to broader UK objectives.

**120.** Particular opportunities were:

- in July 2003, when the UK took on civilian leadership of CPA(South) and in doing so created a "British fiefdom" in the South;
- in autumn 2003, as the Government sought to respond to deteriorating security in the South by providing support for essential services. DFID should have taken steps to resolve the emerging tension between Ministers' desire to accelerate reconstruction in the South, and the lack of resources to do so;
- in October 2004, as the insurgency took hold across Iraq and Mr Blair sought to increase the impact of DFID's reconstruction effort, in particular in cities regained from insurgent control;

- in May 2005, when DFID chose not to undertake the substantive review of its Country Assistance Plan for Iraq to which it was committed;
- in October 2005, when the US adopted a Clear-Hold-Build strategy, including increased support for Iraqi institutions and the deployment of PRTs;
- in 2007, in response to the US surge and Mr Brown's focus on economic development initiatives in Basra; and
- in 2008, in response to the improved security situation in Basra following the Charge of the Knights.

**121.** Under the leadership of Mr Benn and Mr Chakrabarti, DFID missed several clear opportunities to:

- review its approach and strategy in Iraq to ensure it was making the greatest possible contribution to the reconstruction of Iraq and to the UK's broader objectives; and
- work within Whitehall to encourage the Government to review the UK's broader approach and strategy.

## Energy security, oil and oil revenues

**122.** Energy security was one of the UK's "fundamental interests" in relation to Iraq throughout the period covered by the Inquiry.<sup>37</sup> The region accounted for 33 percent of the world's oil supply.

**123.** As Section 3 makes clear, the UK's decision to take military action in Iraq was not driven by economic considerations or potential commercial benefits.

**124.** The UK's concerns in relation to Iraq's oil in the run-up to the invasion were:

- the possible impact of military action on oil prices; and
- to maximise the contribution that Iraqi oil revenues could make to financing Iraq's reconstruction (reducing the risk that the UK would need to make a substantial contribution).

**125.** The US Department of Defense led planning to restore the oil sector before the invasion. The UK did not participate in that planning, and only become aware of it shortly before the invasion began.

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<sup>37</sup> Paper FCO, January 2001, 'Iraq: A Fresh Look at UK Interests'.

**126.** The US and UK disagreed on who should control Iraqi oil revenues during the Occupation. The UK's position, as set out in a briefing for Mr Blair in March 2003, was that:

“The UN or the Iraqis, not the Coalition, should manage oil revenues.”<sup>38</sup>

**127.** Resolution 1483, which was adopted on 22 May 2003, reflected the US position that the Occupying Powers (the US and UK) should manage oil revenues.

**128.** During the Occupation, the CPA excluded the UK (and British nationals working in the CPA) from discussions on oil policy and rejected offers of a UK oil policy expert. Sir Jeremy Greenstock told the Inquiry that, in his view, “the Americans had no intention to take over and own the oil sector ... I think they just felt it was such an important area that they would run it themselves”.<sup>39</sup>

**129.** In October 2003, against that background, the UK adopted a new approach of engaging directly with Iraqi ministers and officials.

**130.** The main objectives of UK policy during and after the transition to a sovereign Iraqi Government were:

- the introduction of measures to improve governance and transparency in the oil sector and in the collection and disbursement of oil revenues, including through the Extractive Industries Transparency Initiative (EITI);
- the creation of a public sector national oil company;
- the promotion of foreign direct investment (FDI), which the UK believed to be the only realistic source of the funding needed to develop Iraq's oil fields and facilities and raise production. Such investment could also produce substantial business for UK companies. The UK adopted an increasingly cautious position on the potential role of the private sector in Iraq's oil sector, including FDI, over the period covered by the Inquiry; and
- with respect to the proposed Hydrocarbons Law, for the federal Iraqi Government to have responsibility for signing new oil exploration and production contracts and for regulating the sector. The UK's underlying concern was to preserve the integrity of the Iraqi State.

**131.** There is no evidence that the UK significantly influenced Iraqi policy in relation to oil. A junior FCO official reported in September 2006 that the Iraqi Government cared more about what international oil companies thought.

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<sup>38</sup> [Letter Owen to Rycroft, 25 March 2003, 'Prime Minister's Visit to Washington: Iraq: UN Security Council Resolution on Phase IV' attaching Paper IPU, 25 March 2003, 'Iraq: Phase IV: Authorising UNSCR'](#).

<sup>39</sup> Public hearing, 15 December 2009, pages 103-104.

## Support for UK business

**132.** The Government initially adopted a low-key approach to lobbying for UK business, to avoid giving “undue prominence” to commercial interests.<sup>40</sup> From March 2003, in response to pressure from UK companies, it gradually stepped up its efforts.

**133.** The US (including USAID, the US Army Corps of Engineers and the CPA) was the major source of reconstruction contracts during the Occupation. The Government’s objective was to ensure a “level playing field” for UK companies.<sup>41</sup> The US made clear to the UK that, while it welcomed the participation of UK companies, there was no “special deal”.

**134.** A senior UK Trade and Investment (UKTI) official, writing in December 2003, reported that:

“It took time, initially, to persuade Ministers that this [promoting UK business] was a legitimate objective that the Government should be seen to be promoting actively ...

“But the departments responsible for overseeing this co-ordination [on post-conflict Iraq] made clear at an early stage that UK commercial interests were a lower priority than other aspects of reconstruction. The result ... was that the contribution that the private sector could make to post-conflict reconstruction was less well registered.”<sup>42</sup>

## The Government’s approach to post-conflict reconstruction

**135.** The Government began a review of the UK’s approach to post-conflict reconstruction in September 2003.

**136.** The inter-departmental Post-Conflict Reconstruction Unit (PCRU) was established in September 2004. It became operational during 2005 and in December 2007 was renamed the Stabilisation Unit (SU).

**137.** The PCRU and SU focused their activity on Afghanistan. They made limited, but valuable, contributions in Iraq.

**138.** Since 2007, the SU has continued to evolve in response to a changing strategic and policy framework shaped by:

- the 2008 and 2010 National Security Strategies (NSS);
- the 2010 Strategic Defence and Security Review (SDSR); and
- the 2011 Building Stability Overseas Strategy (BSOS).

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<sup>40</sup> [Minute Henderson to Symons, 12 February 2003, ‘Iraq: Post-Conflict Commercial Issues’.](#)

<sup>41</sup> [Letter Zimmer to Rycroft, 10 October 2003, ‘Iraq: Update on Commercial Issues’ attaching Paper UKTI, 10 October 2003, ‘Iraq: Update on Commercial Issues’.](#)

<sup>42</sup> [Minute Warren to Haddrill, 10 December 2003, ‘Post-Conflict Resolution: Iraq’.](#)

**139.** The review of post-conflict planning and preparation that began in 2003 was triggered by the Iraq experience, but was not designed to provide immediate solutions to the problems encountered in Iraq.

**140.** On the evidence seen by the Inquiry, the Government quickly identified lessons learned from the shortcomings in its planning and preparation for post-conflict Iraq and the initial experience of post-conflict reconstruction. It failed, however, to apply those lessons in Iraq.

**141.** There is no indication that Ministers or officials considered how the PCRU might support operations in Iraq until autumn 2005.

**142.** PCRU support was essential to the establishment and operation of the Basra PRT during 2006. The PCRU did not, however, have a mandate to overcome the difficulties caused by variations in the contracts and terms and conditions of PRT staff, most of whom were transferred from existing roles in Iraq (see Section 10.3).

**143.** After 2006, there were further changes to the UK's strategic approach to reconstruction and stabilisation and improvements to its deployable capability.

**144.** It is not possible to determine how the structures and capabilities introduced by successive governments would have performed in the circumstances that existed either in Whitehall during the planning and preparation for a post-Saddam Hussein Iraq in 2002 and early 2003, or in Whitehall and Iraq between 2003 and 2009.

**145.** The size and scope of the Stabilisation Unit and the resources at its disposal in 2016 far exceed anything available to the UK in 2003.

**146.** The strategic direction established through the BSOS and new cross-government machinery centred on the National Security Council, have created an improved framework for constructing an integrated civilian-military approach to post-conflict strategy, planning, preparation and implementation.

**147.** The Box below lists some of the lessons learned from reviews of the UK approach to stabilisation since 2009, described in greater detail in Section 10.3.

## Reviews of the UK approach to stabilisation

In August 2010, the Royal United Services Institute (RUSI) published a review of the Government's progress in promoting stability in countries emerging from conflict.

The review concluded that, between 2005 and 2010, a drive towards greater inter-departmental co-operation had led to a number of institutional innovations, an increase in the resources available for stabilisation, new cadres of practitioners and improved co-ordination in-country, but that the UK was "not yet delivering on its full potential to engage in fragile states".<sup>43</sup> Issues highlighted in the review included:

- a "mismatch" between ambitions and resources;
- loyalty to departments rather than to government as a whole; and
- lessons recorded and stored by a number of departments, but seldom considered when new decisions needed to be made.

The Stabilisation Unit produced a paper on lessons learned from the UK's growing experience of stabilisation activities in November 2010. Lessons included the need to ensure that economic and development objectives complement and support efforts to promote a peaceful political process, and the importance of securing community engagement.

The Inquiry agrees, in the context of Iraq, with many of the lessons identified in the RUSI review and the November 2010 Stabilisation Unit paper.

## The impact of the UK's reconstruction effort

**148.** From the available information, it is not possible fully to assess the impact of the UK's reconstruction effort.

**149.** One difficulty is that the Government never defined what contribution reconstruction should make to achieving broader UK objectives and so what would constitute success or failure.

**150.** The environment in Iraq made reconstruction very difficult. For almost all of the period covered by the Inquiry, insecurity was the major constraint. Other constraints were:

- the lack of capacity within the Iraqi Government, both in Baghdad and the South, to support and lead reconstruction;
- the form and implementation of de-Ba'athification;
- the politicisation of Iraqi institutions, and corruption;
- the series of relatively short-lived Iraqi administrations between 2004 and 2006 (with limited remits to initiate reform and an inevitable churn of Ministers and senior officials);
- an international community which, because of the circumstances of the invasion, was not fully invested in the reconstruction of Iraq; and

<sup>43</sup> Teuten R & Korski D. *Preparing for Peace. Britain's Contribution and Capabilities*. RUSI, 2010.

- the persistent lack of co-ordination between the Iraqi Government and international partners, and between international partners.

**151.** Staff and contractors developed a number of approaches to managing the risks inherent in working in such an environment:

- using innovative techniques to deliver projects, such as working through local Iraqi contractors, using the military (who were more frequently able to visit project sites) to manage and monitor projects, and helping the Ministry of Finance to set up an office inside the International Zone in Baghdad within which international consultants could work;
- systematically tracking poor performance;
- adapting delivery methods to reduce fiduciary risk; and
- building clear exit strategies into projects, including dedicating significant effort to bringing in other donors.

**152.** The Inquiry recognises the dedication and skill of the staff and contractors who worked in Iraq, often in discomfort and at personal risk.

**153.** Witnesses to the Inquiry and contemporary documents identify three areas in particular where the UK had made a significant contribution to Iraq's reconstruction:

- building Iraqi capacity at the centre of government (including the Prime Minister's Office and the Cabinet Office), and strengthening the linkages between Baghdad and the provinces;
- building the capacity of the provincial administration in Basra; and
- building the capacity of successive Iraqi Governments to manage the economy (including the launch of a new Iraqi currency in 2003) and engage effectively with the International Monetary Fund.

**154.** The Inquiry met a number of senior Iraqi politicians and officials, and asked them for their views on the UK's reconstruction effort. DFID's focus on building Iraqi Government capacity to plan and manage was recognised and welcomed. That was contrasted with short-term activities, including building schools and hospitals, which Iraq could do for itself.

**155.** In Basra, the Inquiry was told that there was little to show for the UK's reconstruction effort. A small number of projects were identified as continuing to have a positive impact, including:

- training in the UK delivered by the PRT;
- job creation programmes supported by DFID; and
- improvements to the sewerage system supported by the UK military.

## Key economic and social indicators

**156.** It is possible to consider the impact of the international community's reconstruction efforts in Iraq by looking at the changes in a number of key indicators. Table 1 presents selected economic and social indicators.

**157.** In relation to the economy:

- Electricity production fell from around 4,000 megawatts (MW) per day before the invasion to 500MW in May 2003 (immediately after the invasion), before recovering to around 4,000MW in June 2004 (the transition from Occupation to a sovereign Iraqi Government).<sup>44</sup> By 2009, production was around 6,000MW.
- Oil production fell from around 2.9m barrels a day (bpd) before the invasion to around 0.3m bpd in May 2003, before recovering to 2.3m bpd by June 2004. By 2009, production remained below pre-conflict levels.

**158.** The under-five mortality rate fell from 42 to 38 (per 1,000 live births) between 2003 and 2009.

**159.** Perceptions of corruption in Iraq worsened between 2003 and 2009. Iraq fell from 113th out of 133 countries surveyed for Transparency International's Corruption Perceptions Index in 2003, to 176th out of 180 countries surveyed in 2009.

**160.** The UN's 2009 Common Country Assessment concluded that, while Iraq had fulfilled its constitutional mandate requiring 25 percent of Parliamentary seats to be filled by women, women remained under-represented at higher levels within the public sector and government.<sup>45</sup> Women also had higher illiteracy levels than men, participated in smaller numbers in the labour force, were paid less and were segregated into certain occupations. A disproportionate number of households in poverty were headed by women.

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<sup>44</sup> Brookings Center for Middle East Policy, 26 July 2013, Iraq Index, *Electricity*.

<sup>45</sup> UN, 2009, *Common Country Assessment: Iraq*.

Table 1: Iraq: selected economic and social indicators

	1989	2002	2003	2004	2009
GDP at market prices (current US\$bn) <sup>46</sup>	65.6	n/a	n/a	36.6	111.7
GDP per capita (current US\$) <sup>47</sup>	3,850	n/a	n/a	1,391	3,725
Electricity production (megawatts) <sup>48</sup>		3,958	500 – 3,456	4,030	5,700
Oil production (million barrels per day) <sup>49</sup>	2.90	2.02	1.31	2.01	2.39
Under-five mortality rate (per 1,000 live births) <sup>50</sup>	55	43	42	42	38
Primary school enrolment, both sexes (%) <sup>51</sup>	90	n/a	94	93	92
Employment (%) <sup>52</sup>	43	43	43	43	44
Corruption <sup>53</sup>	n/a	n/a	113/133	129/146	176/180

## Lessons

**161.** The starting point for all discussions of reconstruction in circumstances comparable to those in Iraq between 2003 and 2009 must be that this is an area where progress will be extremely difficult.

**162.** Section 6.5 concludes that better planning and preparation for a post-Saddam Hussein Iraq would not necessarily have prevented the events that unfolded in Iraq between 2003 and 2009. It would not have been possible for the UK to prepare for every eventuality. Better plans and preparation could have mitigated some of the risks to which

<sup>46</sup> World Bank Open Data, [www.data.worldbank.org](http://www.data.worldbank.org), *Iraq: GDP at market prices (current US\$)*.

<sup>47</sup> World Bank Open Data, [www.data.worldbank.org](http://www.data.worldbank.org), *Iraq: GDP per capita (current US\$)*.

<sup>48</sup> Brookings Center for Middle East Policy, 26 July 2013, Iraq Index, *Electricity*. Figure for 2002 is a estimated pre-war level.

<sup>49</sup> US Energy Information Administration. *Iraq Crude Oil Production by Year*.

<sup>50</sup> World Bank Open Data, [www.data.worldbank.org](http://www.data.worldbank.org), *Iraq: Mortality rate, under-5 (per 1,000)*. Under-5 mortality rate is a leading indicator of the level of child health and overall development in countries.

<sup>51</sup> World Bank Open Data, [www.data.worldbank.org](http://www.data.worldbank.org), *Iraq: Net enrolment rate, primary, both sexes (%)*. Figure for 2009 relates to 2007 survey.

<sup>52</sup> World Bank Open Data, [www.data.worldbank.org](http://www.data.worldbank.org), *Iraq: Labor force participation rate, total (% of total population ages 15-64)*.

<sup>53</sup> Transparency International, *Corruption Perceptions Index (CPI)*. Iraq was not included in the CPI before 2003. The CPI draws on multiple data sources.

the UK and Iraq were exposed between 2003 and 2009 and increased the likelihood of achieving the outcomes desired by the UK and the Iraqi people.

**163.** From late 2003, successive reviews of the UK's approach to post-conflict reconstruction, later expanded to include the broader concept of stabilisation, resulted in a series of changes to the UK's approach to post-conflict operations. Despite those changes, many of the shortcomings that characterised the UK Government's approach to pre-conflict planning and preparation in 2002 and early 2003 persisted after the invasion.

**164.** The UK Government's new strategic framework for stabilisation, the new machinery for inter-departmental co-ordination and the enhanced resources now available for stabilisation operations continue to evolve. If future changes are to increase the effectiveness of UK operations, they must address the lessons for planning, preparation and implementation derived from the Iraq experience.

**165.** The lessons identified by the Inquiry apply to both the planning and preparation for post-conflict operations, of which reconstruction is a major but not the sole component, and to post-conflict operations themselves.

**166.** Analysis of the available material must draw on multiple perspectives, reflect dissenting views, identify risk – including that associated with any gaps in knowledge – and consider a range of options.

**167.** Information must be shared as widely across departments as is necessary to support that approach.

**168.** Information-gathering and analysis of the nature and scale of the potential task should be systematic and as thorough as possible, and should capture the views and aspirations of local communities.

**169.** Plans derived from that analysis should:

- incorporate a range of options appropriate to different contingencies;
- reflect a realistic assessment of UK (and partners') resources and capabilities;
- integrate civilian and military objectives and capabilities in support of a single UK strategy;
- be exposed to scrutiny and challenge at Ministerial, senior official and expert level;
- be reviewed regularly and, if the strategic context, risk profile or projected cost changes significantly, be revised.

**170.** A government must prepare for a range of scenarios, not just the best case, and should not assume that it will be able to improvise.

**171.** Where the UK is the junior partner and is unable during planning or implementation to secure the outcome it requires, it should take stock of whether to attach conditions to continued participation and whether further involvement would be consistent with the UK's strategic interest.

**172.** Public statements on the extent of the UK's ambition should reflect a realistic assessment of what is achievable. To do otherwise is to risk even greater disillusionment and a loss of UK credibility.

**173.** Departmental priorities and interests will inevitably continue to diverge even where an inter-departmental body with a cross-government role, currently the SU, is in place. Therefore, co-operation between departments needs continual reinforcement at official and Ministerial levels.

**174.** The Head of the SU must be sufficiently senior and the SU enjoy recognition inside and outside government as a centre of excellence in its field if the Unit is to have credibility and influence in No.10, the National Security Council, the Treasury, the FCO, DFID and the MOD, and with the military.

**175.** Section 9.8 sets out the Inquiry's conclusions and lessons on strategy-making.

# SECTION 11.1

## DE-BA'ATHIFICATION

### Contents

Introduction .....	2
The development of de-Ba'athification policy .....	3
Post-invasion .....	3
The CPA approach .....	7
CPA Order No.1 .....	12
Implementation of de-Ba'athification policy .....	14
CPA Memorandum No.1 .....	19
The role of the Governing Council .....	23
De-Ba'athification in the Transitional Administrative Law .....	28
The Interim Iraqi Government .....	32
The Amnesty Order .....	33
A draft new de-Ba'athification Order .....	35
Former Ba'athists and the Sunni insurgency .....	36
The Transitional National Assembly's de-Ba'athification policy .....	37
The new Government takes office .....	38
De-Ba'athification in the Iraqi Constitution .....	40
Election preparations .....	43
De-Ba'athification after the 2005 Iraqi election .....	46
A new government .....	48
De-Ba'athification in 2007 .....	52
June 2007 onwards .....	55

## Introduction

1. This Section addresses:

- the decision to remove some members of the Ba’ath Party from public office after May 2003, a process known as de-Ba’athification;
- the implementation of that decision; and
- the impact it had on Iraq.

2. This Section does not address:

- pre-invasion analysis of, and planning for, de-Ba’athification, which is addressed in Sections 6.4 and 6.5;
- the decision to disband the Iraqi Army, which is described in Section 12.1; and
- the creation of the Coalition Provisional Authority, which is covered in Section 9.1.

3. The Inquiry’s conclusions in relation to the events described in this Section can be read in Section 11.2.

### The Ba’ath Party

The Arab Socialist Party or Ba’ath Party was founded in Damascus in 1947 by Michael Aflaq and Salah al-Din al-Bitar.<sup>1</sup> Its core objective was the creation of a single, united Arab State.

Having established itself in Syria, the Ba’ath Party then spread to other Arab countries. The Iraqi Ba’ath Party was formally established in 1952.

The Ba’ath Party took power in Syria through a coup in 1963, where it was enshrined in the Constitution as “the leading party of society and state”. The party seized power in Iraq after a revolution in the same year but was manoeuvred out by the military a few months later.

The Ba’ath Party returned to power in Iraq in 1968 in a coup led by Ahmad Hasan al-Bakr, supported by Saddam Hussein. Ba’ath members and party organisations were imposed on the Iraqi military shortly after.

Saddam Hussein succeeded President al-Bakr in 1979, after which point the party was increasingly dominated by individuals linked to him by family or tribal ties.

An ideological split in 1966 led to the Syrian and Iraqi parties becoming estranged and bitterly antagonistic toward each other. The Syrian Ba’ath Party maintained a focus on Arab unity while Iraqi Ba’athists focused on Iraqi nationalism.

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<sup>1</sup> Paper DIS, 1 February 2002, ‘The Iraq Ba’ath Party – Its History, Ideology and Role in Regime Security’.

In early 2002, the Defence Intelligence Staff estimated Ba'ath Party membership within Iraq at between 600,000 and 700,000 individuals, which represented 4 percent of the population. There were several tiers of membership, reflecting individual members' roles within the party hierarchy. Membership was essential to reach senior positions in the military, the government or in professional life.

## The development of de-Ba'athification policy

4. As described in Section 6.5, although it was widely assumed that a process for removing senior members of the Ba'ath Party from positions of power would be required after the invasion, no clear plan for the de-Ba'athification of Iraq's public sector had been agreed between the US and UK at the point the invasion was launched.
5. Because of the extent to which the Ba'ath Party was intertwined with Iraq's bureaucracy, the failure of the US and UK to agree an approach to de-Ba'athification compounded uncertainty about how the bureaucracy might perform after Saddam Hussein's departure.

## Post-invasion

6. As Coalition Forces entered Iraq in March 2003, Ministers were supplied with a 'script' to use in media and Parliamentary discussion which set out the UK vision for "Phase IV", the reconstruction of Iraq.<sup>2</sup> The script said:

"When conditions in Iraq permit, the US Office of Reconstruction and Humanitarian Affairs (ORHA) will move to Baghdad and take on the supervision of the civil administration of Iraq ... We hope that the vast majority of the Iraqi public sector will remain in place and be able to carry on its work ..."

7. On 4 April, a Private Secretary to Mr Jack Straw, the Foreign Secretary, supplied Mr Matthew Rycroft, Mr Blair's Private Secretary for Foreign Affairs, with six papers on post-conflict Iraq.<sup>3</sup> One covered the Iraqi civil service, and stated:

"We do not have any deep knowledge about which levels of the administration are so highly politicised as to need immediate reform, nor which individuals might have to be retired or stood down. This in any case cannot realistically be assessed until after liberation."

8. The question of what future strength and support the Ba'ath Party would command within Iraq was raised by Mr Colin Burgon in a House of Commons debate on 7 April.<sup>4</sup>

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<sup>2</sup> [Letter Owen to Rycroft, 20 March 2003, 'Iraq: Phase IV: Core Script'](#).

<sup>3</sup> [Letter Owen to Rycroft, 4 April 2003, 'Post-conflict Iraq: UK/US' attaching Paper, 4 April 2003, 'The state of the Iraqi civil service and bureaucracy'](#).

<sup>4</sup> House of Commons, *Official Report*, 7 April 2003, columns 29-30.

**9.** In reply Mr Geoff Hoon, the Defence Secretary, explained:

“It is a very difficult question to answer at this stage, not least because the only way of assuring success in Saddam Hussein’s Iraq was to be a member of the Ba’ath party and to operate under his rule. On the other hand, there may well be decent people who had no part in the excesses of the regime and who will, in turn, return to rebuild their country. I suspect that it will depend on their ability to persuade people in their own areas that they have not been involved with the regime and that they can therefore be relied on and trusted.”

**10.** Mr Hoon’s reply was consistent with a briefing produced on the same date by the Defence Intelligence Service (DIS) Red Team on Iraq.<sup>5</sup> The Red Team judged:

“To be a Ba’athist does not necessarily mean an individual is a hard core supporter of the regime. Most joined to advance their careers or under duress (mostly government employees). In every government department there is a hard core who have been responsible for security. They are responsible for the ‘disappeared’; are known by everybody and will be nervous.

“It will require detailed inside knowledge to identify the ‘bad apples’ in any organisation ...”

**11.** Similar points were made by Ms Clare Short, the International Development Secretary, on 10 April.<sup>6</sup> In response to a Parliamentary Question from Ms Helen Southworth, Ms Short said:

“... Iraq is like the former Soviet Union, where people had to join the Communist party if they wanted to be a teacher. Many members of the Ba’ath Party are not the real leaders of the regime, and they will need to remain in their jobs so as to continue to run their country.”

**12.** The first formal public statement by the Coalition about the treatment of the Ba’ath Party was made when General Tommy Franks, Commander in Chief US Central Command (CENTCOM), issued his Freedom Message to the Iraqi People on 16 April (see Section 9.1).

**13.** As described in Section 9.1, Mr Huw Llewellyn from FCO Legal Advisers provided advice to the Iraq Policy Unit (IPU) on the draft text of the Message on 28 March.<sup>7</sup>

**14.** In relation to de-Ba’athification, Mr Llewellyn was concerned that the practical effect of disestablishing the Ba’ath Party was not implemented in the Directive to the Civilian Population that Gen Franks intended to issue in parallel. He also suggested

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<sup>5</sup> [Briefing DIS Red Team, 7 April 2003, ‘What Will Happen in Baghdad?’](#)

<sup>6</sup> House of Commons, *Official Report*, 10 April 2003, column 444.

<sup>7</sup> Minute Llewellyn to Chilcott, 28 March 2003, ‘Proposed US “Freedom Message” to the People of Iraq’.

that the word “disestablished” should be replaced with “dissolved” or something with the same meaning.

**15.** Commenting on a subsequent draft of the text on 10 April, Mr Llewellyn explained:

“The paragraph dissolving the Ba’ath party is clearly important. But the word ‘disestablished’ does not really do the trick. That word is something to do with removing an institution from the structure of the state, as I understand it. We should say ‘dissolved’.”<sup>8</sup>

**16.** On 11 April, during a video conference between UK, US and Australian legal advisers, the US lawyers explained that they saw a need to disestablish the Ba’ath Party and deprive it of all authority “in order for other things to happen as a result from the legal and policy point of view”.<sup>9</sup>

**17.** On 11 April, Mr Llewellyn circulated a first draft of guidelines for UK personnel, in particular those seconded to ORHA, on the relevant provisions of International Humanitarian Law (IHL).<sup>10</sup> Under the heading “Removal of Officials”, it stated:

“Officials may be removed, although this should not be done arbitrarily. Clearly, the Coalition will remove from office those who were members of Saddam Hussein’s regime, and senior members of the Ba’ath Party if any remain. Other officials may be removed where they represent an obstacle to administration by the Coalition, for example because they pose a threat to security, are corrupt, unwilling to act under Coalition administration, or will be intimidating for the population.”

**18.** A senior MOD legal adviser to whom the draft guidelines were sent for comment suggested that the guidelines should be more precise about what was meant by “members of Saddam Hussein’s regime” and “senior members of the Ba’ath Party”.<sup>11</sup> She asked whether it was likely there would be anyone who would fall into the first category who did not also fall within the second.

**19.** The Inquiry has not seen evidence that any discussion of the degree to which former members of the Ba’ath Party might be entitled to participate in the Iraqi Interim Authority (IIA) took place at the conference held in Nasiriyah on 15 April and attended for the UK by Mr Edward Chaplin, FCO Director Middle East and North Africa.<sup>12</sup>

**20.** There is a mention in one of the supporting papers, produced by the FCO’s Research Analysts, of the need to establish whether members of Iraq’s popular councils could be used in the selection of members for the IIA given that they had previously

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<sup>8</sup> Minute Llewellyn to Bristow, 10 April 2003, ‘Freedom Message to the Iraqi People’.

<sup>9</sup> Minute [unattributed], [undated], ‘American Summary Points, Video Link: Friday 11 April’.

<sup>10</sup> Minute Llewellyn to Rose, 11 April 2003, ‘Iraq: Guidelines on the Application of Laws of Occupation’.

<sup>11</sup> Minute Rose to Llewellyn, 22 April 2003, ‘Iraq: Guidelines on the Application of Laws of Occupation’.

<sup>12</sup> Letter Chaplin to Crocker, 17 April 2003, ‘Setting up the Iraqi Interim Authority: Issues for Discussion’ attaching Paper FCO, 2 April, ‘Post-conflict Iraq: a “Baghdad Conference”’.

been “approved” by the Ba’ath Party which might mean they were considered to be “tainted”.

**21.** In his memoir, Mr Douglas Feith, US Under Secretary of Defense for Policy, describes re-writing the first draft of Gen Franks’ message produced by CENTCOM.<sup>13</sup> Mr Feith’s re-written version included the reference to the disestablishment of the Ba’ath Party. His view was that disestablishing the Ba’ath Party was a separate issue from the fate of individual members, which was still under discussion at the time of Gen Franks’ statement.

**22.** In a paper for the Pentagon Public Affairs Office on 16 April, Mr Feith’s Office suggested that the answer to questions about what would happen to members of the Ba’ath Party should be:

“... its [the Ba’ath Party’s] property and records will be considered by the CPA as the property of the Iraqi people. Absent exceptional circumstances, top-tier members of the Ba’ath Party will not be eligible to hold any positions of responsibility under the CPA. Lower ranking members of the Ba’ath Party will not necessarily be barred from such employment. No one will be punished merely for membership in the Ba’ath Party.”

**23.** Gen Franks’ Freedom Message was issued on 16 April.<sup>14</sup> It said:

“The Arab Socialist Renaissance Party of Iraq (Hiz al-Ba’ath al-Arabi al-Istiraki al-Iraqi) is hereby disestablished. Property of the Ba’ath Party should be turned over to the Coalition Provisional Authority. The records of the Ba’ath Party are an important part of the records of the Government of Iraq and should be preserved ... and turn[ed] ... over to the Coalition Provisional Authority.”

**24.** On 17 April, a discussion between Sir David Manning, Mr Blair’s Foreign Policy Adviser, and Dr Condoleezza Rice, US National Security Advisor, suggested that the announcement about the Ba’ath Party had come as a surprise to her.<sup>15</sup>

**25.** Mr Straw told the Inquiry that he had discussed the question of de-Ba’athification with Gen Franks in Kuwait in mid-April:

“... and he had said to me that his view was you should take anybody apart from those who were obviously bad into the system, and then vet them subsequently, and if they – and I remember him saying – if they didn’t pass muster, didn’t pass the vetting, then you’d kick them out. But what you didn’t do was wholly to degrade the administration in advance, and I thought, not least because he was the senior

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<sup>13</sup> Feith DJ. *War and Decision: Inside the Pentagon at the Dawn of the War on Terrorism*. HarperCollins, 2008.

<sup>14</sup> Statement General Tommy Franks, 16 April 2003, ‘Freedom Message to the Iraqi People’.

<sup>15</sup> Letter Manning to McDonald, 17 April 2003, ‘Iraq: Conversation with Condi Rice’.

army officer on the American side, that that's what would happen but, in the event, it wasn't."<sup>16</sup>

**26.** At Foreign Office Oral Questions on 6 May, Dr Vincent Cable asked about the Coalition's plans for elections in Iraq.<sup>17</sup> He asked the Government to:

"... explain the status of important political groups such as the Ba'ath party, the Communist party and the Islamic fundamentalists? Will they be allowed to compete freely and democratically in those elections and if they won would they be allowed to win?"

**27.** In reply, Mr Mike O'Brien, FCO Parliamentary Under Secretary of State, explained:

"We hope that the Ba'ath Party will not be able to involve itself in that election, and certainly not in the form that it took under Saddam Hussein. It is not envisaged, therefore, that it would be allowed to operate."

## The CPA approach

**28.** The creation of the Coalition Provisional Authority (CPA), led by Ambassador L Paul Bremer, and the appointment in early May of Mr John Sawers as the Prime Minister's Special Representative to Iraq are described in Section 9.1.

**29.** Ambassador Bremer, in his account of leading the CPA, describes being given his instructions:

"On May 9, my last day of preparation at the Pentagon, Don Rumsfeld had given me my marching orders in a memo. Among all my other instructions, Rumsfeld's memo emphasized: 'The Coalition will actively oppose Saddam Hussein's old enforcers – the Ba'ath Party, the Fedayeen Saddam ... We will make clear that the Coalition will eliminate the remnants of Saddam's regime.'"<sup>18</sup>

**30.** In his memoir, Mr Feith wrote that Ambassador Bremer "wanted his arrival in Baghdad to have a theme: The Ba'athists are not coming back."<sup>19</sup> Mr Feith wrote:

"Bremer had considered his point carefully. Our forces had not yet captured Saddam, and many Iraqis remained fearful of the Ba'athists – and therefore unwilling to cooperate with U.S. officials – on security, political reconstruction, and other matters. Bremer saw it as his first task to offer assurance ... I thought Bremer had selected his "arrival theme" wisely, and I told him so."

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<sup>16</sup> Public hearing, 8 February 2010, pages 117-118.

<sup>17</sup> House of Commons, *Official Report*, 6 May 2003, columns 522-523.

<sup>18</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>19</sup> Feith DJ. *War and Decision: Inside the Pentagon at the Dawn of the War on Terrorism*. HarperCollins, 2008.

**31.** Mr Feith recorded that a draft de-Ba'athification policy had been considered by the US National Security Council on 10 March. At Ambassador Bremer's request, implementation of the policy, which would "rid the Iraqi Government of the small group of true believers at the top of the party and those who had committed crimes in its name", was delayed until his arrival in Iraq.<sup>20</sup>

**32.** Ambassador Bremer wrote:

"Our concern was only the top four levels of the party membership, which the [draft] order officially excluded from public life. These were the Ba'athist loyalists who, by virtue of their positions of power in the regime, had been active instruments of Saddam's repression. Our intelligence community estimated that they amounted to only about 1 percent of all party members or approximately 20,000 people, overwhelmingly Sunni Arabs."

**33.** Four days after arriving in Iraq, Mr Sawers reported that there was a fear among "ordinary people in Baghdad" that the Ba'athists could return.<sup>21</sup> He assessed:

"ORHA have made mistakes here, appointing quite senior party figures as their main partners in the trade and health ministries, at Baghdad University and so on. Several political leaders I have seen say a line should be drawn at the 'firqa' level of the Ba'ath Party and all those at that level and the three above should be excluded, about 30,000 in all. This would represent between five and ten per cent of total party membership. But it is still a lot of people and may be one level too many, at least for now."

**34.** In one of his earliest reports to London, on 12 May Mr Sawers reported that Dr Ahmed Chalabi's "strong message on de-Ba'athification strikes a chord" with the Shia population "and will become even more potent if we don't deal with re-emerging Ba'athists".<sup>22</sup> Dr Chalabi was a founding member of the Iraqi National Congress Party who had formed strong links with several US Administrations.

**35.** After his first meeting with Ambassador Bremer, Mr Sawers reported: "Bremer, rightly, plans to move quickly to set out a policy on 'de-Ba'athification' or 'De-Saddam-isation' as it may now be called."<sup>23</sup>

**36.** Mr Sawers judged:

"... the issue needs addressing quickly. The question is how to define the scope of those excluded. All agree that the top three levels of the Ba'ath ... should be banned. Our rough estimate suggests that should cover up to 5,000 people. Added

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<sup>20</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>21</sup> [Telegram 2 IraqRep to FCO London, 11 May 2003, 'Iraq: What's Going Wrong?'](#)

<sup>22</sup> [Telegram 3 IraqRep to FCO London, 12 May 2003, 'Iraq: Political Process'](#).

<sup>23</sup> [Telegram 3 IraqRep to FCO London, 12 May 2003, 'Iraq: de-Ba'athification'](#).

to that will have to be the top levels of the instruments of repression – the security, intelligence organisations etc.

“Some politicians ... are arguing that the fourth level of the party ... should also be included. This would extend the numbers to some 30,000 possibly more. The argument in favour is that this is the level where party officials began to receive privileges such as free housing and thus were identified popularly as beneficiaries of the regime. Against that is the danger that too wide a list will be hard to administer; that we should not exclude too large a group from the new system; and it would increase the risk of false accusations against innocent people ...

“Grateful for early views on this issue. My own instinct is we should not throw the net wider than necessary, and that for now we could settle on the top three tiers ... But I frankly don't have sufficient feel for the Iraqi Ba'ath Party to know the level at which real evil began.”

**37.** The following day, Mr Sawers reported that Ambassador Bremer's staff in the CPA had a “similar [approach to de-Ba'athification] to ours, and they share our uncertainty over how wide to cast the net”.<sup>24</sup> In particular, “banning all party members from any of the top three tiers in ministries” could inadvertently exclude “many of the technocrats we will want to re-employ”. Ambassador Bremer had explained that the steer he was getting from Mr Donald Rumsfeld, US Defense Secretary, and President Bush was to “spread the net widely initially, and then to allow exceptions without too many obstacles”.

**38.** On 13 May, Sir David Manning met Dr Rice and other National Security Council staff in Washington.<sup>25</sup> A report of the meeting by Mr Rycroft said that Sir David had gone through the points raised by Mr Sawers on de-Ba'athification, and the NSC team had agreed with them. They told Sir David that the US had agreed a de-Ba'athification strategy the previous week.

**39.** The following day, the FCO in London sent Mr Sawers the instructions he had requested.<sup>26</sup> The FCO wrote:

“... there should be a [de-Ba'athification] process, but its scope should be limited, and there needs to be room for discretion.

“We agree that the net should not be cast too wide. Excluding the top three ranks from public service ... is probably the most practical approach ... In certain cases, particularly in the security services, Ba'ath members may have to be moved aside in order to provide ... reassurance, whatever their position in the party. But we do not want to create a large underground of disaffected Ba'athists who see no possible future for themselves in post-Saddam Iraq ... So the short answer to the question

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<sup>24</sup> Telegram 6 IraqRep to FCO London, 13 May 2003, 'Iraq: Putting Things Right'.

<sup>25</sup> Telegram 643 Washington to FCO London, 13 May 2003, 'Iraq: Meetings with Rice and Cheney, 13 May'.

<sup>26</sup> [Telegram 2 FCO London to IraqRep, 14 May 2003, 'Iraq: de-Ba'athification'](#).

about the fourth level of the Ba'ath is that there will be a vetting process ... to ensure no rotten apples are kept on ... One of the leading academic Iraq-watchers, Toby Dodge, has remarked to us that membership of the Ba'ath was less significant latterly than less formal networks of control and influence. There is a danger, in focusing on the Ba'ath, of overlooking potentially more malign elements."

**40.** The message from the FCO also re-stated the legal position that Occupying Powers could remove public officials from their posts but that "for both policy and legal reasons, we should stick to what is necessary". Occupying Powers could not "regulate or prohibit political expression or activity except to the extent that is necessary on grounds of security or public order".

**41.** The message ended:

"The longer-term process of de-Ba'athification is for a future government of Iraq to take forward, in parallel with the wider transitional justice dossier."

**42.** On 13 May, Mr Walt Slocombe, CPA Senior Adviser on National Security and Defense, met Mr Hoon in London.<sup>27</sup> In his record of the meeting, Mr Hoon's Assistant Private Secretary wrote that Mr Slocombe had said "a visible and functioning police force ... might require some compromise on de-Ba'athification".

**43.** Mr Simon Webb, MOD Policy Director, was also present at Mr Hoon's meeting with Mr Slocombe. Mr Webb told the Inquiry:

"We had certainly accepted ... the need for de-Ba'athification ... So we had bought that by that stage ... I don't recall having a specific conversation about how far that was going to go. But ... I think we were probably content for this to be decided by those in Baghdad. If the policy is partial de-Ba'athification, and everybody seems to understand the issues ... I wouldn't have tried to press a particular level in the command structure on Walt. ... There was a judgement which you couldn't really make until you got on the ground about what level you went down to ... at some stage, you hit the school teacher who just joined the party because they wanted a job. But where in that spectrum you cut it off, recognising that you, implicitly at least ... wanted to remove the possibility of an early reassertion of power by Ba'ath Party ..."<sup>28</sup>

**44.** Ambassador Bremer told the Inquiry that "Slocombe reported that the British officials agreed with the need for vigorous de-Ba'athification, especially in the security sector".<sup>29</sup>

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<sup>27</sup> [Minute Williams to Webb, 13 May 2003, 'Call on Defence Secretary by Walt Slocombe: 13 May 2003'](#).

<sup>28</sup> Private hearing, 23 June 2010, pages 66-68.

<sup>29</sup> Statement Bremer, 18 May 2010, page 3.

**45.** On 14 May, Mr Tony Brenton, Chargé d’Affaires at the British Embassy Washington, was shown a draft diplomatic cable setting out Washington’s guidance to Ambassador Bremer on the implementation of the de-Ba’athification policy.<sup>30</sup>

**46.** Mr Brenton reported to the FCO that the cable proposed that full Ba’ath Party members (group, section and branch members) would be banned from public office, including teaching positions. They would also be interviewed and an evaluation made of whether they may have committed criminal acts or continued to pose a risk to the security of the Coalition.

**47.** To implement this, all individuals in the top three layers of management in each government Ministry would be evaluated to establish the extent of their Ba’ath Party involvement. Those proven to be members would be removed. For junior employees below the top three layers, evaluation would not be automatic but the discovery of any “adverse information” would lead to their investigation.

**48.** The Annotated Agenda prepared by the Cabinet Office for a meeting of the Ad Hoc Ministerial Group on Iraq Rehabilitation (AHMGIR) the following day asked Ministers to:

“... agree that we press in principle for the removal from public service and politics [of] only the top three tiers of the Ba’ath Party.”<sup>31</sup>

**49.** The Annotated Agenda stated that extending the ban to the fourth tier of the Ba’ath Party (and so to 30,000 people) would be “excessive and detrimental to public service provision”.

**50.** At the meeting of the AHMGIR on 15 May, Mr Straw stated that the Coalition should be “flexible” in its approach to de-Ba’athification, “for example excluding many who had been part of Saddam Hussein’s security apparatus, but fewer from more technical positions”.<sup>32</sup>

**51.** The Group amended the objective proposed by officials to:

“... press for the removal from public service and politics of those members of the Ba’ath Party judged to have played a malign role.”

**52.** On 15 May, Mr Sawers reported that the de-Ba’athification policy had been agreed along the lines reported earlier by Mr Brenton.<sup>33</sup>

**53.** On the question of whether the bar should extend to the fourth level of party membership, Mr Sawers reported that he had “warned of the danger of overkill” but, like

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<sup>30</sup> Telegram 655 Washington to FCO London, 14 May 2003, ‘Iraq: US Views’.

<sup>31</sup> Annotated Agenda, 15 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>32</sup> Minutes, 15 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>33</sup> [Telegram 10 IraqRep to FCO London, 15 May 2003, ‘Iraq: De-Ba’athification’.](#)

Ambassador Bremer, had been persuaded by those arguing that “the recommended policy of covering all four levels was pitched right”. Mr Sawers commented:

“This new policy is tougher than your advice preferred ... But I advise against any action in Washington. The new policy is badly needed, and it corresponds with the preferences of all the members of the Leadership Group bar Allawi.”

**54.** On the same day, Mr Llewellyn provided advice to IPU on a draft Order removing the Ba’ath Party leadership.<sup>34</sup> It is clear from his comments that this was the final draft of what became CPA Order No.1 and he noted that it was probably on the point of being issued.

**55.** In Mr Llewellyn’s view, the main question was whether the UK was satisfied that displaying images or likenesses of Saddam Hussein (or other readily identifiable members of the former regime or symbols of the Ba’ath Party) was of sufficient concern that it necessitated prohibition on the grounds of security and/or public order, the only grounds that would be permitted under international humanitarian law.

### CPA Order No.1

**56.** CPA Order No.1, “De-Ba’athification of Iraqi Society”, was issued on 16 May 2003.<sup>35</sup> It was Ambassador Bremer’s first formal act as head of the CPA.

**57.** The Order stated that it was implementing General Franks’ disestablishment of the Ba’ath Party in his 16 April message:

“... by eliminating the party’s structures and removing its leadership from positions of authority and responsibility in Iraqi society. By this means, the Coalition Provisional Authority will ensure that representative government in Iraq is not threatened by Ba’athist elements returning to power and that those in positions of authority in the future are acceptable to the people of Iraq.”<sup>36</sup>

**58.** The Order stated that disestablishment was to be achieved by removing “full” members of the Ba’ath party (defined as the top four ranks of party membership)<sup>37</sup> from public sector jobs and banning them from future employment in the public sector.

**59.** Individuals holding senior management positions (the top three layers of management) in all public sector organisations would be interviewed and assessed for their possible affiliation with the Ba’ath Party, criminal conduct and risk to security. Any who were found to be full members of the Ba’ath Party would be removed from employment.

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<sup>34</sup> Minute Llewellyn to [Bristow], 15 May 2003, ‘Draft Order on Removing Ba’ath Party Leadership’.

<sup>35</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>36</sup> Coalition Provisional Authority Order Number 1, 16 May 2003, Section 1(1).

<sup>37</sup> Regional Command Member, Branch Member, Section Member and Group Member. Collectively referred to as “Senior Party Members”.

**60.** Ambassador Bremer wrote in his account of leading the CPA that he had recognised from the outset that the de-Ba'athification Order “wasn't perfect, but contained a degree of flexibility” in the provision that allowed for exemptions to the ban to be made on a case-by-case basis.<sup>38</sup> Both he and Ambassador Ryan Crocker, a US State Department official seconded to the CPA, had agreed that this flexibility was “critical”.

**61.** Ambassador Bremer told the Inquiry that the Order was “narrowly drawn” so as to affect only the top 1 percent of party members, and to deny them public sector positions but not the ability to work in the private sector.<sup>39</sup>

**62.** On the same day that Order No.1 was issued, Mr Blair and President Bush spoke on the telephone.<sup>40</sup> The record of their conversation, taken by Mr Blair's Assistant Private Secretary, indicates that they did not discuss de-Ba'athification.

### The UK role in relation to Order No.1

*Hard Lessons*, an account of the US reconstruction experience in Iraq, characterised Order No.1 as “conceived in Washington and promulgated with little Iraqi involvement”.<sup>41</sup>

Secretary Rumsfeld, in his memoir, observed:

“Though the policy later found few defenders at the top level of the administration, de-Ba'athification initially had broad support among the relevant departments and agencies.”<sup>42</sup>

The policy was discussed by the NSC two weeks before the invasion and there were “no objections from any of the principals present” although President Bush had questioned who would carry out the vetting needed.

Sir Suma Chakrabarti, DFID Permanent Secretary from 2002 to 2007, told the Inquiry that the de-Ba'athification decision was one of a number on which his department had not been consulted.<sup>43</sup>

Lord Jay, FCO Permanent Under Secretary from 2002 to 2006, described the de-Ba'athification decision as one example of “difficulties in relation to the United States”.<sup>44</sup>

Mr Blair told the Inquiry:

“You know, there's a lot of debate about de-Ba'athification and so on ... but he [Bremer] was someone who knew his own mind, but I have to say I did not get the impression he was refusing to discuss it with the British. On the contrary, we had Brits working alongside in very senior positions.”<sup>45</sup>

<sup>38</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>39</sup> Statement Bremer, 18 May 2010, page 3.

<sup>40</sup> Letter Cannon to MacDonald, 16 May 2003, 'Iraq: Prime Minister's Conversation with Bush, 16 May'.

<sup>41</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>42</sup> Rumsfeld D. *Known and Unknown: A Memoir*. Sentinel, 2011.

<sup>43</sup> Public hearing, 8 December 2009, page 64.

<sup>44</sup> Public hearing, 30 June 2010, page 41.

<sup>45</sup> Public hearing, 21 January 2011, page 144.

Mr Sawers reported just before the Order was issued that it was being finalised by the Department of Defense in Washington and that Ambassador Bremer had been given guidance on de-Ba'athification by both Secretary Rumsfeld and President Bush.<sup>46</sup>

Mr Sawers told the Inquiry that he did not think that his views were entirely ignored, and cited examples of where he believed he had been able to influence Ambassador Bremer's thinking.<sup>47</sup> He made a similar point in May 2003, when he reported that Ambassador Bremer was keen to work with him:

“... in public and private, and has picked up on many UK suggestions, big and small. He allowed us to re-balance the decree on removing the Ba'athists, over-ruling the wilder strictures of Wolfowitz and Feith in the process.”<sup>48</sup>

## Implementation of de-Ba'athification policy

**63.** Mr Sawers reported on 17 May that the members of the Iraqi Leadership Group<sup>49</sup> “widely supported” the de-Ba'athification process and that:

“... all the leaders welcomed the clarity and toughness of the proclamation ... I recalled the exchanges I had had with each of the Group on the issue, and told them their views had been taken into account in the detailed terms of the final decree – a good example of co-operation and consultation with the political groupings.”<sup>50</sup>

**64.** A few days later, Mr Sawers reported that de-Ba'athification had “gone down well”.<sup>51</sup> He judged that, before the policy, many Iraqis believed there was still a chance the Ba'athists might return, which “in turn contributed to the security problem”. The policy was “a huge hit with the political parties we are working with” and, although there would need to be some exemptions, “Bremer will keep these to a minimum”.

**65.** A few days after Order No.1 was issued, Sir David Manning met Ambassador Bremer in Baghdad.<sup>52</sup> In discussion, they observed:

“De-Ba'athification and the dissolution of security ministries would create a new reservoir of angry men. So there was a need to step up patrols and tighten up security.”

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<sup>46</sup> Telegram 6 IraqRep to FCO London, 13 May 2003, 'Iraq: Putting Things Right'.

<sup>47</sup> Public hearing, 10 December 2009, page 71.

<sup>48</sup> [Telegram 18 IraqRep to FCO London, 20 May 2003, 'Iraq: Bremer's Impact'](#).

<sup>49</sup> The Leadership Group was comprised of Iraqi politicians drawn from identifiable political and regional groups and had been established by General Jay Garner, Head of the Office of Reconstruction and Humanitarian Assistance (ORHA). It included both former exiles who had returned to Iraq after the fall of Saddam Hussein, and those who had remained in Iraq.

<sup>50</sup> Telegram 13 UKRep Iraq to FCO London, 17 May 2003, 'Iraq: Bremer meets Leadership Group'.

<sup>51</sup> [Telegram 18 IraqRep to FCO London, 20 May 2003, 'Iraq: Bremer's Impact'](#).

<sup>52</sup> [Letter Cannon to Owen, 23 May 2003, 'Iraq: Meeting with Gerry Bremer'](#).

**66.** On 22 May the AHMGIR met, chaired by Mr Straw.<sup>53</sup>

**67.** Briefing for the discussion stated that, although the eventual policy was more wide-ranging than the UK had advocated, in practice Ambassador Bremer expected to “allow those judged ‘clean’ to be re-employed”.<sup>54</sup> The Cabinet Office author of the briefing wrote that the Order would mean that 33,000 people would be banned from public office in Iraq, and observed:

“... this is more wide-ranging than the senior level only policy (covering 5,000) officials we had advocated, and risks removing many essential but less culpable technocrats from their jobs.”

**68.** The AHMGIR concluded that the UK should “encourage the US to implement its policy on de-Ba'athification pragmatically to avoid needlessly removing less culpable technocrats from key positions”.<sup>55</sup>

**69.** In a paper for Mr Blair dated 22 May, Major General Tim Cross, the most senior UK secondee to ORHA, the organisation which pre-dated the CPA, referred to the recent de-Ba'athification announcement as having “created some inevitable difficulties”, and counselled pragmatic application of the exemptions for “individuals who are engaged in crucial reconstruction areas, such as power generation/distribution, water/sanitation etc”.<sup>56</sup>

**70.** On 27 May, Mr Sawers reported that a new Iraqi de-Ba'athification Council was “designed to give Iraqis a role in the de-Ba'athification process, and advise Bremer on how to apply it in specific cases”.<sup>57</sup> The Council was to be made up of 20 Iraqis, appointed by the Coalition.

**71.** Ambassador Bremer, in his account of leading the CPA, described the Council as an attempt “to engage responsible Iraqis from the start in the de-Ba'athification process ... to be sure we were focused on the right people” since the Coalition did not “know Iraq as well as the Iraqis themselves”.<sup>58</sup>

**72.** On 29 May, Mr Blair met Ambassador Bremer in Basra.<sup>59</sup> Ambassador Bremer raised the need for more qualified staff in the CPA as a result of de-Ba'athification. The record indicates that Mr Blair urged Ambassador Bremer to draw up a list of the staff he required and not to hesitate to ask for additional staff, which he described as “a political priority”.

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<sup>53</sup> Minutes, 22 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>54</sup> Annotated Agenda, 22 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>55</sup> Minutes, 22 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>56</sup> Letter Williams to Rycroft, 23 May 2003, ‘Iraq Reconstruction’ attaching Paper Cross, 22 May 2003, ‘Iraq Reconstruction: Some Thoughts for the PM in his Discussions with President Bush’.

<sup>57</sup> Telegram 22 IraqRep to FCO London, 27 May 2003, ‘Iraq: new ORHA initiatives’.

<sup>58</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>59</sup> Letter Cannon to Owen, 29 May 2003, ‘Iraq: Prime Minister’s meeting with Bremer, 29 May’.

**73.** In a telegram to the British Embassy Washington on 30 May, FCO officials wrote:

“De-Ba’athification and dismantling the institutions of the Ba’athist State are clearly necessary if we are to achieve our post-conflict objectives. But so too is maintaining security. We are concerned that some aspects of the first, especially if it includes laying off without pay the regular army, may have an unnecessarily negative impact on the second, rather than the positive effects we need them to have.”<sup>60</sup>

**74.** The telegram continued:

“We understand why Bremer has felt it necessary to take a tough line on de-Ba’athification ...

“But there is a downside ... we are concerned that de-Ba’athification may be proving to be a blunt instrument. Our secondees working alongside the ministries are reporting that the de-Ba’athification Order is catching Iraqi public servants who have shown themselves to be effective and willing to work with us in areas critical to the Coalition’s success – the police, for example.”

**75.** The FCO suggested that the problem should be addressed by the Coalition taking “a vigorously pragmatic approach to implementing the de-Ba’athification Order” so that it provided an incentive to those who were not committed to Ba’athist ideology to work with the Coalition, for example allowing ex-party members to be re-employed on a probationary basis. The FCO noted that work was “in hand” to develop the machinery to implement the order.

**76.** The following day Sir David Manning reported to Mr Straw’s Principal Private Secretary that he had told Dr Rice and Mr Andy Card, President Bush’s Chief of Staff, over dinner that:

“... we had worries about the de-Ba’athification process. I was sure that it was right to signal that we were determined to break the Ba’ath Party and dismantle its structures. But we must be careful not to create a situation in which token Ba’athists were alienated from the Coalition because we denied them jobs, and a chance to contribute to post-Saddam Iraq. If we made this mistake, we would create a large number of disaffected and hostile people who would quickly turn against us. The key was surely to be pragmatic. Now that Bremer had made his strong and necessary commitment to de-Ba’athification, we should implement it pragmatically. We should think about operating a system whereby people stayed in their jobs until it was shown that their track record rather than a Ba’athist label made them a liability.”<sup>61</sup>

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<sup>60</sup> [Telegram 251 FCO London to Washington, 30 May 2003, ‘Iraq: Dismantling the Baathist State’](#).

<sup>61</sup> Letter Manning to McDonald, 1 June 2003, ‘Iraq: Conversation with Condi Rice’.

**77.** On 2 June, Mr Blair met President Bush over breakfast.<sup>62</sup> In his note reporting their discussion Sir David recorded Mr Blair's analysis that the Coalition should be careful not to create a large pool of disaffected people by targeting those who had joined the Ba'ath Party simply to get a job.

**78.** Mr Blair argued that a clear political vision and timetable was needed, together with a media strategy to avoid a "dangerous" information vacuum.

### The Impact of Order No.1

Writing in September 2003, Major General Freddie Viggers, the outgoing Senior British Military Representative - Iraq, commented in his post-tour report that "all but the hardliners are grateful that the Ba'athist regime has been removed".<sup>63</sup>

The RAND assessment of the Occupation of Iraq records that the initial reaction to the de-Ba'athification order was enthusiastic.<sup>64</sup> The authors cite polls in August 2003 reporting over 94 percent of the Iraqi population saying that either all or some Ba'athists should be removed from office<sup>65</sup> and that 92 percent of Iraqis opposed the participation of former Ba'ath Party members in Iraq's political institutions.<sup>66</sup>

According to Mr Ali A Allawi, a Minister in both the Interim Iraqi Government and the Iraqi Transitional Government:

"De-Ba'athification in the early days of the CPA proceeded in a generally straightforward way. The vast majority of individuals caught in the round of dismissals were those who could be clearly identified in the higher levels of the Party ranks, and the case against them was clear cut."<sup>67</sup>

*Hard Lessons* commented:

"Most Iraqis agreed that some de-Ba'athification was necessary, but many believed that the CPA order had gone too far ...

...

"Whatever its reach should have been, the consequences of the de-Ba'athification order quickly became clear: it reduced the ranks of Iraq's capable bureaucrats and thus limited the capacity of Iraqi ministries to contribute to reconstruction."<sup>68</sup>

<sup>62</sup> Letter Manning to McDonald, 2 June 2003, 'Breakfast meeting between the Prime Minister and President Bush: 2 June 2003'.

<sup>63</sup> [Minute Viggers to CDS & CJO, September 2003, 'SBMR \(I\): End of tour report'](#).

<sup>64</sup> Bensahel N, Oliker O, Crane K, Brennan RR Jr, Gregg HS, Sullivan T & Rathmell A. *After Saddam: Prewar Planning and the Occupation of Iraq*. RAND Corporation, 2008.

<sup>65</sup> Iraq Center for Research and Strategic Studies, *Results of the First Public Opinion Poll in Iraq*, 6 August 2003.

<sup>66</sup> US Department of State, *Iraqis Officer Dim Evaluation of Reconstruction Effort Thus Far*.

<sup>67</sup> Allawi AA. *The Occupation of Iraq: winning the war, losing the peace*. Yale University Press, 2007.

<sup>68</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

Although it recognised the significance of the impact of de-Ba'athification on the public sector in Iraq, the RAND report *Occupying Iraq* observed that the number of individuals who left office in the first three months of Occupation (10,000) was still less than the number of senior jobs normally vacated following a change of US Administration.<sup>69</sup>

General the Lord Walker, Chief of the Defence Staff from May 2003 to April 2006, told the Inquiry that the removal of “a complete layer of administrative competence” was “not ... a particular help”.<sup>70</sup>

Mr Stephen Pattison, FCO Head of the UN Department until June 2003, told the Inquiry:

“... we should have realised that without those officials we were going to struggle really hard to get this country going again and we should have reached out to those officials in order to bring them back in by offering them assurances about their pensions or their security or their jobs or whatever.”<sup>71</sup>

Ms Emma Sky, Governorate Co-ordinator for Kirkuk province in 2003, told the Inquiry that Major General Raymond Odierno (the US military commander responsible for the province) had given an amnesty to teachers and doctors on his own authority as a way of circumventing the Order.<sup>72</sup>

Mr Andy Bearpark, the CPA's Director of Operations, told the Inquiry:

“... when I observed the effects of the [de-Ba'athification] policy, I don't believe that some of the effects of the policy were quite as severe as some of the critics of the policy point out, but that's a belief or assertion on my part. I have no evidence to support it.”<sup>73</sup>

In Mr Bearpark's opinion, the issues that he encountered within the senior levels of the Iraqi Civil Service had more to do with personal rivalry than real concerns about Ba'athist control.

Mr Chaplin and Mr Asquith, who both served as British Ambassador to Iraq, told the Inquiry that there was a sense of exclusion within the Sunni community as a result of de-Ba'athification, because they felt that it affected their community disproportionately.<sup>74</sup>

Mr Jonathan Powell told the Inquiry:

“... it was a mistake to go so far with de-Ba'athification. It is a similar mistake the Americans made after the Second World War with de-Nazification and they had to reverse it. Once it became clear to us, we argued with the administration to reverse it, and they did reverse it, although with difficulty because the Shia politicians in the government were very reluctant to allow it to be reversed, and at the time we were being criticised for not doing enough de-Ba'athification.”<sup>75</sup>

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<sup>69</sup> Dobbins J, Jones SG, Runkle B & Mohandas S. *Occupying Iraq: A History of the Coalition Provisional Authority*. RAND Corporation, 2009.

<sup>70</sup> Public hearing, 1 February 2010, page 24.

<sup>71</sup> Public hearing, 31 January 2011, pages 22-24.

<sup>72</sup> Private hearing, 14 January 2011, pages 27-29.

<sup>73</sup> Public hearing, 6 July 2010, pages 83-84.

<sup>74</sup> Public hearing, 1 December 2009, page 88; Public hearing, 4 December 2009, page 19.

<sup>75</sup> Public hearing, 18 January 2010, page 128.

## CPA Memorandum No.1

**79.** On 3 June, Ambassador Bremer signed CPA Memorandum No.1, which described the implementation of Order No.1 (de-Ba'athification) and Order No.5 (creation of the Iraqi de-Ba'athification Council).<sup>76</sup>

**80.** The Memorandum described an interim process for identifying Ba'ath Party members using Coalition military investigators. It said:

“As the Administrator determines that the responsibility for identifying Ba'ath Party members effectively can be transferred to Iraqi citizens, the Administrator shall direct the Iraqi de-Ba'athification Council to assume an increasingly significant role in carrying out the de-Ba'athification process.

“Initially, the Council will advise the Coalition on de-Ba'athification policies and procedures ...”

**81.** The Memorandum also established Accreditation Review Committees, to hear appeals and requests for exemption. Relevant factors for consideration would be:

“... whether the individual:

- i. Is willing to denounce the Ba'ath Party and his past association with it;
- ii. Was a senior Ba'ath Party member or simply a ‘full’ party member;
- iii. Has exceptional educational qualifications;
- iv. Left the Ba'ath Party before April 16, 2003;
- v. Continues to command the support of his colleagues and respect of their subordinates;
- vi. Is judged to be indispensable to achieving important Coalition interests; at least in the immediate term;
- vii. Can demonstrate that he joined the party to hold his job or support his family.”

**82.** In early June, Sir Kevin Tebbit, MOD Permanent Under Secretary, reported that he had observed in a recent visit to Iraq that the implementation of the de-Ba'athification policy was posing difficulties for UK personnel in the South but that “General Wall seems to think that he can work quietly to achieve the flexibility he needs without taking US policy head on.”<sup>77</sup>

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<sup>76</sup> Coalition Provisional Authority Memorandum Number 1: Implementation of De-Ba'athification Order No. 1.

<sup>77</sup> Minute Tebbit to Secretary of State, 3 June 2003, ‘Visit to Basrah and Baghdad’.

**83.** Mr Blair and President Bush discussed de-Ba'athification briefly when they spoke by telephone on 6 June.<sup>78</sup> Mr Blair argued that the principle was right, but needed to be applied flexibly: "we should neither undermine public services by sacking key technocrats nor allow a class of resentful and desperate ex Ba'athists to build up."

**84.** In his book *State of Denial* Mr Bob Woodward described General Jay Garner, the former Head of ORHA, telling Secretary Rumsfeld in June 2003 that the extent of de-Ba'athification had been one of three "terrible mistakes" made in Iraq.<sup>79</sup> In Gen Garner's view, those mistakes were still reversible. Secretary Rumsfeld is reported to have responded: "We're not going to go back." Gen Garner did not make the same point in person to President Bush.

**85.** One of the UK's priorities for the first 30 days of the CPA, produced by the IPU and circulated by Mr Straw on 5 June, was the need for:

"... a pragmatic approach to dismantling the Ba'ath Party and the security apparatus. We need to destroy the system, not the people. Need to give people reasons to work with us, not against us: the prospect of work, of a basic income, the chance to find a place in the new Iraq."<sup>80</sup>

**86.** Discussion at a meeting chaired by Mr Blair on 6 June (see Section 9.2) suggested that this was not being achieved.<sup>81</sup> In both Baghdad and Basra de-Ba'athification was listed as one factor in security problems.

**87.** On 9 June, Sir David Manning reported to Mr Straw's Principal Private Secretary that he had told Dr Rice that:

"... she should look again at the de-Ba'athification programme. The draconian way in which it was being applied risked acting as a recruiting sergeant for the opposition. It had been right to take a tough line on the Ba'ath party; but it would be sensible now to impose it flexibly. We should adopt the approach that those who were not against us, were with us; rather than act as though we thought those who were not obviously with us were against us."<sup>82</sup>

**88.** On 17 June, instructions from the IPU to Mr Sawers reflected a mounting concern about the extent of UK influence on decision-making generally within the CPA.<sup>83</sup> The IPU wrote:

"Ministers remain deeply concerned about the lack of effective joint-decision making with the US. With many decisions now being made in Baghdad, the ideal solution

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<sup>78</sup> Letter Cannon to McDonald, 6 June 2003, 'Iraq: Prime Minister's Conversation with Bush, 6 June'.

<sup>79</sup> Woodward B. *State of Denial*. Simon & Schuster UK Ltd, 2006.

<sup>80</sup> [Minute Straw to Blair, 5 June 2003, 'Iraq: Winning the Peace', attaching 'Iraq Reconstruction: 30 Day priorities, 5 July 2003'](#).

<sup>81</sup> [Letter Cannon to McDonald, 6 June 2003, 'Iraq: Prime Minister's Meeting, 6 June'](#).

<sup>82</sup> Letter Manning to McDonald, 9 June 2003, 'Iraq: Conversation with Condi Rice'.

<sup>83</sup> Telegram 13 FCO London to IraqRep, 17 June 2003, 'Iraq: Priorities'.

would be your agreeing a mechanism with Bremer whereby we become a joint signatory on any CPA decisions ...

“At the very least, we must be properly consulted on decisions. This may involve advocating the creation of a small policy body in which we are represented, to ensure that we have a say when you are not in town.”

**89.** Following a message from Baghdad reporting progress against the IPU's list of priorities, the IPU wrote to Mr Sawers on 20 June:

“While we agree on the need to act decisively to dismantle the Ba'athist state, we need to keep plugging away that it is the system, not the people forced to live in it, that we want to destroy.”<sup>84</sup>

**90.** On 24 June, Baroness Amos, the International Development Secretary, was asked about the policy of de-Ba'athification in the House of Lords.<sup>85</sup> Lord Wright asked whether it was true that the:

“... apparent decision to exclude all former members of the Iraqi Ba'ath party, however junior, from working is not only causing unemployment to a very serious extent in Iraq but is excluding from the reconstruction process a number of highly qualified people who would be very ready to undertake those tasks?”

**91.** Baroness Amos replied:

“... the de-Ba'athification process is under constant discussion. No decisions have yet been taken. There was a concern that the first three levels should perhaps be excluded. The implications of that in terms of the administration in Iraq is being looked at. What we want to see is Iraqis working to reconstruct the country.”

**92.** On 25 June, in a telephone conversation with Mr Colin Powell, US Secretary of State, Mr Straw said that “de-Ba'athification had gone too far” and the UK was concerned.<sup>86</sup> He suggested that if the same approach had been taken in Germany after the Second World War, it would have taken a lot longer to establish a working democracy in West Germany. Secretary Powell agreed.

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<sup>84</sup> Telegram 16 FCO London to IraqRep, 20 June 2003, 'Iraq: Priorities'.

<sup>85</sup> House of Lords, *Official Report*, 24 June 2003, columns 132-133.

<sup>86</sup> Letter Straw to Manning, 26 June 2003, 'Conversation with Colin Powell, 25 June'.

**93.** Baroness Amos raised de-Ba'athification when she met Ambassador Bremer at the end of June (see Section 9.2).<sup>87</sup> A note of the meeting by her Private Secretary recorded that Baroness Amos had told Ambassador Bremer that she had:

“... heard some say that this [the de-Ba'athification process] was biting too deep in Ministries where large numbers of more senior public servants ... might have been in the top 3 percent of the Ba'ath party, and so removed from post.”<sup>88</sup>

**94.** Mr Sawers' telegram reporting his impressions of the visit said that Baroness Amos had told Ambassador Bremer that “the Iraqi women she had met all had horrific stories of family losses, and had mentioned to her the importance of the [de-Ba'athification] policy”.<sup>89</sup>

**95.** Both accounts record Ambassador Bremer's explanation that the policy was:

“... the most popular decision the Coalition had taken. It had not cut deeply into ministries ... it only applied in effect to Directors General. Virtually all the DGs for Administration had been given exemptions as they were necessary to administer public sector pay. There had been others where it was essential to the ministry and there was an important coalition interest. Bremer felt that the main problem was that lower level members of the Baath party feared that the policy embraced them too and that they would be unable to return to public sector jobs. This was not the case ...”<sup>90</sup>

**96.** On 3 July, policy on de-Ba'athification was raised again in the House of Commons.<sup>91</sup> In a debate following an Oral Statement on the humanitarian situation in Iraq, Ms Lynne Jones asked Mr Hilary Benn, Minister for International Development:

“What action is being taken to distinguish between those Ba'athists who are loyal to Saddam Hussein and those who joined the Ba'ath party only from expediency, who do not have a record of corruption and abuse and can, therefore, contribute to the reconstruction of Iraq?”

**97.** Mr Benn replied:

“It is vital that those who played a leading role in the old regime, and all that flowed from that, should be removed from their positions but, at the same time, the de-Ba'athification policy should be sensibly applied because we need to ensure that services can continue to function. The CPA is extremely conscious of the position and needs to reflect on it as it takes the process forward.”

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<sup>87</sup> Telegram IraqRep 56 to FCO London, 26 June 2003, 'Iraq; Baroness Amos Visit'; Minute Bewes to Malik, 29 June 2003, 'Meeting with Paul Bremer'.

<sup>88</sup> Minute Bewes to Malik, 29 June 2003, 'Meeting with Paul Bremer'.

<sup>89</sup> Telegram 56 IraqRep to FCO London, 26 June 2003, 'Iraq; Baroness Amos Visit'.

<sup>90</sup> Telegram 56 IraqRep to FCO London, 26 June 2003, 'Iraq; Baroness Amos Visit'.

<sup>91</sup> House of Commons, *Official Report*, 3 July 2003, column 562.

## The role of the Governing Council

**98.** The Governing Council (GC) (also referred to as the Iraqi Governing Council (IGC)) met for the first time on 13 July. Its creation is described in Section 9.2.

**99.** At the first meeting of the GC, Mr Sawers reported that Dr Chalabi specifically thanked Ambassador Bremer for his decision on de-Ba'athification.<sup>92</sup>

**100.** In his account of the appointment of members of the Council, Mr Sawers reported:

“Everyone on the Council was adamant that Ba’athists were totally unacceptable, and there is great praise here that we managed to exclude people who had compromised unacceptably with the Saddam regime. To have included them would have been like welcoming Nazis back into the German Government after WWII.”<sup>93</sup>

**101.** The CPA and GC had agreed the authorities of the Governing Council, which described its initial powers.<sup>94</sup> They enabled the GC to make policy in all areas, including on de-Ba'athification.

**102.** At the end of July, a junior UK official working in Baghdad reported to the FCO on plans to put an accelerated vetting process in place for the first set of senior appointees to public positions.<sup>95</sup>

**103.** The official wrote that, although substantive work on vetting was to be left until there was a new Iraqi Government in place, the Coalition had done some preparatory work. In that initial phase, the intention was that the criteria:

“... will seek to disqualify from key posts only those guilty of crimes against the Iraqi people. They will be defined with care, taking account of the culture and methodology of Saddam Hussein’s repressive apparatus. Attention will also be paid to post-communist legislation in the three ex-CEE [Central and Eastern Europe] countries who have high-level representatives in the CPA. Their personal views on the effectiveness of these laws will be listened to.”

**104.** The author of the telegram commented that he had hoped:

“... to have these criteria embodied in a new Order ... [to] supplement Order No.1 on de-Ba'athification ... [which] might also have allayed the concerns of those Iraqis who doubt whether the CPA is being sufficiently robust with the remnants of the former regime (there is a fine line between achieving this and disqualifying – and possibly alienating – those with skills and experience the new Iraq needs).”

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<sup>92</sup> Telegram 82 IraqRep to FCO London, 13 July 2003, 'Iraq: Formation of the Governing Council'.

<sup>93</sup> [Telegram 79 IraqRep to FCO London, 13 July 2003, 'Iraq: Governing Council: Analysis and Comment'](#).

<sup>94</sup> Telegram 81 IraqRep to FCO London, 13 July 2003, 'Iraq: Governing Council: Authorities'.

<sup>95</sup> Telegram 1 Security Affairs Iraq to FCO London, 27 July 2003, 'Iraq Security Sitrep No.1'.

**105.** The official wrote that the new Order had not happened because of a wider sense of sensitivity about work on Iraq's intelligence agencies.

**106.** In late July Sir Jeremy Greenstock, who was to succeed Mr Sawers as the Prime Minister's Special Representative on Iraq in September, had a bilateral meeting with the UN Special Representative, Mr Sérgio Vieira de Mello.<sup>96</sup> During that discussion, Mr Vieira de Mello's adviser had cautioned that "we should not over emulate post-war Germany in the extreme to which we took de-Ba'athification".

**107.** According to the authors of the RAND report *Occupying Iraq*, in August 2003 Ambassador Crocker was raising concerns with Ambassador Bremer about the differing ways in which the de-Ba'athification policy was being implemented across Iraq.<sup>97</sup> He also identified that it was affecting more than just hard-core supporters of Saddam Hussein, and that procedures for making exceptions were slow.

**108.** Ambassador Crocker suggested transferring responsibility for the implementation of de-Ba'athification to the GC, on the grounds that "an Iraqi body would be more sensitive to the nuances of the policy". As a result, on 10 August Ambassador Bremer put a proposal entitled "Proposal for Implementing the Iraqi de-Ba'athification Council" to the GC.

**109.** In early September Mr Blair's Assistant Private Secretary recorded that he believed "flexible handling of de-Ba'athification" was needed to avoid excluding potential recruits to the Iraqi police unnecessarily.<sup>98</sup>

**110.** Mr David Richmond, the Prime Minister's Interim Special Representative on Iraq, reported on 4 September that Ambassador Bremer understood the need for flexibility on de-Ba'athification, as did a senior Iraqi interlocutor; although they would be "closely watched by some members of the Governing Council who are strongly opposed to any concessions in this area".<sup>99</sup>

**111.** On 8 September, in a House of Lords debate following an Oral Statement on Iraq and the Middle East, Baroness Symons, FCO Minister of State, commented:

"The fact that so many senior Iraqi officials in all walks of life, whether civilian or military, were members of the Ba'ath party was a function of the old regime ... in clearing out anyone who was a member of the Ba'ath party, a great deal of valuable expertise has been lost. I believe that we have now found a better balance on that issue."<sup>100</sup>

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<sup>96</sup> Telegram 1116 UKMis New York to FCO London, 23 July 2003, 'Iraq: meeting with de Mello'.

<sup>97</sup> Dobbins J, Jones SG, Runkle B & Mohandas S. *Occupying Iraq: A History of the Coalition Provisional Authority*. RAND Corporation, 2009.

<sup>98</sup> [Letter Cannon to Adams, 2 September 2003, 'Iraq: Briefing for Prime Minister'](#).

<sup>99</sup> Telegram 150 IraqRep to FCO London, 4 September 2003, 'Iraq: Briefing for Prime Minister'.

<sup>100</sup> House of Lords, *Official Report*, 8 September 2003, column 49.

**112.** In early September, the GC told Ambassador Bremer that it had formed the High National de-Ba'athification Commission (DBC), under the chairmanship of Dr Chalabi, with Mr Nuri al-Maliki as his deputy.<sup>101</sup>

**113.** On 17 September, Dr Chalabi reported to Ambassador Bremer that the Commission's first two decisions had been to rescind the exemptions that had previously been issued to fourth-tier Ba'athists and to extend the ban on public employment to include a wider range of public activities, including the media.

**114.** On 18 September, Sir Jeremy Greenstock, who had now arrived in Iraq, reported that the GC's de-Ba'athification Council had approved a resolution calling for the immediate firing of all high-level Ba'ath Party members from Government service:

“Bremer urged the IGC to co-ordinate with the Ministry of Education to ensure that the process of teacher de-Ba'athification was complete before the schools re-open on 1 October. The general issue, which remains controversial, of how to manage exemptions is one that the IGC will soon have to engage on.”<sup>102</sup>

**115.** The following day, Sir Jeremy commented:

“I find Bremer's readiness to push the senior Iraqis to the front very interesting. We Brits think it the right tactic, but I expected more resistance from him. He continues to remind the GC eg when they produce 'decisions' on ... de-Ba'athification ... that only he can sign things into law. But he does not seem fussed to be losing the substantive initiative ...”<sup>103</sup>

**116.** By 2 October, Sir Jeremy was reporting that the issue of de-Ba'athification had:

“... not proceeded over the week, despite the mounting concerns of both the CPA and the GC. The harder-line end of the GC demanded that senior remaining Ba'athists should be physically removed from the streets – not just their jobs – and quickly. Bremer reminded them that the CPA were still worried about due process, but had yet to receive clarification from the GC on what their recent decision meant. He asked for decisions on this soon.”<sup>104</sup>

**117.** On 4 November, Ambassador Bremer signed CPA Memorandum No.7.<sup>105</sup>

**118.** Memorandum No.7 transferred responsibility for the implementation of de-Ba'athification to the GC, and enshrined in law the first two decisions of Dr Chalabi's

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<sup>101</sup> Dobbins J, Jones SG, Runkle B & Mohandas S. *Occupying Iraq: A History of the Coalition Provisional Authority*. RAND Corporation, 2009.

<sup>102</sup> Telegram 174 IraqRep to FCO London, 18 September 2003, 'Iraq: Governing Council Roundup'.

<sup>103</sup> [Telegram 175 IraqRep to FCO London, 19 September 2003, 'Iraq: Political Process'](#).

<sup>104</sup> Telegram 195 IraqRep to FCO London, 2 October 2003, 'Iraq: Governing Council update 1 October'.

<sup>105</sup> Coalition Provisional Authority Memorandum Number 7, 4 November 2003.

Commission, rescinding all exemptions granted under CPA Order No.1 and extending the ban on public employment to wider involvement in public life.<sup>106</sup>

**119.** Sir Jeremy Greenstock reported on 6 November that the transfer of responsibility:

“... worried regional commanders in the Sunni Triangle area. They expressed particular concern about the security implications of another round of dismissals in the public sector and the knock-on impact. General Odierno put it bluntly: decisions from Baghdad that alienated local populations led to his soldiers getting killed.”<sup>107</sup>

**120.** Having read Sir Jeremy’s message, the IPU’s view was that the decision to hand full control of de-Ba’athification to the GC “could result in further instability ... we would wish to see a more pragmatic approach”.<sup>108</sup>

**121.** Reporting from Baghdad, Sir Jeremy wrote that he continued to urge a flexible approach to de-Ba’athification.<sup>109</sup> His messages indicate that Ambassador Bremer agreed with this, though “the IGC wanted tougher de-Ba’athification”.

**122.** In late November, the head of the Iraqi National Movement, Mr Hatim Mukhlis, told Sir Jeremy that the de-Ba’athification policy and disbanding the Iraqi Army had been mistakes:

“Rather than de-Ba’athification ... Iraq needed a truth and reconciliation committee. The Ba’ath Party has been a career route for many people. Those who had committed atrocities or crimes had to be held to account. But many members were intellectuals and professionals. What was required was time for wounds to heal, but the opposite was happening, and this was being exacerbated by militia activity. The CPA could exert pressure on the IGC and influence the de-Ba’athification process, which was wrong.”<sup>110</sup>

**123.** According to the RAND report *Occupying Iraq*, on 9 December Ambassador Bremer:

“... informed all CPA civilians and Coalition military personnel, ‘de-Ba’athification is now an Iraqi process ... immediately cease any involvement in de-Ba’athification’.”<sup>111</sup>

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<sup>106</sup> Dobbins J, Jones SG, Runkle B & Mohandas S. *Occupying Iraq: A History of the Coalition Provisional Authority*. RAND Corporation, 2009.

<sup>107</sup> Telegram 252 IraqRep to FCO London, 6 November 2003, ‘Iraq Regional Coordinators and Commanders Meeting’.

<sup>108</sup> Minute King-Smith to Buck, 7 November 2003, ‘Iraq: CPA Strategic Plan’.

<sup>109</sup> Telegram 176 Baghdad to FCO London, 8 November 2003, ‘Iraq: Sir Nigel Sheinwald’s Call on Bremer’.

<sup>110</sup> Email Alkadiri [ORHA] to FCO [junior official], 24 November 2003, ‘Sir Jeremy Greenstock and David Richmond’s meeting with Hatim Mukhlis (CEO-Iraqi National Movement) 21 November, 2003’.

<sup>111</sup> Dobbins J, Jones SG, Runkle B & Mohandas S. *Occupying Iraq: A History of the Coalition Provisional Authority*. RAND Corporation, 2009.

**124.** On 12 December, in a telegram to the FCO on strategy for engaging the Sunni community, Mr David Richmond, now Deputy Special Representative on Iraq, wrote that it was essential that:

“The possibility of de-Ba’athification ... distinguish[ed] between senior/criminal elements and those whose party affiliation was obligatory or nominal. The CPA almost certainly made a mistake in handing this issue to the IGC. Most IGC members are hard-liners more interested in rooting out Ba’athists wherever they can be found and excluding all former Ba’ath Party members from standing for elections to the TNA [Transitional National Assembly] than in reconciliation. Not all Sunnis were Ba’athists but this is bound to cause further alienation. I have spoken to Bremer about this. He is ready to make clear to the IGC that sweeping exclusions are unacceptable and that the economic and security consequences have to be considered”.<sup>112</sup>

**125.** In January 2004, the GC published procedures for the implementation of de-Ba’athification.<sup>113</sup> They confirmed that all individuals working in the public sector who fell into the following categories were to be dismissed immediately if they had not already been removed from office:

- those in the top four tiers of Ba’ath Party membership;<sup>114</sup> and
- those in the top three tiers of public sector management qualifying as member or active member (less senior Ba’athists).

**126.** Those in the top three tiers of Ba’ath Party membership would have no opportunity for appeal. A formal appeal mechanism was put in place for:

- those in the fourth tier of Ba’ath Party membership; and
- those in the top three layers of public sector management who had not been senior Ba’athists.

**127.** Appeals were to be held in two stages; first by local de-Ba’athification Review Committees (established by the relevant ministry, in each governorate area) and then by Dr Chalabi’s Higher National de-Ba’athification Commission. Appeals could be either on factual grounds (for example, that the individual had been mistakenly identified as a senior Ba’ath Party member but had not in fact been one), or on broader grounds regarding the degree to which the individual subscribed to the ideals of the former regime. The criteria against which commitment to the regime would be judged were:

- whether the employee had renounced Ba’ath Party membership;

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<sup>112</sup> Telegram 306 IraqRep to FCO London, 12 December 2003, ‘Iraq: Sunni Strategy’.

<sup>113</sup> Talmon, S. *The Occupation of Iraq: Volume II The Official Documents of the Coalition Provisional Authority and the Iraqi Governing Council*. Hart Publishing, 2013.

<sup>114</sup> Defined as Udw Qutriyya (Regional Command Member), Udw Far (Branch Member), Udw Shu’bah’ (Section Member) and Udw Firqah (Group Member).

- the circumstances under which the employee became a Ba'ath Party member and was promoted to the fourth tier of membership;
- employment history, including links to Ba'athist military, intelligence or security services;
- whether during their time in office the employee was dedicated to furthering the goals of the Ba'ath Party;
- any illegal activities by the employee;
- whether the skills of the employee were rare or replaceable; and
- whether the individual had attained fourth-tier membership solely as a result of having been a prisoner of war in the Iran-Iraq conflict (there was a presumption that this group of individuals should retain their employment).

**128.** Appeals to the local de-Ba'athification Review Committees were to be processed within six weeks. A panel of two judges, nominated by the Iraqi Council of Judges and approved by the GC, would sit on Dr Chalabi's Commission for the purpose of hearing appeals, and one of these would be required to agree and sign the appeal decision. Exemptions to the bar on public employment could be granted either for life or for a one-year probationary period. A probationary exemption could be revoked if the individual was found to have fabricated evidence, if new evidence came to light, or if the individual re-engaged in Ba'athist activities.

**129.** Sir David Manning, who had been appointed British Ambassador to the US, reported a member of the Department of Defense describing the new appeal process as "a step forward".<sup>115</sup>

**130.** Ambassador Bremer told the Inquiry that "it was a mistake for the CPA to devolve the implementation of the de-Ba'athification programme to Iraqi politicians who then attempted to broaden the decree's effect".<sup>116</sup> He suggested that a wiser move would have been to set up a judicial panel to oversee implementation.

## **De-Ba'athification in the Transitional Administrative Law**

**131.** In early February 2004, Sir Jeremy Greenstock reported that Ambassador Bremer had been lobbying the GC President on the need to ensure that the provisions in the Transitional Administrative Law (TAL) on who could qualify to stand for election to the Transitional National Assembly were not drawn too tightly and did not exclude junior Ba'athists or those who had been exempted by Dr Chalabi's Commission from standing for election.<sup>117</sup> The development of the TAL is covered in Section 9.2.

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<sup>115</sup> Telegram 75 Washington to FCO London, 16 January 2004, 'Visit of the House of Commons Defence Committee to the US, 11-15 January'.

<sup>116</sup> Statement Bremer, 18 May 2010, page 5.

<sup>117</sup> Telegram 032 IraqRep to FCO London, 2 February 2004, 'Iraq: Political Process: TAL Update'.

**132.** On 4 February, in response to a question from Mr Llew Smith, Mr O'Brien told the House of Commons that:

"The process of de-Ba'athification is an Iraqi led process. Guidelines were announced by the Iraqi Governing Council on 11 January and provide a clear framework for this process. The Transitional Administrative Law, which will include the criteria for nomination to the Transitional National Assembly, is in the final stages of drafting. It is likely to follow the existing practice that nominees shall not have been a member of the dissolved Ba'ath Party at the rank of Division Member ... [the fourth tier of membership] or higher – unless exempted by the National De Ba'athification Commission – or a member of the past agencies of repression, or one who participated in the oppression of citizens."<sup>118</sup>

**133.** The TAL published on 8 March contained the following restrictions on former members of the Ba'ath Party:

- Senior members (fourth tier and above) were not eligible to stand unless they had been successful in their appeal to the de-Ba'athification Commission.
- "Full" members would be required to renounce the Ba'ath Party and swear they had no further dealings or connections with Ba'athist organisations.<sup>119</sup>

**134.** In late March, Sir Jeremy Greenstock reported to the FCO in London, following a discussion between his staff and Ambassador Bremer, that:

"Bremer remains committed to de-Ba'athification but believes that Chalabi has abused the process by emphasising its retributive elements and ignoring the appeals procedures ... Given the fragile security situation ... Bremer is keen to make the process appear as independent and fair as possible."<sup>120</sup>

**135.** Sir Jeremy reported that Ambassador Bremer was considering taking responsibility for de-Ba'athification away from the GC, and giving it to an independent body. As a first step, he intended to write to Dr Chalabi, asking for changes to de-Ba'athification procedures.

**136.** In April, Mr Dominic Asquith, Deputy Chief Commissioner in the CPA, reported that Ambassador Bremer was seeking to expedite efforts to address Sunni concerns, in particular taking "steps designed to make the [de-Ba'athification] process appear less partisan by taking responsibility for the process away from Ahmed Chalabi ... he also wants blanket exemptions for teachers".<sup>121</sup>

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<sup>118</sup> House of Commons, *Official Report*, 4 February 2004, column 907W.

<sup>119</sup> Iraqi Transitional Administrative Law, 8 March 2004, Articles 31(B)(2) and (3).

<sup>120</sup> Telegram 107 IraqRep to FCO London, 25 March 2004, 'Iraq: de-Ba'athification progress'.

<sup>121</sup> Telegram 181 IraqRep to FCO London, 21 April 2004, 'Iraq: Sunni Politics'.

**137.** There had been “opposition to Bremer’s ideas on de-Ba’athification on a local level” from Shia politicians. In addition, Mr Asquith reported that:

“Washington have also sought to hobble Bremer’s efforts. Principals prohibited him from giving a speech on 16 April outlining the new initiatives as part of a broader national reconciliation speech ... According to Bremer, senior US officials want the message delivered by an Iraqi, and failing that Rumsfeld.”

**138.** Ambassador Bremer made a speech in Baghdad addressed to the Iraqi people on 23 April.<sup>122</sup> He said:

“... many Iraqis have complained to me that de-Ba’athification policy has been applied unevenly and unjustly. I have looked into these complaints and they are legitimate. The de-Ba’athification policy was and is sound. It does not need to be changed. It is the right policy for Iraq. But it has been poorly implemented.”

**139.** As a result, Ambassador Bremer announced that he had agreed with the Iraqi Ministers of Education and Higher Education, and with Dr Chalabi, that “decisions made by local appeals committees of the Ministry of Education will be effective immediately. This will allow thousands of teachers to return to work. Thousands more will begin receiving pensions this week.” Arrangements had also been put in place to speed up appeals that were still in the system.

**140.** General Sir John McColl, who served as the Senior British Military Representative – Iraq from April to October 2004, told the Inquiry that the adaptation of how de-Ba’athification was implemented was “a welcome development”.<sup>123</sup>

**141.** On the eve of Ambassador Bremer’s speech, CNN quoted a State Department spokesman saying “we are working to try to develop an equitable solution to address the widely divergent activities of former Ba’athist party members.”<sup>124</sup> The same article also quoted Secretary Rumsfeld stating “the remnants of Saddam Hussein’s regime know they have no future in a free Iraq”.

**142.** The GC issued a statement on 25 April indicating that its policy on de-Ba’athification had not changed, nor was there any intention to change it.<sup>125</sup> It confirmed that the statements in Ambassador Bremer’s speech were “in agreement with the views of the Governing Council and with the Supreme National Commission on de-Ba’athification”. The statement continued:

“Even as the Governing Council draws attention to the positive work of the Supreme National Commission for De-Ba’athification, it notes the necessity of distinguishing

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<sup>122</sup> Speech L. Paul Bremer III, 23 April 2004, ‘Turning the Page’.

<sup>123</sup> Public hearing, 8 February 2010, pages 20-21.

<sup>124</sup> *CNN World*, 22 April 2004, *From ‘de-Ba’athification’ to ‘re-Ba’athification?’*

<sup>125</sup> Statement Governing Council, 25 April 2004.

between criminal Ba'athists and those Ba'ath Party members who were not criminals ...”

**143.** In late April, Sir David Manning reported from Washington that de-Ba'athification was featuring regularly in US media comment on Iraq:

“Most commentators have portrayed Bremer’s new instructions to the IGC as a long-overdue reversal of a fundamental error, and an attempt to clip Ahmed Chalabi’s wings. Chalabi put a different spin on the decision ... arguing that Bremer had not changed the policy, but had agreed with the de-Ba'athification Commission on the need to speed up the appeals process.”<sup>126</sup>

**144.** On 20 May, during one of their regular video conferences, Mr Blair proposed to President Bush that they should look at the approach to de-Ba'athification.<sup>127</sup> He suggested that there were probably a few individuals who could play a role in “calming the Sunnis”.

**145.** Mr Richmond’s assessment, at the end of May, was that “implementation of Bremer’s initiative to alleviate the consequences of de-Ba'athification has been slow”.<sup>128</sup> However, the appeals process was working, and was having significant results in the education sector.

**146.** In higher education, there had been 1,681 appeals, of which 750 had been successful already and the remainder were expected to be granted shortly.

**147.** In the primary and secondary education sector, 12,000 employees had been removed under the de-Ba'athification rules, around 9,000 of whom were entitled to appeal. So far, 4,600 had appealed successfully and a further 1,300 successful appeals were expected by the end of the month, although there were significant variations between governorates: “Several southern governorates, including Najaf and Nasiriyah, have reported that local political and community groups blocked the appeals process.”

**148.** Set against that progress, there were not always jobs available for those who were reinstated. Within the university sector, a number of posts had been filled and vacancies no longer existed. Elsewhere, reinstated teachers were “facing competition for jobs from some 6,000 colleagues who had been removed by Saddam for political reasons and are now eligible to return to work”.

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<sup>126</sup> Telegram 530 Manning to FCO London, 27 April 2004, ‘Iraq: The Public Debate, 26 April’.

<sup>127</sup> Letter Quarrey to Owen, 20 May 2004, ‘Prime Minister’s VTC with Bush, 20 May: Iraq’.

<sup>128</sup> Telegram 257 IraqRep to FCO London, 26 May 2004, ‘Iraq: de-Ba'athification Update’.

**149.** Mr Richmond observed that Dr Chalabi had “continued to try to interfere” and that the “patchy follow up” meant that “we are in danger of yet again appearing not to be delivering on our promises”. He cautioned that it might be necessary to revisit the original de-Ba’athification orders:

“... as they give a government broad scope to arrest and detain suspected Ba’athists for security purposes. Applied punitively, the order could legitimate the type of mass arrests already proposed by some serving ministers. This would have serious repercussions, especially among the Sunni community.”

**150.** In a debate in the House of Commons on 7 June, Mr Donald Anderson asked Mr Straw whether the Government supported a statement by Dr Allawi that “there should be greater progress towards finding places in the new Iraq for former Ba’athists who are not guilty of human rights abuses”.<sup>129</sup>

**151.** Mr Straw told the House of Commons:

“As for progress on the absorption of former Ba’ath party members who are not implicated in the excesses of the regime, we strongly agree with Prime Minister Allawi, and that view is now shared by the United States Government.”

## The Interim Iraqi Government

**152.** On 28 June 2004, the CPA formally handed over to a sovereign Iraqi Government. In the 11 months that followed, the governance of Iraq was the responsibility of the Interim Iraqi Government (IIG), headed by Prime Minister Ayad Allawi. The process of establishing the IIG, and its membership, is described in Section 9.3.

**153.** On 30 June, the Joint Intelligence Committee (JIC) assessed that:

“Former Ba’athists are attempting to reorganise both military and political structures. The attitude of the IIG to former Ba’athists will be key in gaining support in Sunni Arab areas and discouraging hardliners from attacking the political process or coalescing with Islamist terrorists. But Allawi’s efforts to draw Ba’athists into the political process will need to be carefully judged if he is to avoid alienating the Shia.”<sup>130</sup>

**154.** On 1 July, Saddam Hussein and 11 other senior Ba’athists appeared in front of an Iraqi court convened at the Camp Victory court martial facility in Baghdad.<sup>131</sup>

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<sup>129</sup> House of Commons, *Official Report*, 7 June 2004, column 26.

<sup>130</sup> [JIC Assessment, 30 June 2004, ‘Iraq Security’](#).

<sup>131</sup> Telegram 006 Baghdad to FCO London, 1 July 2004, ‘Iraq: High Value Detainees: First Court Appearance’.

**155.** The presiding judge advised all 12 of the crimes they were accused of having committed. Mr Chris Segar, Head of the British Office Baghdad, reported that:

“... under Iraqi law this was a first step in which the accused is informed that there are allegations against him which deserve investigation, which allow for continued detention and that he has a right to legal counsel.”

**156.** On 2 July, the Cabinet Office Assessments Staff told Sir Nigel Sheinwald, Mr Blair's Foreign Policy Adviser, that there were indications that former Ba'athist groups were planning targeted attacks on Iraqi Government ministers.<sup>132</sup>

**157.** On 5 July, the Assessments Staff provided Sir Nigel with statistics on the number of attacks against the Multi-National Force (MNF) and Iraqi targets.<sup>133</sup> It was too early to judge the lasting impact of creating the IIG on the security situation.

**158.** On 12 July, Mr Hoshiyar Zebari, the new Iraqi Foreign Minister, told a meeting of EU Foreign Ministers that:

“The original policy of de-Ba'athification has been right but too generalised. He had ex-Ba'athists in his ministry though not those who had been involved in intelligence or atrocities. Ex-Ba'athist insurgents were now in isolated groups. They did not represent a coherent force.”<sup>134</sup>

**159.** In one of its regular assessments of security in Iraq, the JIC judged on 21 July that Prime Minister Allawi had achieved only limited success in his attempts to bring former Ba'athists “on board”.<sup>135</sup> In the absence of a single Ba'athist organisation with which to negotiate, that would remain the case. Reports of plans to carry out assassinations, including of IIG members, continued.

## The Amnesty Order

**160.** In early August, Prime Minister Allawi signed an order that offered amnesty to those who had played more minor roles in Iraq's insurgency between 1 May 2003 and 7 August 2004.<sup>136</sup> Mr Asquith reported:

“Amnesty is only provided to Iraqis and only for a limited number of terrorism-associated crimes: possession of certain firearms and explosives, the harbouring of terrorists or the failure to inform the authorities of known terrorist groups.”

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<sup>132</sup> Minute Dowse to Sheinwald, 2 July 2004, 'Iraq Update – 2 July'.

<sup>133</sup> Minute Dowse to Sheinwald, 5 July 2004, 'Iraq Attack Statistics'.

<sup>134</sup> Telegram COREU CFSP/Sec/1509/04, 12 July 2004, 'COMIN-COPOL – Foreign Ministers' Lunch with Iraqi Foreign Minister Mr Zibari'.

<sup>135</sup> [JIC Assessment, 21 July 2004, 'Iraq Security'](#).

<sup>136</sup> Telegram 112 Baghdad to FCO London, 9 August 2004, 'Iraq: Amnesty Law and Death Penalty Announced'.

**161.** A second order was also announced which re-introduced the death penalty for around 30 crimes. Most of those crimes related to actions which resulted in the death of another person, but the list also included:

“... where there has been an armed uprising against the armed forces; where an armed uprising aims to invade another country or seize public property; and the distribution of narcotics with the aim of aiding those trying to overthrow the Government by force. It also introduces a law that imposed the death penalty on kidnappers who seek to broadcast pictures of their victims.”

**162.** Mr Asquith judged that the order “reflected Allawi’s belief that the insurgents needed to have brought home to them the consequences of their actions”.

**163.** *USA Today* reported that in relation to the amnesty order:

“Allawi said:

“This order has been established to allow our citizens to rejoin civil society and participate in the reconstruction of their country and the improvement of their lives, instead of wasting their lives pointlessly towards a lost cause ...

“Iraqi officials had earlier said the amnesty might extend to those who had killed US and other coalition troops.”<sup>137</sup>

**164.** FCO officials had seen a draft of the amnesty order in July at which point it covered “both Iraqis and foreigners”.<sup>138</sup>

**165.** On 9 August, Mr Asquith reported to the FCO that Prime Minister Allawi had been “reaching out to Ba’athists inside and outside the country”.<sup>139</sup> Some had been prepared to talk but “there was too little time before [elections in] January to put in place a political party that could represent them and be accepted by the rest of Iraq”.

**166.** During a discussion with Sir Nigel Sheinwald on 8 September, Prime Minister Allawi reported “variable success” on drawing people away from the insurgency.<sup>140</sup> He explained: “The Sunni should not feel they had lost power. Some would help to resist radical Islamist forces if they were brought back into the fold.”

**167.** When Mr Blair visited Iraq 11 days later, Prime Minister Allawi told him that he had spoken to “a number of ex-Ba’athists in the region – Yemen, UAE and Jordan. They were ready to talk.”<sup>141</sup> He hoped that a conference would be convened in Jordan to make it clear that they were ready to “move on and re-engage”.

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<sup>137</sup> *USA Today*, 7 August 2004, *Iraq passes amnesty law for minor players in insurgency*.

<sup>138</sup> Minute Cabinet Office [junior official] to Sheinwald, 13 July 2004, ‘Iraq Strategy Group’.

<sup>139</sup> Telegram 107 Baghdad to FCO London, 9 August 2004, ‘Iraq: Security: Prime Minister’s Views’.

<sup>140</sup> Letter Quarrey to Owen, 9 September 2004, ‘Nigel Sheinwald’s meeting with Allawi, 8 September’.

<sup>141</sup> Letter Sheinwald to Adams, 19 September 2004, ‘Iraq: Prime Minister’s Meeting with Prime Minister Allawi, Sunday 19 September’.

**168.** On 7 October, the JIC assessed that:

“A number of former senior Ba’athists formed the New Regional Command (NRC) in the early summer, based in Damascus with members in Iraq, Lebanon, Jordan and the Gulf states. The NRC maintains links to a number of insurgent groups and may provide some strategic military and political direction and funding. But the scope and scale of its influence is not clear and, whatever its aspirations, the NRC has not yet developed a coherent or widespread Sunni following. Many, if not most, Sunni Arab insurgents are happy to oppose the coalition but are not part of any efforts to reinvigorate the Ba’ath party.”<sup>142</sup>

**169.** On 11 October, Mr Straw’s Private Secretary told Mr Blair’s Private Secretary that:

“We plan to work on Iraq’s neighbours to support Allawi’s efforts to detach former Ba’athists from the insurgency and persuade them to run for elections. Allawi told us in London that he was hoping to arrange a conference of former Ba’athists in Amman in October.”<sup>143</sup>

**170.** At the end of October, the JIC assessed that:

“Intelligence indicates a number of former Ba’athist groups are operating, but not necessarily in a co-ordinated fashion.”<sup>144</sup>

**171.** On 11 November, the JIC reported that although there was no overall co-ordination of the insurgency:

“Some intelligence suggests that the Syria-based Ba’athist new Regional Command is becoming more influential.”<sup>145</sup>

## **A draft new de-Ba’athification Order**

**172.** On 4 December, the British Embassy Baghdad sent the FCO an account of a meeting between Mr Gavin Hood, the Embassy’s Legal Adviser, and Dr Fadel Jamal Kadhum, Legal Adviser to Prime Minister Allawi.<sup>146</sup> They had discussed a new de-Ba’athification Order.

**173.** The report of the meeting said that the effect of CPA Orders No.1, 2 and 5 had been to remove an estimated 35,000 people from their posts, of whom 15,000 had so far been allowed to return. A further 700 had been offered retirement and 8,000 applications for “rehabilitation” remained outstanding. Dr Chalabi’s Commission had removed a further 3,000 individuals from office.

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<sup>142</sup> [JIC Assessment, 7 October 2004, ‘Iraq Security: External Support for Insurgents’.](#)

<sup>143</sup> [Letter Owen to Quarrey, 11 October 2004, ‘Iraq: Contingency Planning’.](#)

<sup>144</sup> [JIC Assessment, 27 October 2004, ‘Iraq: A Long Term Insurgency Problem’.](#)

<sup>145</sup> [JIC Assessment, 11 November 2004, ‘Iraq Security – Current Concerns’.](#)

<sup>146</sup> eGram 452 Baghdad to FCO London, 4 December 2004, ‘Iraq: ‘Re-Ba’athification’.

**174.** Prime Minister Allawi's Legal Adviser told Mr Hood that the new Order had been drafted on the instructions of Prime Minister Allawi, who judged that returning to public service might prevent thousands of disaffected former Ba'athists supporting the insurgency. The philosophy behind the Order was "punish an individual for their crimes and not their ideology". It had been approved by the Council of Ministers but not yet by the President and was unlikely to be signed before the election.

**175.** The draft Order, which Mr Hood was not shown, was said to:

- disband the de-Ba'athification Commission;
- allow all those removed by the CPA to return to their posts, unless that post was judged to be sensitive or senior (Director General and above) or they were found to have committed a "crime against the Iraqi people" (undefined); and
- establish a new judicial Commission to investigate allegations of such crimes.

**176.** The report ended:

"Allawi right to see some modification of the de-Ba'athification process as a necessary part of promoting national unity, but amending the rules can only be credibly done by some form of elected government and preferably as part of a wider initiative on transitional justice."

**177.** In the form described, the Embassy judged that the Order would "lead to an outcry from across Iraqi society" with vigilantism expected to follow.

**178.** After visiting Iraq in December 2004, Mr Dominic Asquith, FCO Iraq Director, commented that in order to achieve political reconstruction and Iraqiisation by early 2006:

"One answer is gradually to incorporate – if necessary into the less sensitive areas to begin with – experienced Ba'athists (ex or otherwise) prepared to opt into government and security structures, separating 'those who served' from 'those who served the previous regime', while ensuring the appointments survive the transition to the new government. Established vetting procedures will be key, but the work done by British experts in CPA days has strangely disappeared from view."<sup>147</sup>

## Former Ba'athists and the Sunni insurgency

**179.** In January 2005, the Defence Intelligence Staff judged:

"Within the Arab Sunni community there are a number of former senior military officers and Ba'ath Party officials who remain intrinsically opposed to anything other than the full restoration of the Ba'ath Party and, in many cases, their own positions of power. Prominent among this group are the New Regional Command (NRC), but there are probably further independent actors and organisations not yet identified ...

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<sup>147</sup> Minute Asquith to Owen, 20 December 2004, 'Visit to Iraq, 13-17 December'.

It is important to note that the majority of former regime elements and Ba'athists may not be 'restorationists'.<sup>148</sup>

**180.** On 19 January, the JIC assessed that Sunni turnout in elections might be as low as one-third of the eligible voters, which would give a disproportionately low representation to Sunni Arabs in the elected institutions.<sup>149</sup> The policy implication of this was, in the JIC's view, that "Sunni outreach will need to intensify after the elections to ensure that Sunnis do not opt out of the political and constitutional drafting process altogether".

**181.** In early February, the JIC judged that the "hard core and most effective" Sunni Arab insurgents were former Ba'athists, but the bulk of those involved were simply disaffected Iraqis "most of whom probably have no long-term political objectives".<sup>150</sup>

## The Transitional National Assembly's de-Ba'athification policy

**182.** Elections for the Transitional National Assembly (TNA) and for Provincial Assemblies took place across Iraq on 30 January 2005.<sup>151</sup> Results were announced on 13 February.<sup>152</sup>

**183.** On 7 April, the Assembly elected its first Speaker and swore in the future Presidential Council and Prime Minister, Dr Ibrahim al-Ja'afari, of the Dawa Party.<sup>153</sup> Prime Minister Designate Ja'afari presented the majority of his Cabinet to the TNA for ratification on 28 April and took office on 3 May.<sup>154</sup> The elections and their outcome are described in more detail in Section 9.3.

**184.** On 23 February, Mr Tim Torlot, Deputy Head of Mission at the British Embassy Baghdad, called on Dr Ja'afari and explained that the UK saw merit in a "National Reconciliation Conference" which might demonstrate the Transitional Government's commitment to a fully inclusive political process.<sup>155</sup> Dr Ja'afari endorsed the idea, but preferred "National Dialogue Conference" because:

"... too many people now associated the word 'reconciliation' with co-operation with former Ba'athists or criminals. Such a meeting could involve anyone who was prepared to renounce violence."

**185.** A UK strategy for Iraq in 2005 co-ordinated by the Cabinet Office in February 2005 suggested that "resolving the **de-Ba'athification** dilemma to allow Security Sector

<sup>148</sup> Report DIS, 7 January 2005, 'Nature of the Insurgency in Iraq'.

<sup>149</sup> JIC Assessment, 19 January 2005, 'Iraq: Elections Update'.

<sup>150</sup> [JIC Assessment, 3 February 2005, 'Iraq: Insurgency and Counter-Insurgency'](#).

<sup>151</sup> Public hearing Chaplin, 7 December 2009, page 12.

<sup>152</sup> Telegram 99 Baghdad to FCO London, 13 February 2005, 'Iraq: Provisional Election Results'.

<sup>153</sup> *BBC News*, 7 April 2005, *Talabani: Iraq's pragmatic new leader*.

<sup>154</sup> eGram 3590/05 Baghdad to FCO London, 28 April 2005, 'Iraq: New Cabinet Ratified by the TNA'.

<sup>155</sup> Telegram 114 Baghdad to FCO London, 23 February 2005, 'Iraq: Call on Ja'afari, UIC Nominee for Prime Minister, 23 February'.

Reform to work” was a key element of supporting the Iraqi Security Forces to deliver security.<sup>156</sup> The strategy also recommended that the UK should “encourage the ITG [Iraqi Transitional Government] to relax the rules on de-Ba’athification as a way of drawing disaffected former Army officers and officials back into the system”.

**186.** In early March, senior US and UK officials discussed the strategy for Iraq in 2005.<sup>157</sup> They identified that, in order to modify the current policy, “one option might be to shift de-Ba’athification from a political to a quasi-judicial process”. Mr Asquith said that de-Ba’athification was likely to be on the agenda of the new government at an early stage and so “we should start engaging the likely key players ... at this stage before their views became settled”.

**187.** A few days later, Mr Charles Heatly (a No.10 Press Officer who had returned from a secondment in Iraq, where he had been working in Prime Minister Allawi’s office) advised Mr Blair that one of the key points for UK engagement with the new government should be: “Minimising the fall-out from de-Ba’athification etc. On our side, we should continue to monitor carefully, and advise caution.”<sup>158</sup>

**188.** In late March, Mr Straw also identified the “enormous damage that could be done to efforts at outreach by a significant renewal of the de-Ba’athification drive” as one of the messages being given to the United Iraq Coalition, which had gained the highest number of seats in January’s election.<sup>159</sup>

## The new Government takes office

**189.** On 6 May, Mr Chaplin reported to the FCO on prospects for Prime Minister Ja’afari’s government.<sup>160</sup> He identified “how to square the zeal for renewed de-Ba’athification in the army, police and ministries with maintaining effective forces to fight the insurgency” as an early challenge. Mr Chaplin reported assurances from Prime Minister Ja’afari that he would only pursue individuals “who have crimes to answer for”.

**190.** On 5 July, Mr Straw wrote to Mr Blair about the Iraqi Constitution.<sup>161</sup> He reported that the timetable remained “tight, but doable”. The UK would need to maintain pressure on the drafters and senior Iraqi politicians to stick to the principle of consensus and work towards agreement of a document which reflected the values and aspirations of all Iraqis.

**191.** Sunni involvement in the Committee established to draft a new Constitution for Iraq is addressed in Section 9.3.

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<sup>156</sup> [Paper Cabinet Office, 7 February 2005, ‘Iraq: Strategy for 2005’.](#)

<sup>157</sup> Minute Fergusson to Sheinwald, 2 March 2005, ‘Iraq: VTC Meeting with NSC/Department of State/Pentagon 28 February 2005’.

<sup>158</sup> Minute Heatly to Prime Minister, 10 March 2005, ‘Iraq: Risks and Media Impact’.

<sup>159</sup> [Minute Straw to Prime Minister, 24 March 2005, ‘Iraq: Ad Hoc Ministerial Meetings’.](#)

<sup>160</sup> eGram 4045/05 Baghdad to FCO London, 6 May 2005, ‘Iraq: Prospects for the Ja’afari Government’.

<sup>161</sup> Letter Straw to Prime Minister, 5 July 2005, ‘Iraq: Constitution’ attaching Paper RAD, June 2005, ‘Constitutional Issues’.

**192.** Mr Straw enclosed with his letter a paper produced by the FCO Research Analysts which set out the substantive issues that the Iraqi Constitution needed to address, including:

- language on how the Constitution could be amended; this was particularly important given concern among Sunni Arabs that they had not had sufficient involvement in the development of the Constitution; and
- de-Ba'athification – in the interests of national unity, the UK wanted to ensure these provisions did not become “more draconian” than the existing provisions in the Transitional Administrative Law.

**193.** The paper stated:

“Substantive moves towards a ‘truth and reconciliation process’ or further amendments to the policy of de-Ba'athification should be dealt with outside the Constitution.”

**194.** Under the heading “The detail”, FCO Research Analysts explained that the Transitional Administrative Law said that no candidate for the Transitional National Assembly should have been a Division member of the Ba'ath Party, unless they had been given specific exemption to stand. They must not have participated in persecution. Members of the Presidency Council must also have left the Ba'ath Party at least 10 years before the fall of Saddam Hussein.

**195.** Adherence to these criteria by the main Shia and Kurdish political blocs had meant rejection of several Sunni Arabs for positions, which has “caused some resentment”.

**196.** On 12 July, Mr William Patey, successor to Mr Chaplin as British Ambassador to Iraq, reported that Grand Ayatollah al-Sistani<sup>162</sup> had told the UN Special Representative to Iraq that “it would be important to maximise Sunni inclusion. The only people who should be excluded were criminals and former members of the regime.”<sup>163</sup>

**197.** In mid-July the JIC assessed the state of the insurgency in Iraq, at the request of the Cabinet Office.<sup>164</sup> It judged that the bulk of Iraqi insurgents were Sunni Arabs but did not see evidence of a unified or national command structure:

“The Iraqi Sunni Arab insurgency remains characterised by disparate groups, some based on family, tribal and religious links. Many have former regime connections, and military expertise is widely exploited. But we judge the influence of recalcitrant Ba'athists, including the Ba'ath Party's military wing, Jaysh Muhammad, to be marginal.”

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<sup>162</sup> Iraq's most senior Shia theologian.

<sup>163</sup> eGram 8781/05 Baghdad to FCO London, 12 July 2005, ‘Iraq: UNSRSG meets Sistani and Muqtada al Sadr’.

<sup>164</sup> [JIC Assessment, 14 July 2005, ‘Iraq: State of the Insurgency’.](#)

**198.** In a separate Assessment covering the effectiveness of efforts to engage with Iraq's Sunni Arab communities, the JIC judged that "The Iraqi Ba'ath Party, now based in Damascus, has no obvious support base within Iraq."<sup>165</sup>

**199.** The JIC also assessed that "perceptions that ministries are being purged of Sunnis under the banner of de-Ba'athification" were "exacerbating tensions".

**200.** The Iraq Sub-Committee of the Defence and Overseas Policy Committee (DOP(I)) considered a paper on 18 July entitled "Iraq: Splitting the Jihadists from the National Opposition".<sup>166</sup> It had been written by the FCO and was presented by Mr Patey.

**201.** The paper described jihadists as "principally foreigners, but an increasing number of Iraqis". Its recommendations included:

- continuing to demonstrate inclusivity in the drafting of the Constitution, committing to the timetable set out in the TAL, and being prepared to intervene if necessary;
- ensuring that the system used in the December elections was province-based in order to maximise Sunni Arab participation; and
- pressing the ITG to relax the de-Ba'athification rules to allow disaffected former Army officers and officials back into the ISF and government institutions, and ensuring that de-Ba'athification decisions were based in a legal framework rather than a political one.

**202.** These were to be accompanied by a strong media strategy, aimed at undermining the jihadists' "un-Islamic" message, and active engagement with neighbouring States.

**203.** DOP(I) agreed the broad approach proposed by the FCO.<sup>167</sup>

## De-Ba'athification in the Iraqi Constitution

**204.** In an update on the Iraqi Constitution sent to the FCO on 25 July, Mr Patey advised that the first full draft contained "two unnecessary and unhelpful mentions of Ba'athism: 'Saddamist Ba'athist' thinking is prohibited and nominees for the National Assembly must not have been covered by de-Ba'athification law."<sup>168</sup>

**205.** Mr Patey considered that it would be "better and more conducive to national reconciliation if both references were to be dropped".

**206.** A note by the IPU on 24 August said that the UK was pushing for an article on de-Ba'athification to be deleted "in order to increase the chances for Sunni buy-in".<sup>169</sup> Shia representatives were keen to retain the section "believing it would make it harder

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<sup>165</sup> [JIC Assessment, 14 July 2005, 'Iraq: Outreach to Sunni Arabs'](#).

<sup>166</sup> Paper FCO, 18 July 2005, 'Iraq: Splitting the Jihadists from the National Opposition'.

<sup>167</sup> Minutes, 21 July 2005, DOP(I) meeting.

<sup>168</sup> eGram 9738/05 Baghdad to FCO London, 25 July 2005, 'Iraq: Constitution Update, 25 July 2005'.

<sup>169</sup> Paper IPU, 24 August 2005, 'Iraq: Constitution: Analysis'.

for the de-Ba'athification Commission to be dissolved". The IPU observed that this belief was mistaken, since dissolution of the Commission was a decision for the National Assembly.

**207.** Mr Patey told the FCO that he had lobbied President Jalal Talabani and Mr Abdul Aziz al-Hakim, leader of the UIA/SCIRI, for the removal of reference to the de-Ba'athification Commission.<sup>170</sup>

**208.** Mr Patey also suggested to Prime Minister Ja'afari and Mr Masoud Barzani, leader of the Kurdistan Democratic Party, that "If mention of the de-Ba'athification Commission could not be removed perhaps there could be some reference to indicate that the process would be a judicial one".<sup>171</sup>

**209.** Secretary Rice told Mr Straw on 24 August that reference to the de-Ba'athification Commission appeared to have been "dropped".<sup>172</sup>

**210.** On 28 August, Mr Patey reported to the FCO on the substance of the new Constitution which had been presented to the National Assembly.<sup>173</sup> He commented:

"The spectre of de-Ba'athification continues to haunt the text although such references were heavily diluted in efforts to meet Sunni concerns ..."

**211.** Mr Patey observed that the preamble to the Constitution made an important distinction between "the dictator's regime and the mainstream Ba'ath Party" and recognised that Sunnis had suffered with other Iraqis under Saddam. But extremist groups, which included "Saddamists" were prohibited.

**212.** Sir William Patey told the Inquiry:

"We spent a lot of time ... trying to convince the transitional government and the Shia politicians that de-Ba'athification had gone too far, that the de-Ba'athification commission was being abused. It was being used as a tool to further political ends rather than save Iraq from a return of the Ba'ath. Now, that is not an argument that was accepted very readily by Shia, who had a visceral fear of the Ba'athists and saw Ba'athists in most places. So we had limited success. We were arguing for the de-Ba'athification provisions to be excluded from the Constitution. We managed to get them watered down, we managed to get them reviewed."<sup>174</sup>

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<sup>170</sup> eGram 11744/05 Baghdad to FCO London, 24 August 2005, 'Iraq: Constitution: Getting Sunni Arab Buy-In'.

<sup>171</sup> eGram 11834/05 Baghdad to FCO London, 25 August 2005, 'Iraq: Constitution: Some Prospect of Changes to Draft to Accommodate Key Sunni Arab Concerns'.

<sup>172</sup> Minute Siddiq to Sawers, 24 August 2005, 'The Foreign Secretary's conversation with the US Secretary of State, 24 August'.

<sup>173</sup> eGram 12004/05 Baghdad to FCO London, 28 August 2005, 'Iraq: Constitution: Worth Waiting For'.

<sup>174</sup> Public hearing, 5 January 2010, pages 6-7.

**213.** Mr Straw and Secretary Rice discussed the Constitution on 29 August.<sup>175</sup> Dr Rice highlighted that the process against Ba’athists set out in the Constitution was “on an individual basis rather than simply on proof of party membership” and described that as “a very big concession”. To deal with fears about individuals being victimised, they discussed a potential international review body which would consider the decision-making process, but not re-hear cases.

**214.** Mr Straw recorded that he had asked for some work to be done on this idea, and asked Mr Patey to discuss the concept with Ambassador Khalilzad.

**215.** At the end of August, the US Red Team published its “Integrated Counterinsurgency Strategy for Iraq”.<sup>176</sup> It stated that one of the conditions for a successful counter-insurgency campaign was to:

“Work with Iraqi leaders in the next government to continue progress in increasing political accommodation and effective cooperation to solve specific policy challenges. Place priority on finalizing and implementing agreements to redress key divisive issues (e.g. de-Ba’athification, professionalizing ISF institution etc.)”

**216.** UK responses to the Red Team’s report are described in Section 9.3.

**217.** On 12 October, the IPU reported that broad agreement had been reached on changes to the draft Constitution, including provisions on de-Ba’athification.<sup>177</sup> Those amendments (to Article 131) were:

- Membership of the Ba’ath Party alone would not be considered sufficient basis for prosecution. Members would enjoy equality and protection under the law unless they were covered by “the provisions of de-Ba’athification and the orders issued under it”.
- The Council of Representatives would form a committee to monitor and review acts of the de-Ba’athification Commission.

**218.** Alongside other measures, the IPU commented that these changes might “help significantly increase the overall vote in favour of the Constitution”.

**219.** An IPU paper on Sunni outreach dated 27 October referred to the same amendments as “a step forward” and proposed that the UK should “give our assurance that we will push hard for implementation of Article 131 in the next Parliament in a way which allows non-criminal ex-Ba’athists into government service”.<sup>178</sup>

**220.** In an update on Sunni outreach two weeks later, the IPU described the shared UK and US goal on de-Ba’athification as “to persuade the Iraqis to repeal

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<sup>175</sup> Letter Straw to Sheinwald, 30 August 2005, ‘Conversation with US Secretary of State, 29 August’.

<sup>176</sup> Report Red Team, 31 August 2005, ‘An Integrated Counterinsurgency Strategy for Iraq’.

<sup>177</sup> Paper IPU, 12 October 2005, ‘Amendments to the Draft Iraqi Constitution’ attaching ‘Further Amendments to the Draft Iraqi Constitution’.

<sup>178</sup> Paper IPU, 27 October 2005, ‘Sunni Arab Outreach’.

the de-Ba'athification Law and abolish its enforcement mechanism, the Supreme de-Ba'athification C [sic] Commission".<sup>179</sup> The British and US Embassies in Baghdad were reported to be "working up ... a gameplan" and Mr Straw would take Prime Minister Ja'afari through the arguments.

**221.** On 21 November, Mr Asquith commented on a research paper on Iraq by an external organisation.<sup>180</sup> He wrote:

"Tackling de-Ba'athification is very important, but I'm not sure that just changing the level of the bar is sufficient: those inside Iraq are more interested in making a distinction between those who can be prosecuted for criminal acts, not merely membership in or association with the Ba'ath party. Key in all this will be a credible and independent body to adjudicate."

## Election preparations

**222.** On 27 November, Mr Doug Wilson, an official in the British Embassy Baghdad sent a report to Mr Patey of a briefing by the Independent Electoral Commission of Iraq's (IECI) International Commissioner, Mr Craig Jenness.<sup>181</sup> Mr Wilson wrote that the IECI had sent the names of around 7,000 electoral candidates to the de-Ba'athification Commission for checking. Having considered 70 percent of those names, the Commission had recommended that 67 individuals be disqualified, including some senior politicians. Mr Wilson proposed that the US and UK should lobby Dr Chalabi.

**223.** A message from the British Embassy Baghdad to the FCO on 29 November stated that the UK and US had encouraged the IECI "to adopt a process which allows them to reject the rulings of the de-Ba'athification Commission and retain most of the names on the electoral lists".<sup>182</sup> Mr Patey had lobbied senior members of the TNA to allow those recommended for disqualification to run and commented that "with the US, we will co-ordinate an approach to seek the Commission to reverse its decisions".

**224.** Mr Patey called on Dr Chalabi on 30 November to convey concerns about the involvement of the de-Ba'athification Commission in vetting electoral candidates, which he explained was likely to be seen as political interference.<sup>183</sup> He suggested that there should instead be "due judicial process" for those identified, whose names ought to stay on the electoral lists until their appeal had been dealt with.

**225.** In response, Dr Chalabi reminded Mr Patey that the Commission had no authority to ban any candidate. Its remit was to identify those covered by the

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<sup>179</sup> Paper IPU, 10 November 2005, 'Sunni Arab Outreach: Update as of 10 November 2005'.

<sup>180</sup> Email Asquith to Hilder, 21 November 2005, 'Iraq: Org Draft'.

<sup>181</sup> Email Wilson to Patey, 27 November 2005, 'Elections: de-Ba'athification'.

<sup>182</sup> eGram 19506/05 Baghdad to FCO London, 29 November 2005, 'Iraq: Elections: de-Ba'athification Affects Candidates'.

<sup>183</sup> eGram 19906/05 Baghdad to FCO London, 5 December 2005, 'Iraq: Elections: de-Ba'athification of Candidates: Update'.

de-Ba'athification Law; it was for the IECI to determine eligibility, accepting or rejecting the de-Ba'athification Commission's recommendation as they saw fit.

**226.** Mr Patey subsequently briefed the UN Special Representative and the IECI International Commissioner on his meeting with Dr Chalabi. They explained that the IECI was in some difficulty since it had to be seen to be acting in accordance with Iraqi law: CPA Order No.1 and the Electoral Law both said that anyone covered by de-Ba'athification could not stand for election. The IECI therefore had little choice but to accept the de-Ba'athification Commission's recommendations.

**227.** By 1 December, the number of individuals recommended for disqualification by the de-Ba'athification Commission had risen to 134.<sup>184</sup>

**228.** A message from the IPU setting out Iraq policy priorities for the week ahead recorded that Mr Straw had raised de-Ba'athification with Secretary Rice.<sup>185</sup> They had agreed that the de-Ba'athification Commission was "acting in a way which ran entirely counter to our efforts on outreach" and that they would lobby Dr Chalabi in his capacity as Chairman of the Commission.

**229.** Sir Nigel Sheinwald raised UK concerns that de-Ba'athification might disrupt the elections with Mr Stephen Hadley, the US National Security Advisor, on 2 December.<sup>186</sup> Sir Nigel said: "It would be much better to leave this until after the election and decide then whether anyone should be prevented from taking up their seat because their background infringed the Constitution." He suggested that it would be helpful for the US to talk to Dr Chalabi.

**230.** On 5 December, Mr Blair's Private Secretary told Mr Blair:

"We are working with the US to reverse a decision by the de-Ba'athification Commission to bar a number of former Ba'athists (both Shia and Sunni) from standing in the election ... It looks like a brazenly partisan move, and deeply unhelpful."<sup>187</sup>

**231.** In a conversation with President Bush the same day, Mr Blair suggested that the US and UK needed to keep a close eye on the actions of the outgoing Government, including the de-Ba'athification Commission.<sup>188</sup>

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<sup>184</sup> eGram 19784/05 UKMIS New York to FCO London, 1 December 2005, 'Iraq: UK-US-UN Trilateral: 1 December'.

<sup>185</sup> eGram 19874/05 FCO London to Baghdad, 2 December 2005, 'Iraq: Policy Priorities for the Week Beginning Saturday 3 December'.

<sup>186</sup> Letter Sheinwald to Hayes, 2 December 2005, 'Conversation with US National Security Adviser, 2 December'.

<sup>187</sup> Minute Phillipson to Prime Minister, 5 December 2005, 'VTC with President Bush, 1425 5 December'.

<sup>188</sup> Letter Quarrey to Siddiq, 5 December 2005, 'Prime Minister's VTC with President Bush: Middle East'.

**232.** Also on the same day, the IPU instructed the UK Permanent Mission to the UN in New York to press the UN to support the UK position on de-Ba'athification of electoral candidates.<sup>189</sup> The IPU described the best solution as:

“... for the IECI to (i) note the DBC's submission of a list, (ii) make clear that the submission had come at a very late stage and that it would not be possible to go through the required appeals process before the election, (iii) commit therefore to process the list after the elections, after going through the necessary appeals process.”

**233.** Sir Emyr Jones Parry, UK Permanent Representative to the UN in New York, replied the same day to say that he had spoken to Mr Kofi Annan, the UN Secretary-General, who was “sympathetic” to processing the de-Ba'athification list after the election and intended to send instructions to Mr Ashraf Jehangir Qazi, his Special Representative.<sup>190</sup>

**234.** Mr Annan's Chef de Cabinet confirmed later in the day that Mr Annan had spoken to Mr Qazi “who had also agreed on the need to find a way forward that allowed participation”.

**235.** On 6 December, officials from the British Embassy Baghdad met Mr Jenness to discuss action on de-Ba'athification.<sup>191</sup> Of the de-Ba'athification Commission's initial list of 218 candidates, there remained 120 individuals at risk of being removed from the candidate lists. A further 83 individuals would be required by the Commission to sign a disavowal of Ba'athism. The remaining 15 were not mentioned.

**236.** Mr Patey reported that Mr Jenness remained concerned for the IECI's legal position, but wanted to find solutions that allowed participation in the elections. They agreed that the IECI would publish non-final candidate lists (including the remaining 120 names) immediately, to test the reaction from the de-Ba'athification Commission's supporters, and that it would write to the three-man Presidency Council asking for guidance and explaining that the IECI would not remove candidates from the lists without its agreement. The candidate lists were published that evening.

**237.** Mr Patey wrote: “This issue has underscored the need to look ahead to the arduous but urgent task of securing reform of the de-Ba'athification Law.”

**238.** The IPU observed on 9 December that there had been “little or no public reaction to the inclusion in the list of candidates named by the de-Ba'athification Commission

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<sup>189</sup> eGram 19989/05 IPU to Baghdad and UKMIS New York, 5 December 2005, ‘Iraq: Elections: De-Ba'athification of Candidates’.

<sup>190</sup> eGram 20001/05 UKMIS New York to FCO London, 5 December 2005, ‘Iraq: Elections: de-Ba'athification of Candidates’.

<sup>191</sup> eGram 20199/05 Baghdad to FCO London, 7 December 2005, ‘Iraq: Elections: De-Ba'athification of Candidates: Progress’.

in their [the IECI's] list".<sup>192</sup> As a result, if the government supported the Commission's recommendations, it would be seen as a political decision and was "potentially very divisive". The IPU suggested that Mr Straw should seek Prime Minister Ja'afari's agreement to putting de-Ba'athification on hold until after the elections, when it could be "addressed by a new, and fully representative, national assembly and government".

**239.** On 12 December, the British Embassy Baghdad reported that the IECI had issued a statement setting out why it would not be removing any candidates from the electoral lists as a result of their identification as Ba'athists by the de-Ba'athification Council.<sup>193</sup> Prime Minister Ja'afari had responded to the IECI's request for guidance in support of that decision.

## De-Ba'athification after the 2005 Iraqi election

**240.** A "Work Plan" for the post-election period, drafted by the IPU in December 2005, said that the UK needed to:

"Press for early review of de-Ba'athification Commission (as provided for under Constitution) and continue to stall de-Ba'athification of (successful) electoral candidates".<sup>194</sup>

**241.** Once elections had taken place, Mr Straw spoke by telephone to President Talabani on 21 December.<sup>195</sup> He emphasised that:

"... the process of de-Ba'athification should not be allowed to derail the formation of a new Government. It was important that Sunni Arabs did not feel excluded, with the risk that the insurgency would continue and escalate to civil war."

**242.** Mr Straw made similar points in a call to Mr Barzani the following day, explaining UK concern about "overzealous de-Ba'athification" and stressing the need for a consensus government with Sunni representation.<sup>196</sup>

**243.** On 24 December, the British Embassy Baghdad reported the outcome of the case brought by the de-Ba'athification Commission against the IECI.<sup>197</sup> The Transitional Electoral Panel found against the IECI, which consequently decided to remove all the candidates identified by the Commission from their party lists. The British Embassy Baghdad reported that this would affect three individuals who would otherwise have taken up a seat at governorate level, and others who were candidates for national seats.

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<sup>192</sup> Submission IPU [junior official] to Foreign Secretary, 9 December 2005, 'Iraq: Human Rights/ De-Ba'athification: Telephone Call to Prime Minister Ja'afari'.

<sup>193</sup> eGram 20573/05 Baghdad to FCO London, 12 December 2005, 'Iraq: Elections: Final Preparations'.

<sup>194</sup> Paper IPU, 16 December 2005, 'Iraq: Post-Election: UK Work Plan'.

<sup>195</sup> Email Wilson to Asquith, 22 December 2005, 'Foreign Secretary's Call to Talabani: 21 Dec'.

<sup>196</sup> Email Wilson to Asquith, 22 December 2005, 'Foreign Secretary's Call to Barzani, 22 December'.

<sup>197</sup> eGram 21681/05 Baghdad to FCO London, 28 December 2005, 'Iraq: Elections: Results'.

**244.** At the end of December 2005, the British Embassy Baghdad wrote to the FCO to describe conversations with Iraqi and US officials about the possibilities for reform of the de-Ba'athification Commission.<sup>198</sup>

**245.** The Embassy described the Commission as “an inherently political body”, and said that there was no real prospect of appeal against its decisions. The new Constitution offered a potential opportunity to reform the de-Ba'athification Law, but also the risk of deepening existing divisions. Article 134(6) obliged the Council of Representatives to establish a committee to review acts of the de-Ba'athification Commission and government agencies. In the Embassy's opinion that was “a real opportunity to set in motion concrete reform of the DBC”.

**246.** Although “the ultimate goal” was repeal of the de-Ba'athification Law and dissolution of the Commission, possible steps to address concerns about the de-Ba'athification process included:

- imposing procedural checks to “choke the Commission in its own bureaucracy”;
- removing politically active individuals from the Commission;
- pressing for the extradition to Iraq of senior Ba'athists suspected of criminal activity; and
- publication of a final report by the Commission, indicating that its work was complete.

**247.** Attached to the Embassy's message was a minute written by the IPU for Mr Patey earlier in December.<sup>199</sup>

**248.** The IPU set out more information about the composition and operation of the DBC. Its six serving Commissioners were all from the Shia community as two positions allotted to the Kurdish parties had never been filled. The DBC did not hold formal meetings, and its only active members were Dr Chalabi, Mr Maliki and Sheikh Jalal al-Din al-Sagheer.

**249.** The IPU also described Article 7 of the new Constitution, which banned the glorification and promotion of the Ba'ath Party in Iraq and its symbols. Although the text had been “continually watered down”, the final text specified that its provisions would be regulated by a law. The IPU judged:

“The regulating law will be a yardstick testing attitudes towards de-Ba'athification – on the one hand it could be an opportunity to seek concrete reform and repeal of CPA Order No.1 (the de-Ba'athification Law). But on the other hand, it could be used as an opportunity to widen and deepen de-Ba'athification, or restrict the activities of political groups which contain former Ba'athists. That said, because it [sic] such a political hot potato, it may not be one of the laws prioritized as important in the new parliament.”

<sup>198</sup> eGram 21802/05 Baghdad to FCO London, 31 December 2005, 'Iraq: Reforming de-Ba'athification'.

<sup>199</sup> Minute Wilson to HMA, 10 December 2005, 'Iraq: de-Ba'athification: Possible Next Steps'.

## A new government

**250.** Evidence seen by the Inquiry confirms that in January and February 2006 the UK stepped up its efforts to encourage Iraq to form a broad and inclusive government of national unity through high-level visits and rounds of phone calls.<sup>200</sup>

**251.** Mr Straw visited Basra and Baghdad in early January.<sup>201</sup> He met representatives of political parties from all the main communities, reinforcing the UK's message on the need for a unity government. In his view, achieving that mattered more than who became Prime Minister.

**252.** Some Sunni representatives told Mr Straw that they had been “cheated out of seats”. He responded that “they must accept the election results once confirmed or they will be pitting themselves against the whole international community”.

**253.** Vice President Adel Abdul Mehdi, a potential candidate for Prime Minister, told Mr Patey on 1 January that “he would be ready to look at the possibility of appointing a judge to head the de-Ba’athification Commission” and to reduce the role of politicians within it.<sup>202</sup>

**254.** Prime Minister Ja’afari told Mr Patey on 3 January that, although the Ba’ath Party and its ideology should remain outlawed, “the half-million former Ba’ath members Ja’afari saw as his ‘children’ should not and the de-Ba’athification Commission and its procedures should be reviewed”.<sup>203</sup>

**255.** On 3 January, Mr Ayad Allawi told Mr Blair that in forming the new government “the key bridge to the Sunnis would be revision of the de-Ba’athification process”.<sup>204</sup>

**256.** An IPU brief for Mr Straw’s visit to Baghdad in early April listed “participation by all (including former Ba’athists) who are committed to furthering the political process and can run government effectively” as one of the main issues for the new Iraqi Government to address.<sup>205</sup>

**257.** After the announcement of Mr Nuri al-Maliki as the nominee for Prime Minister, the British Embassy Baghdad’s pen picture of him recorded that he had been Deputy Chair of the de-Ba’athification Commission and “a driving force for that body’s work”.<sup>206</sup> The

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<sup>200</sup> eGram 359/06 Baghdad to FCO London, 9 January 2006, ‘Iraq: Visit by Foreign Secretary, 6-7 January 2006: Elections and Formatio[n]’; eGram 3684/06 Baghdad to FCO London, 22 February 2006, ‘Iraq: Foreign Secretary’s Visit, 20-21 February 2006: Formation of Govern[ment]’; Minute Bayley to Foreign Secretary, 16 January 2006, ‘Iraq: Keeping Up The Momentum – Proposed Telephone Calls/Visit’.

<sup>201</sup> Minute Straw to Prime Minister, 11 January 2006, ‘Iraq: Post-Elections and Government Formation’.

<sup>202</sup> eGram 69/06 Baghdad to FCO London, 4 January 2006, ‘Iraq: Call on Vice President Abdul Mehdi’.

<sup>203</sup> eGram 129/06 Baghdad to FCO London, 4 January 2006, ‘Iraq: Call on Prime Minister Ja’afari’.

<sup>204</sup> Letter Prentice to Quarrey, 3 January 2006, ‘Prime Minister’s Meeting with Iyad Allawi, Amman, 2 January’.

<sup>205</sup> Briefing IPU, 31 March 2006, ‘Iraq: Foreign Secretary’s Visit, 2-3 April 2006’.

<sup>206</sup> eGram 13011/06 Baghdad to FCO London, 24 April 2006, ‘Iraq: Formation of the New Government: al-Maliki Nominated by UIA as Prime Minister’.

Embassy wrote that Mr Maliki was “opposed to the participation of any former Ba’athists in government institutions and public life”.

**258.** When Prime Minister Designate Maliki met Mr Patey and Sir Nigel Sheinwald on 24 April, he said he was “proud to be known as a hardliner” on de-Ba’athification but acknowledged that the de-Ba’athification Commission had made some mistakes.<sup>207</sup>

**259.** Mr Maliki planned to propose a “radical overhaul” that would transform the de-Ba’athification Commission into a “Truth and Reconciliation Commission, sending Ba’athists who had committed crimes to the courts and rehabilitating those who had not”. He was most concerned about Ba’athist military officers. The establishment of a “Commission for Equality of Employment” would reassure Sunnis that they would get a fair share of government jobs and that dismissals would not be sectarian.

**260.** On 10 May, the JIC assessed how the Sunni insurgency was evolving.<sup>208</sup> It concluded:

“The strength of the insurgency is in part affected by Sunni participation in the political process. If Sunni confidence is to be bolstered, respected Sunnis will need to gain some major ministries. Even then, Sunni participation will remain fragile. Much will depend on the actions of the new government in addressing broader Sunni concerns: federalism, de-Ba’athification, reform of the Iraqi Security Forces (ISF), MNF withdrawal, security and detainees, and improvement in the quality of life.”

**261.** On 19 July, the JIC assessed that:

“Little has changed in the nature and intensity of the Sunni Arab insurgency since our last assessment in May. We continue to judge that the strength of the insurgency is in part affected by Sunni participation in the political process. Prime Minister Maliki’s government includes Sunnis in Ministerial and executive positions, and some key Sunni demands have been partially met; for example, limited release of detainees. Maliki has announced a National Reconciliation Plan aimed at addressing wider Sunni concerns, but there has been no substantive progress as yet. Some Sunni politicians have voiced their scepticism at Maliki’s offer of amnesty (on current proposals most insurgents need not apply), plans to relax de-Ba’athification, and his lack of reference to an MNF withdrawal timetable.”<sup>209</sup>

**262.** On 27 July, the IPU reported to the British Embassy Baghdad that the Iraq Strategy Group had agreed:

“... the review Maliki has promised of de-Ba’athification needs to happen urgently. This is not only important to operationalising his national reconciliation plan: but

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<sup>207</sup> eGram 13126/06 Baghdad to FCO London, 24 April 2006, ‘Iraq: Government Formation: Maliki’s Views’.

<sup>208</sup> [JIC Assessment, 10 May 2006, ‘Iraq: How is the Sunni Insurgency Evolving?’](#)

<sup>209</sup> [JIC Assessment, 19 July 2006, ‘Iraq: Insurgency, Sectarianism and Violence’.](#)

also to stopping the crippling, continuing purges of middle-ranking managers in key public services.”<sup>210</sup>

**263.** In August 2006, the British Embassy Baghdad reported to the FCO some changes at the de-Ba’athification Commission.<sup>211</sup> A new Acting Chair, Sheikh Jalal al-Din al-Sagheer, had been appointed and the Commission’s Legal Department had begun work on a new law for the structure and administration of the Commission, including the process for appointing its Chair. Sheikh Sagheer told the Embassy:

“He was aware that both the policy and the structure of the Commission had been subject to heavy criticism from many quarters and expected the new legislation to address those concerns. He asked for HMG’s input on how the current system could be improved.”

**264.** Mr Ali Faisal Alami, the Director General of the Commission’s Follow-Up and Implementation Department, told Embassy officials that 10,924 orders had been issued by the Commission, of which 6,788 had been implemented.

**265.** When the Iraq Strategy Group met on 15 September, Ms Bridget Brind, Deputy Head of the IPU, gave an update on reconciliation work by the Iraqi Government.<sup>212</sup> She reported that:

“A conference with tribal leaders had taken place in August, and future conferences were scheduled with civil society, party leaders and armed groups. As yet, there were no firm plans on the big issues of de-Ba’athification and detainees.”

**266.** In an Interim Progress Report on Prime Minister Maliki’s Government, in October 2006, the JIC judged that:

“In the current political and security climate, key Sunni concerns are not being addressed. There has been no significant change in de-Ba’athification policies, they remain highly suspicious of SCIRI’s federalist aspirations, little action has been taken against the Shia militias, and the total number of detainees has not significantly changed.”<sup>213</sup>

**267.** On 8 November, the British Embassy Baghdad reported “Indications that the door may be opening to a less stringent de-Ba’athification process” and sent “proposals for how we engage” to the FCO in London.<sup>214</sup>

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<sup>210</sup> eGram 32790/06 IPU to Baghdad, 27 July 2006, ‘Iraq: Reply to Your Valedictory’.

<sup>211</sup> eGram 36238/06 Baghdad to FCO London, 20 August 2006, ‘Iraq: Changes at the De-Ba’athification Commission’.

<sup>212</sup> Letter Cabinet Office [junior official] to Sheinwald, 18 September 2006, ‘Iraq Strategy Group, 15 September’.

<sup>213</sup> [JC Assessment, 5 October 2006, ‘Al-Maliki’s Government: Interim Progress Report’](#).

<sup>214</sup> eGram 49594/06 Baghdad to FCO London, 8 November 2006, ‘Iraq: De-Ba’athification Developments’.

**268.** The message explained that, on 6 November, the Director General of the de-Ba'athification Commission had announced that a draft law on de-Ba'athification, consistent with Prime Minister Maliki's National Reconciliation Plan, had been prepared and would be sent to the Council of Representatives soon.

**269.** The new law would mean that only 1,500 of the 10,302 Senior Ba'athists currently affected would lose their jobs. Of those, only the top tier of party members would be denied a pension. The cases of those further down the ranks would be reviewed and those who had not been convicted of a crime would have the option of reinstatement or retirement with a pension.

**270.** UK officials explained that they would "seek to agree a few components of a 'fair law' with the US and UN and lobby hard for those changes". They would "focus on reinforcing the underlying principle that de-Ba'athification should be an independent judicial process rather than a political process".

**271.** UK officials subsequently discussed five changes with US officials, who raised the first four with Dr Chalabi.<sup>215</sup> The proposals, which received a mixed response, were:

- The de-Ba'athification Commission should review the cases of all de-Ba'athified individuals.
- The Commission should have a purely investigative role, passing all evidence to a judge for criminal proceedings where justified.
- The new law should not extend the remit of the Commission to civil society, press and the media.
- The Commission should produce a report for the Council of Representatives, which would then consider its dissolution.
- The article that prohibited the passing of legislation in breach of the de-Ba'athification Law should be removed.

**272.** In November 2006, Mr John Sawers, FCO Director General, Political, wrote to Mr Blair from Baghdad, where he had just spent three days:

"... the pace of the insurgency hasn't slackened. The Shia put the blame squarely on Ba'athists/Saddamists, who they think we under-estimate. They are convinced that the former regime's security and intelligence officials are the driving force behind the attacks on the coalition, the Shia, and government officials, with the aim of creating mayhem and an opportunity for them to return to power as the only ones capable of restoring order. The level of concern has gone up sharply, with reports of Ba'athist intimidation on the streets of Baghdad ... The relative weight of the Ba'athists in the insurgency isn't easy to divine, but it is clear that both the Shia and the Kurds still fear them above all."<sup>216</sup>

<sup>215</sup> Email Sharif to Shokat, 10 November 2006, 'Re: De-Ba'athification: key components of a fair law'.

<sup>216</sup> Minute Sawers to Prime Minister, 13 November 2006, 'Iraq'.

**273.** On 15 November, the JIC judged that:

“The Iraqi Government’s response to deteriorating security remains ineffective. Many Shia politicians blame all violence on ‘Ba’athists’. There has been no progress on national reconciliation ...”<sup>217</sup>

**274.** The Iraq Forward Plan developed by UK officials in November 2006 (see Section 9.5) said that the UK should encourage Iraqi political leaders to sign up to a Declaration of Principles/National Compact which included a commitment to prevent the return of a Ba’athist government “while reviewing de-Ba’athification to allow all those who have not committed crimes to participate in building Iraqi stability and prosperity”.<sup>218</sup>

**275.** Implementing the Compact would require two new bodies: a Peace Commission and a Reconciliation/Rehabilitation Commission. The latter, it was proposed, would not deal with cases before the de-Ba’athification Commission which would continue to be heard there, but would address detainee issues and hear accounts of pre- and post-2003 violence from victims and perpetrators.

### De-Ba’athification in 2007

**276.** At the end of January 2007, Mr Dominic Asquith, British Ambassador to Iraq, recorded a report from the Iraqi Ministry of Foreign Affairs that the Iraqi Ba’ath Party had split, and a splinter group had formed that wanted to “come back to Iraq, start a dialogue, renounce violence and act politically”.<sup>219</sup> It was hoped that others might be attracted to the same strategy.

**277.** The IPU provided advice on “how best to step up and co-ordinate work on reconciliation” in February 2007.<sup>220</sup> It said that de-Ba’athification was a “major inhibitor” of reconciliation and a cause of grievance in the Sunni community.

**278.** The IPU wrote:

“We have worked in close consultation with the US to promote a substantive discussion between the main political parties on reforming the de-Ba’athification process. The aim is to take account of the concerns of all major communities, help reduce the numbers of Iraqis excluded from public life and thus reduce alienation and motives for violence. A number of different draft laws have been provided by different political parties. We are working to help bring these together in a single document, ideally including a sunset clause to bring an end to de-Ba’athification in the future. A US/UK facilitated version has just gone to President Talabani with

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<sup>217</sup> [JIC Assessment, 15 November 2006, ‘Iraq: Risk of Deepening Sectarian Division’.](#)

<sup>218</sup> [Minute McDonald to Banner, 24 November 2006, ‘Iraq Forward Plan’ attaching Paper, \[undated\], ‘Iraq: Forward Plan’.](#)

<sup>219</sup> Email Asquith to Gelling, 29 January 2007, ‘Call on MFA – Syria, Neighbouring States’.

<sup>220</sup> Paper IPU, February 2007, ‘Reconciliation’.

the aim of having a cross-sectarian draft presented to the Iraqi parliament by the Presidency Council.”

**279.** In a separate ‘Update on de-Ba’athification’, also dated February 2007, the IPU explained that “we want to see the de-Ba’athification process reformed and ultimately brought to an end”.<sup>221</sup> In the short term, the objective was to reform the de-Ba’athification Commission so that it operated in a more independent and transparent way. Specifically, this meant that it should:

- ... target an individual’s conduct, not membership of the Ba’ath party, reinforcing the underlying principle that de-Ba’athification should be a judicial rather than political process;
- review the cases of all individuals who have already been de-Ba’athified, as the previous process was deeply flawed due to political interference;
- complete the de-Ba’athification process within a defined period.”

**280.** The IPU explained that the draft US/UK text proposed abolishing the de-Ba’athification Commission and replacing it with a “Reconciliation and Accountability Commission” for six months. President Talabani had indicated that he was broadly content with the US/UK text. If the Presidency Council exercised its right to put the draft law to the Council of Representatives directly, and other drafts were also presented, they were likely to be considered by a Committee of the Council.

**281.** On 5 March, Mr Blair’s Private Secretary wrote to the Private Secretary to Mrs Margaret Beckett, the Foreign Secretary:

“The Prime Minister would like us to get a UK adviser on reconciliation into Maliki’s office as quickly as possible ... We also need to build influence with Abdul-Mehdi on de-Ba’athification ... The Prime Minister is pleased at UK/US efforts to ensure that there is now a single document on de-Ba’athification with Talabani.”<sup>222</sup>

**282.** In an update for Mr Blair on 23 March, his Private Secretary reported a sense that Iraqi politicians risked missing the opportunity presented by the Baghdad Security Plan (see Section 9.5) to pursue reconciliation.<sup>223</sup> He wrote that “faltering progress on the oil law and on de-Ba’athification” were contributing to increased suspicion within the Sunni community.

**283.** In his Weekly Assessment dated 29 March, Mr Asquith reported that the proposed new de-Ba’athification Law had become “another victim of the US fixation on security

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<sup>221</sup> Paper IPU, February 2007, ‘Update on de-Ba’athification’.

<sup>222</sup> Letter Fletcher to Hickey, 5 March 2007, ‘Iraq’.

<sup>223</sup> Minute Banner to Prime Minister, 23 March 2007, ‘Iraq Update, 23 March’.

‘results’<sup>224</sup> Mr Asquith wrote that the departure of Ambassador Khalilzad would “deprive Iraq of one of the great contrivers” and that his final act was:

“... a de-Ba’athification draft law – a characteristic mix of the bad and the superficially plausible fix, designed to service immediate domestic US rather than Iraqi long term interests. My Legal Adviser had been working closely with the Americans and Iraqis for some months on the substance. I had in parallel been discussing the provisions with political leaders. The key objectives were to set an early (eg. six month) date for the termination of the de-Ba’athification Commission’s work, drawing a line definitively in the sand, reduce to as few as possible (1,200-1,500) those caught by the provisions and secure the agreement of the three-man Presidency Council to a text which could then be introduced directly into Parliament.

“... Khalilzad persuaded the PM and President (alone) to sign off, thereby failing the Constitutional condition for fast-track introduction of legislation. Those caught by the provisions will increase by 10-12,000 (and indeed potentially many more, if Provinces decide to exploit the latitude they are given on implementation). The termination of the de-Ba’athification Commission in a year is undermined by the creation of a ‘Special Committee’ (of political/security ‘experts’ appointed by the Presidency and PM) to adjudicate on security clearances for sensitive jobs (in effect a vetting committee), which has no/no termination date. And the PM is given the right to intervene in the decisions of the Special Committee and a separate panel of judges appointed to consider the decisions of the de-Ba’athification Commission or Special Committee.”

**284.** Mr Asquith recorded that there had as yet been no co-ordinated response from Sunni Arab politicians. The only way to introduce the draft legislation into Parliament rapidly would be to “bend the Constitution”.

**285.** On 12 April, Dr Mowaffak al-Rubaie, the Iraqi National Security Adviser, told Sir Nigel Sheinwald that the proposed “accountability and justice” law would “allow 90 percent of Ba’athists to return to work”.<sup>225</sup> Those who had held high rank would be excluded from the security ministries, but pension rights for the families of those who had been prosecuted for their actions would be protected. Dr Rubaie described implementing the policy as an uphill struggle, but pointed to a “growing consensus in support of the need to rehabilitate and reconcile”.

**286.** After visiting Baghdad and Basra, Mr Des Browne, the Defence Secretary, wrote to Mr Blair on 5 May with an assessment of work under way on reconciliation and its prospects for success.<sup>226</sup> Mr Browne judged that a “bridging package” to attract

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<sup>224</sup> eGram 13103/07 Baghdad to London, 29 March 2007, ‘Iraq: Weekly Assessment’.

<sup>225</sup> Letter Cabinet Office [junior official] to Hickey, 12 April 2007, ‘Iraq: Nigel Sheinwald’s Conversation with Muaffaq al Rubaie’.

<sup>226</sup> [Letter Browne to Blair, 5 May 2007, ‘Iraq: Reconciliation’](#).

a broad range of Sunni support would include: “recognition, amnesty, reversal of de-Ba’athification, progress on sharing natural resources ... investment, employment, political representation, and release of detainees”.

**287.** On 16 May, the JIC assessed that “genuine fears of a Ba’athist resurgence” were helping to keep the fragile Shia coalition, the United Iraqi Alliance, together.<sup>227</sup> There had been “little substantive progress on de-Ba’athification”.

**288.** The JIC judged that there had been “no tangible progress on national reconciliation” and that “antipathy” between Shia and Sunni communities remained “intense”.

**289.** The JIC judged that:

“... progress on national reconciliation will remain slow unless there is a major shift in both Shia and Sunni attitudes and expectations, backed by strong and persistent Coalition pressure. At the moment it means different things to different groups.”

**290.** On 23 May, Mr Blair’s Private Secretary reported:

“... there are now sensible amendments agreed by the Executive Committee to the existing draft law, which should address some of the key problems for the Sunni, including a sunset clause for the de-Ba’athification Commission, a representative Political Committee to supervise the process (overseen by the CoR [Council of Representatives]), and introducing a judicial element to the process. Some issues remain, but this represents welcome progress. Further pressure will have to be put on the Shia in particular to agree an acceptable law, and on the Council of Representatives to pass it.”<sup>228</sup>

## June 2007 onwards

**291.** As described in Section 9.5, Mr Blair stood down as Prime Minister on 27 June 2007. Shortly after Mr Blair tendered his resignation, HM The Queen asked Mr Gordon Brown to form a government.

**292.** On 20 August, a Current Intelligence Group (CIG) judged that:

“I. The influence of the Iraqi Ba’ath Party on the Sunni Arab insurgency is marginal. The party is fractured with little political relevance or popular support in Iraq; this is highly unlikely to change.

“II. Iraqi Shia politicians’ fears of a Ba’athist resurgence, however exaggerated, are genuinely held. They will limit the Shia appetite for reconciliation with the Sunni more broadly.”<sup>229</sup>

<sup>227</sup> [JIC Assessment, 16 May 2007, ‘The Iraqi Government: One Year On’.](#)

<sup>228</sup> Minute Banner to Blair, 23 May 2007, ‘Iraq Meeting, 25 May’ attaching Paper ‘Iraq – Reconciliation’.

<sup>229</sup> [CIG Assessment, 20 August 2007, ‘Iraq: How Important is the Ba’ath Party?’](#)

**293.** On 1 October, a brief for Mr Brown's first visit to Iraq as Prime Minister stated:

"Following the Petraeus/Crocker testimonials [see Section 9.6], the centre of gravity has switched back from Washington to Baghdad, where Maliki is enjoying a somewhat more secure position. However, he still faces significant challenges: to break the impasse over key legislation (de-Ba'athification and Provincial Powers laws) ... and drive forward the reconciliation agenda."<sup>230</sup>

**294.** The list of points for Mr Brown to make in his meeting with Prime Minister Maliki suggested that he should stress the Prime Minister's particular responsibility to give a strong lead to national reconciliation.

**295.** In November, the British Embassy Baghdad reported:

"After two months of playing games, the correct draft of the Accountability & Justice Law (de-Ba'athification) has now made it to the CoR ... there should be sufficient majority to see this law through."<sup>231</sup>

**296.** By the end of December, the Accountability and Justice Law still had not been passed.<sup>232</sup>

**297.** The Law was approved by the Council of Representatives on 12 January 2008.<sup>233</sup>

**298.** The British Embassy Baghdad reported on 24 January that, although Vice President Hashimi had continuing concerns, he had agreed to register them in a letter to the Speaker rather than delay or veto the law.<sup>234</sup>

**299.** On 12 January, the Iraqi Council of Representatives approved the Justice and Accountability Law (formerly the de-Ba'athification Law).<sup>235</sup> The Cabinet Office told Mr Brown that:

"Although the law's practical impact will be more symbolic than substantive, its approval nevertheless sends out a positive message especially to Sunnis, about the ability of the political system to function."

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<sup>230</sup> Minute Cabinet Office [junior official] to Prime Minister, 1 October 2007, 'Iraq Visit: 2 October 2007'.

<sup>231</sup> eGram 47120/07 Baghdad to FCO London, 19 November 2007, 'Iraq: Political Round-Up'.

<sup>232</sup> [Minute Rollo to CDS, 31 December 2007, 'Iraq in 2008 – An Opportunity to be Taken'](#).

<sup>233</sup> Minute Cabinet Office [junior official], 18 January 2008, 'Iraq Update'.

<sup>234</sup> eGram 2673/08 Baghdad to FCO London, 24 January 2008, 'Iraq: Internal Political Progress?'

<sup>235</sup> Minute Cabinet Office [junior official] to Prime Minister, 18 January 2008, 'Iraq Update'.

## SECTION 11.2

### CONCLUSIONS: DE-BA'ATHIFICATION

#### Contents

Introduction and key findings .....	58
Conclusions .....	58
Lessons .....	61

## Introduction and key findings

1. This Section contains the Inquiry's analysis, conclusions and lessons in relation to the de-Ba'athification of the Iraqi public sector, the evidence for which is set out in Section 11.1.

### Key findings

- Early decisions on the form of de-Ba'athification and its implementation had a significant and lasting negative impact on Iraq.
- Limiting de-Ba'athification to the top three tiers of the party, rather than extending it to the fourth, would have had the potential to be far less damaging to Iraq's post-invasion recovery and political stability.
- The UK's ability to influence the decision by the Coalition Provisional Authority (CPA) on the scope of the policy was limited and informal.
- The UK chose not to act on its well-founded misgivings about handing over the implementation of de-Ba'athification policy to the Governing Council.

## Conclusions

2. Although the US and UK had discussed and recognised the need for it, de-Ba'athification was one of many areas of post-invasion activity in Iraq for which objectives and plans had not been agreed between the two Governments before the invasion (see Section 6.5). Consequently, no detailed preparations for implementation of a shared de-Ba'athification policy were put in place.

3. The UK lacked the deep understanding of which levels of the Iraqi public sector were highly politicised that would have been desirable in developing a de-Ba'athification policy, but did recognise that party membership was likely to have been a matter of expediency rather than conviction for many Iraqi citizens. Since the UK's planning assumption was that a large proportion of the Iraqi civil service would continue to function under new leadership post-invasion, the main UK concern was that a light-touch de-Ba'athification process should protect administrative capacity for the reconstruction of the country.

4. Measures to prevent a resurgence of the Ba'ath Party were important both to ordinary Iraqi citizens and to Iraqi politicians. The UK recognised the psychological importance of reassuring both groups that the Ba'athists would not return to power, but did not fully grasp the extent to which de-Ba'athification might have consequences for the relationship between the Shia and Sunni communities. The Coalition did not have a plan to deal with the tensions which inevitably rose as result. This placed at risk the UK's objective that Iraq would become a stable and united state.

5. Recognition of the symbolic importance of de-Ba'athification is clear from its inclusion in General Franks' Freedom Message of 16 April 2003, and from the fact that it was the subject of the first Order issued by the CPA in May 2003.

- 6.** The UK did have advance sight of the text of the Freedom Message, which “disestablished” the Ba’ath Party, but did not succeed in having its drafting changed to reflect concerns raised by lawyers in the FCO.
- 7.** In the post-conflict phase, Secretary Rumsfeld and the Department of Defense in Washington, and Ambassador Bremer in Baghdad, became the driving forces of de-Ba’athification policy.
- 8.** The UK’s absence from formal decision-making within the CPA (see Section 9.8) meant that its input to discussion of de-Ba’athification policy in May 2003 was dependent on the influence of one particular individual: Mr John Sawers, the Prime Minister’s Special Representative to Iraq. The key policy choice at that point was centred on whether the top three, or the top four, tiers of the Ba’ath Party should be brought into scope.
- 9.** The CPA Order No.1 signed by Ambassador Bremer differed from the UK policy position on the best approach to de-Ba’athification. In particular, the decision to bring the fourth tier<sup>1</sup> of Ba’ath Party members into scope – which increased the number of individuals potentially affected from around 5,000 to around 30,000 – was considered by the UK to be disproportionate and likely to deprive Iraqi institutions of much-needed capacity.
- 10.** The Inquiry agrees with the UK’s view, and considers that limiting de-Ba’athification to the top three tiers would have had the potential to be far less damaging to Iraq’s post-invasion recovery and political stability.
- 11.** As Order No.1 was being finalised, UK officials did not propose any attempt at Ministerial level to influence the policy via Washington. The effect of such an approach may in any case have been limited as significant policy choices appear to have been made before Ambassador Bremer deployed to Iraq. Not unreasonably, Mr Sawers advised against lobbying Washington in the face of a strong desire by the Iraqi Leadership Group, comprised largely of Shia and Kurdish politicians, for a stringent approach to de-Ba’athification.
- 12.** However, the UK’s informal acceptance of Order No.1 helped to set the tone for its relationship with the CPA which persisted throughout the lifespan of the organisation. Informal consultation with the UK, usually through Mr Sawers and subsequently Sir Jeremy Greenstock, became the norm.
- 13.** The Order had consequences. It made the task of reconstructing Iraq more difficult, both by reducing the pool of Iraqi administrators and by adding to the pool of the unemployed and disaffected, which in turn fed insurgent activity.

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<sup>1</sup> Down to the rank of Group Member.

- 14.** After Order No.1 was signed, the UK, having recognised the Order's potential to create a pool of disaffected individuals and to deny posts to effective public servants, urged a pragmatic approach to de-Ba'athification in its contacts with the US, including at the highest levels, but with little practical effect.
- 15.** In November 2003, the CPA decided to hand responsibility for implementing de-Ba'athification to the Governing Council (GC). There were misgivings about the decision in the FCO but, rather than act on them, it relied on assurances that the policy was to be implemented flexibly.
- 16.** Although it would have been challenging to create, a more independent oversight body than the GC would have been more appropriate. The decision to hand over responsibility for implementation to a political body of this nature was, in the Inquiry's view, a mistake which left a critically important area of policy outside the control of the CPA, with damaging consequences.
- 17.** One Iraqi interlocutor suggested to the Inquiry that it would have been preferable for judges to preside over the process but also recognised that the Iraqi court system was not in a fit state to take on additional responsibilities in 2003.
- 18.** As soon as it was appointed, the High National de-Ba'athification Commission, steered by Dr Ahmed Chalabi and Mr Nuri al-Maliki, took action to toughen the impact of de-Ba'athification. Both officials and military commanders recognised almost immediately that such action was likely to generate further instability, but the CPA's decision to hand over responsibility to the GC left the UK unable to intervene. The UK, however, remained responsible for security in the South in the face of a growing insecurity.
- 19.** The enthusiasm for de-Ba'athification felt by many Iraqi political leaders – Dr Chalabi and Mr Maliki in particular – may well have made any policy change difficult to achieve. This enthusiasm reflected a deep-seated fear within the Shia community of the resurgence of the Ba'ath Party and a return to Sunni dominance.
- 20.** After the appointment of the Interim Transitional Government in June 2004, the coalition's responsibilities in Iraq shifted, but it retained considerable influence over the development of the political process.
- 21.** By the time of Iraq's first post-invasion elections, de-Ba'athification had already been identified as a major political issue because it put a substantial barrier in the way of Sunni engagement with the political process. Although the UK placed a high premium on successful and inclusive elections, attempting to remove the barriers imposed by Order No.1 was not made a priority.
- 22.** Increasing codification of the extent of de-Ba'athification, in the Transitional Administrative Law and then the Iraqi Constitution, was one crucial way in which

sectarianism was legitimised in Iraqi political culture, helping to create an unstable foundation for future Iraqi governments.

**23.** Although it is difficult to arrive at a precise figure, the evidence suggests that the impact of de-Ba'athification was felt by tens of thousands of rank and file Ba'athists. De-Ba'athification continued to be identified as a major Sunni grievance and a source of sustenance for the insurgency in Iraq as late as 2007.

**24.** As described in Sections 9.6 and 9.7, UK influence in Iraq and its relationship with the Iraqi Government declined further from 2007. From that point, lacking influence, there was very little realistic prospect of a UK-inspired change in the approach to de-Ba'athification.

**25.** The Inquiry concludes that early decisions on the form of de-Ba'athification and its implementation had a significant and lasting negative impact on Iraq. This negative impact was soon recognised by the UK Government, but its efforts to secure a change of approach were largely ineffective. This became a persistent problem that could be traced back to both the early failure to have a settled US/UK agreement on how the big issues of post-war Iraqi reconstruction would be handled and the improvised decision-making leading up to Order No.1.

## Lessons

**26.** After the fall of a repressive regime, steps inevitably have to be taken to prevent those closely identified with that regime from continuing to hold positions of influence in public life. The development of plans which minimise undesired consequences, which are administered with justice and which are based on a robust understanding of the social context in which they will be implemented, should be an essential part of preparation for any post-conflict phase. This should include measures designed to address concerns within the wider population, including those of the victims of the old regime, and to promote reconciliation.

**27.** It is vital to define carefully the scope of such measures. Bringing too many or too few individuals within scope of measures like de-Ba'athification can have far-reaching consequences for public sector capacity and for the restoration of public trust in the institutions of government.

**28.** It is also important to think through the administrative implications of the measures to be applied and the process for their implementation.

**29.** The potential for abuse means that it is essential to have thought-through forms of oversight that are as impartial and non-partisan as possible.

**30.** For lessons related to the UK's involvement in decision-making within the CPA, see Section 9.8.



## SECTION 12.1

# SECURITY SECTOR REFORM

## Contents

Introduction .....	66
Pre-conflict consideration of SSR .....	67
SSR planning during the build-up to invasion .....	79
Planning the deployment of police officers .....	85
SSR across Iraq: after the invasion .....	88
De-Ba'athification .....	93
Views on SSR: May 2003 .....	100
SSR roles and responsibilities in Iraq .....	107
UK policing strategy: summer 2003 .....	108
Training of the Iraqi Police Service begins .....	113
New Iraqi security structures .....	115
Global Conflict Prevention Pool Strategy .....	120
Policing strategy: Iraqiisation .....	122
Concerns about strategy .....	129
The military take control of police reform .....	137
Security worsens and Iraqi Security Force weaknesses are exposed .....	141
Restructuring in advance of transfer of sovereignty .....	149
SSR in the South: after the invasion .....	153
Problems deploying police officers .....	155
The deployment of DCC White .....	163
SSR progress by October 2003 .....	167
Prison reform .....	170
The position in the South leading up to the transfer of sovereignty .....	172
SSR across Iraq: summer 2004 to summer 2006 .....	175
UK, US and Iraqi plans for SSR .....	177
UK assessments of the Iraqi Security Forces in late 2004 .....	183
Further concerns about Iraqiisation .....	185
Suggestions for improvements in SSR .....	191
Justice sector concerns .....	198
Delays in transferring security .....	199
The "Luck Review" and strategy for 2005 .....	204

The “Transition to Self Reliance” .....	208
2005 policing strategies .....	209
Strategic Conflict Assessment and SSR project review .....	219
The Iraqi Transitional Government .....	220
Police and judicial reform .....	221
Request for an “honest assessment” .....	223
Corruption, infiltration and abuse .....	227
The Jadiriyah bunker .....	229
2006 as the “Year of the Police” .....	233
The rise in sectarianism .....	236
SSR in the South: summer 2004 to summer 2006 .....	237
A decline in security .....	240
Prison Service support in southern Iraq .....	242
UK equipment for the Iraqi Security Forces: Project OSIRIS .....	244
Police reform .....	247
Considering whether to embed personnel in Iraqi units .....	248
Concerns about strategy .....	251
Restructuring SSR .....	254
Raising concerns with the Iraqis .....	257
UK equipment for the Iraqi Security Forces: Project OSIRIS II .....	263
Legacy in the South .....	265
The impact of political and tribal matters on the police in the South .....	268
The Jameat incident and subsequent developments .....	270
The MOD takes the lead on policing .....	277
Strategic considerations in late 2005 .....	283
Sir Ronnie Flanagan’s review .....	285
Reforming the Iraqi Police Service: Operation CORRODE .....	288
Further reduction in troops .....	291
Policing reviews: ACC Barton and a Strategic Task Force .....	293
SSR across Iraq: summer 2006 to summer 2009 .....	294
Formation of the Iraqi Government .....	294
Improving Iraqi Security Force build-up .....	295
An Iraqi security strategy .....	300
Dealing with the militias .....	302
Transition to Iraqi control of security begins .....	305
Iraqi Security Force assessments in late 2006 .....	307
Developing the Ministry of Interior and Iraqi Ministry of Defence .....	309

Reform of the Facilities Protection Service .....	313
Iraq Forward Plan .....	314
Focus on the Iraqi Army .....	316
Expansion of the Iraqi Security Forces .....	316
The justice sector .....	320
Mid-2007 assessments of the Iraqi Security Forces .....	324
US views on the progress of Iraqi Security Forces .....	325
Improvements in Iraqi Security Force capability during 2007 and 2008 .....	328
The Sons of Iraq .....	329
The UK's future bilateral relationship with Iraq .....	334
The strategy for 2009 .....	335
SSR after the withdrawal of UK troops .....	337
SSR in the South: summer 2006 to summer 2009 .....	338
State of emergency .....	338
Delivering a Better Basra .....	341
Problems with the 10th Division – mutiny and looting .....	343
Operations SALAMANCA and SINBAD .....	344
Civilian drawdown .....	351
Tackling the Serious Crimes Unit: Operation THYME .....	352
Early assessments of Iraqi Security Force performance in Op SINBAD .....	356
Planning to leave Basra City .....	361
Continuing concerns with the Basra justice system and Iraqi Police Service ..	368
Updated Better Basra Plan .....	369
National Information and Investigation Agency raid .....	371
Assessments of Iraqi Security Force readiness for Provincial Iraqi Control ....	374
Transition in Basra .....	377
The security situation after British withdrawal .....	382
The absence of a criminal justice system in Basra .....	384
Withdrawal and Provincial Iraqi Control for Basra .....	385
Charge of the Knights .....	388
Basra 'Sons of Iraq' programme .....	393
The UK starts embedding troops with the Iraqi Army .....	394
The future of the Iraqi police in Basra .....	396
The US takes over SSR tasks in the South .....	397
Training of 14th Division completed .....	401
SSR in Maysan province .....	401
UK police officer numbers 2003 to 2009 .....	408

## Introduction

### 1. This Section addresses:

- the development of the UK's Security Sector Reform (SSR) strategies, policies and plans;
- the decision to disband the Iraqi Army;
- the UK contribution to US-led SSR strategy developed in Baghdad;
- the implementation of SSR in the South of Iraq; and
- the deployment of UK police officers to Iraq.

### 2. This Section does not address:

- broader planning and preparation for the conflict in Iraq and its aftermath, which is described in Section 6.5;
- the decision to remove some members of the Ba'ath Party from public office after May 2003, a process known as de-Ba'athification, which is described in Section 11.1;
- the UK contribution to the reconstruction of Iraq, which is described in Sections 10.1 to 10.3; or
- the wider deployment of civilians to Iraq, which is described in Section 15.1.

### Definition of terms

#### Security Sector Reform

The term "Security Sector Reform" (SSR) is used in this report to refer to work to rebuild and reform Iraq's security and justice institutions. The Organisation for Economic Co-operation and Development (OECD) defines SSR as development work that helps societies to "escape from a downward spiral wherein insecurity, crime and underdevelopment are mutually reinforcing".<sup>1</sup>

The OECD defines the security and justice sectors to include the following:

- core security actors (for example, armed forces, police, gendarmerie,<sup>2</sup> border guards, customs and immigration, and intelligence and security services);
- security management and oversight bodies (for example, ministries of defence and internal affairs);
- justice and law enforcement institutions (for example, the judiciary, prisons, prosecution services, traditional justice systems); and
- non-statutory security forces (for example, guerrilla armies and private militias).

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<sup>1</sup> OECD DAC, *Handbook on Security System Reform*, 2007.

<sup>2</sup> A gendarmerie is a military force charged with policing duties in a civilian population.

The term “Security Sector Reform” is not used consistently, and is sometimes used interchangeably with phrases such as “security system reform” and “Rule of Law”. The term “Rule of Law” is often used to refer specifically to the justice sector.

#### **Disarmament, Demobilisation and Reintegration**

Disarmament, Demobilisation and Reintegration (DDR) programmes are designed to improve security and stability in post-conflict environments.<sup>3</sup> DDR aims to deal with the post-conflict security problem that arises when those who were fighting in a conflict (combatants such as soldiers or militia) are left without livelihoods or support networks.

DDR programmes usually include a process of removing weapons from combatants, taking combatants out of military structures and helping them to reintegrate into society, sometimes including integration into new security structures.

#### **Iraqi Security Forces and Iraqi Police Service**

The Iraqi Security Forces (ISF) includes both the Iraqi Army and the Iraqi Police Service (IPS). However, these terms are not used consistently and the ISF is sometimes used to refer solely to the Iraqi Army.

#### **Police officers**

For the purposes of the Report, the Inquiry has used the terms “civilians” and “police officers” but not “civilian police officers”. That adheres to the widespread distinction between police officers from the wide range of staff working within police forces who are civilians.

Some of the documents referenced in the Report refer to “civilian police officers” as a way of describing serving police officers seconded to Iraq. It appears that this description is to draw a distinction between the military police (Royal Military Police and Ministry of Defence police) and police officers from territorial forces in England, Wales, Scotland and Northern Ireland. While the Inquiry may have reproduced the term “civilian police officers” (sometimes abbreviated to CivPol) in footnotes or in direct quotes, it has otherwise referred to “police officers” or “military police officers” in order to establish the same distinction.

## **Pre-conflict consideration of SSR**

**3.** Planning and preparation for the post-conflict period is described in detail in Section 6.5. One of the earliest references to SSR in Iraq identified by the Inquiry is in a paper prepared for the Chiefs of Staff Strategic Think Tank on Iraq on 18 June 2002.<sup>4</sup> The paper, by the Ministry of Defence (MOD) Strategic Planning Group (SPG), was circulated to a limited number of senior MOD addressees.

<sup>3</sup> United Nations Disarmament, Demobilisation and Reintegration Resource Centre, 31 May 2005, *What is DDR?*

<sup>4</sup> [Minute Driver to PSO/CDS, 13 June 2002, ‘Supporting Paper for COS Strategic Think Tank on Iraq – 18 June’ attaching Paper \[SPG\], 12 June 2002, \[untitled\]](#).

4. The paper identified “post-conflict strategy” as one of eight components of a UK military strategy for Iraq, recognising the need to “acknowledge that there will be a post-conflict phase with an associated commitment, manpower and finance bill”. Development of an SSR model, support for training and provision of equipment were identified as tasks to be undertaken in the “medium term (six months to two years)”.

5. From 20 September, the Cabinet Office-led Ad Hoc Group on Iraq (AHGI) co-ordinated all non-military cross-government work on post-conflict issues. The creation and role of the AHGI is addressed in Section 2.

6. In preparation for the first meeting of the AHGI, Mr Jim Drummond, Assistant Head (Foreign Affairs) of the Cabinet Office Overseas and Defence Secretariat (OD Sec), wrote to Mr Desmond Bowen, Deputy Head of OD Sec, suggesting departmental responsibilities for different strands of post-conflict planning.<sup>5</sup> Mr Drummond proposed that reform of the security sector and civil service should be led by the MOD and the Department for International Development (DFID).

7. On 27 September, the AHGI discussed a Foreign and Commonwealth Office (FCO) paper on scenarios for the future of Iraq.<sup>6</sup> The paper stated:

“... we would not expect the armed forces and security services to switch allegiance to any new government en masse in the event of wholesale regime change. It is more likely that key tribal leaders would seek to establish tribal/regional power bases.”

8. The paper concluded that, in order to achieve its overarching priorities, the UK should “if possible avoid the root and branch dismantling of Iraq’s governmental and security structures”.

9. The AHGI called for the material on SSR in the paper to be expanded.<sup>7</sup>

10. The following week, the FCO produced a paper entitled ‘Models for Administering a Post-Saddam Iraq’.<sup>8</sup> Early drafts described the military challenge of providing security, including starting a Disarmament, Demobilisation and Reintegration (DDR) programme (see Box, ‘Definition of terms’, earlier in this Section), but did not address comprehensive reform of the security sector.

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<sup>5</sup> Minute Drummond to Bowen, 19 September 2002, ‘Ad Hoc Group on Iraq (AHGI)’.

<sup>6</sup> [Minute McDonald to Manning, 26 September 2002, ‘Scenarios for the Future of Iraq after Saddam’ attaching Paper, \[undated\], ‘Scenarios for the Future of Iraq after Saddam’.](#)

<sup>7</sup> Minute Dodd to Manning, 30 September 2002, ‘Ad Hoc Group on Iraq’.

<sup>8</sup> [Letter McDonald to Manning, 4 October 2002, ‘Models for Administering a Post-Saddam Iraq’ attaching Paper \[draft\] FCO, \[undated\], ‘Models for Administering a Post-Saddam Iraq’.](#)

**11.** A later version of the paper, provided to the AHGI on 11 October, contained an additional recommendation that:

“... the US and Coalition partners would need to retain overall responsibility for Iraq’s security for some time after the conflict. How the different security-related tasks (including Security Sector Reform) should be carried out and by whom needs further consideration.”<sup>9</sup>

**12.** The record of the 11 October AHGI meeting did not mention SSR.<sup>10</sup> A document describing “contingency planning work” circulated alongside it recorded that the FCO was drafting a paper on the topic.

**13.** During October and November 2002, the FCO produced several drafts of a paper on SSR.<sup>11</sup> An early version, forwarded to the Cabinet Office on 18 October, listed a range of post-conflict security issues that would need to be addressed in Iraq, including:

- What security structures would be appropriate for a post S[addam] H[ussein] Iraqi Government? How do we arrive at an answer? What are the threats, internal and external? Should we undertake a comprehensive review of the armed forces?
- To what extent do the size, task and organisation of the new security structures depend on whether Iraq develops into a federation?
- ...
- To what extent should the Kurds be integrated into the national structures? How might this be achieved?
- How do we replace an excessively large security apparatus with something ‘right sized’? Reform or abolition? Which parts of the security apparatus might be loyal to a new government and which not?
- To what extent should we punish those members of the security apparatus who have committed crimes against the Iraqi people (eg torture)?
- Are we obliged to work with the new Iraqi Government on SSR or can it be imposed?
- How do we reform the working culture of the security sector so that it operates on the basis of humanitarian values in support of legitimate government?
- How can we resettle or rehabilitate those pre-Saddam individuals removed from the security sector so that they do not work clandestinely for the re-establishment of a S[addam] H[ussein]-type regime?”

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<sup>9</sup> [FCO Paper, \[undated version received at AHGI, 11 October 2002\], ‘Models for Administering a Post-Saddam Iraq’.](#)

<sup>10</sup> Minute Dodd to Manning, 14 October 2002, ‘Ad Hoc Group on Iraq’ attaching Paper, 14 October 2002, ‘Whitehall Iraq Contingency Planning’.

<sup>11</sup> [Letter Gray to Drummond, 18 October 2002, ‘Papers for the AHGI’ attaching Paper, 17 October 2002, ‘Iraq: Security Sector Reform’.](#)

**14.** The draft FCO paper on SSR informed a Cabinet Office paper of 1 November which explored what Iraq could look like after Saddam Hussein.<sup>12</sup> The Cabinet Office paper drew together strands of work from across Government and was written as a steering brief for talks on post-conflict issues in Washington with the US and Australia.

**15.** The paper assumed that the international community and UN would be willing to assist with reconstruction. Following a period of transitional military government (up to six months), the UN was expected to “rule” Iraq for about three years. SSR planning was considered in the context of preparation for a UN administration.

**16.** The paper stated:

“There will need to be a Security Sector Reform process ... Having dismantled Saddam’s security apparatus, there will need to be a new one. This will require a comprehensive plan agreed with and led by the US. The judiciary will need a total rebuild as will the police. Decisions will need to be taken on the size and scope of the Army and intelligence services.”

**17.** The first round of talks between the US and UK on post-conflict planning took place in Washington on 6 November.<sup>13</sup> Reporting on the talks to Sir David Manning, the Prime Minister’s Foreign Policy Adviser and Head of the OD Sec, Mr Drummond wrote:

“We are agreed on the need for rapid and comprehensive reform of existing security structures. Very few of the many current structures can be allowed to remain. We can expect the US to maintain a tight grip on this, but urged them to think about the wider security sector including police and the need to arrive with a plan (ie not as in Afghanistan).”

**18.** Mr Drummond chaired a meeting of the AHGI on 8 November.<sup>14</sup> The Washington talks were discussed in the meeting, but SSR was not.

**19.** In mid-December, the FCO Middle East Department produced a paper describing different models of interim administration for Iraq.<sup>15</sup> That was shared with the US on 12 December. The FCO identified “initiating Security Sector Reform, especially the reform of the police” as a “key element” that any international administration would need to address in the short term.

**20.** The FCO Middle East Department explored further the issue of SSR in a separate paper which was completed on 10 December.<sup>16</sup>

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<sup>12</sup> [Minute Drummond to Manning, 1 November 2002, ‘Iraq: Post-Saddam’ attaching Paper ‘Iraq: Models and Some Questions for Post-Saddam Government’.](#)

<sup>13</sup> Minute Drummond to Manning, 8 November 2002, ‘Iraq: Day After’.

<sup>14</sup> Minute Dodd to Manning, 11 November 2002, ‘Ad Hoc Group on Iraq’.

<sup>15</sup> [Paper FCO Middle East Department, 12 December 2002, ‘Interim Administrations in Iraq: Why a UN-led Interim Administration Would be in the US Interest’.](#)

<sup>16</sup> [Paper FCO Middle East Department, 10 December 2002, ‘Iraq: Security Sector Reform’.](#)

**21.** The final version of that SSR paper was produced in consultation with officials from the MOD and DFID.<sup>17</sup>

**22.** As in earlier drafts, the paper did not propose how to conduct SSR, but instead sought to identify which issues would need to be addressed by an SSR strategy.<sup>18</sup>

Building on the earlier paper, it listed the issues in six categories:

- What security structures would be appropriate? That should be based on an assessment of the internal and external threats to Iraq, as well as consideration of its future constitutional shape and the relative affordability of its armed forces.
- Who should be in charge? The organisation of the international body that would manage SSR activity should be given a high priority, “ideally before military action”. That body would need to interact closely with the post-conflict interim administration.
- Methodology. To what extent could reform be imposed by the US military or UN-led government, and how far should the exclusion of members of the Tikriti clan (Saddam Hussein’s clan) be taken?
- DDR. Reducing the “bloated security sector” raised questions about resettling those who had been removed and identifying mechanisms to bring perpetrators of crimes against humanity to justice.
- Qualitative and quantitative change. How to reform the working culture of the security sector, “particularly the police and the courts, so that it operates on the basis of humanitarian values in support of a legitimate government”?
- Accountability. The new SSR structures should “ideally” be accountable to civilian control. Enshrining the principle of civilian oversight would be “key to establishing a fully accountable security apparatus”.

**23.** The FCO offered some “provisional” conclusions, including:

- “• From the outset, SSR should be at the centre of post-conflict work, rather than outside it as happened in Afghanistan ... we should begin discussing the mechanism for the international community’s engagement in SSR before military action begins.
- As any SSR plan will have to address a number of complicated issues, we should set up a UK working group now to start the detailed assessment to enable us to engage with the US (and the academic community in the UK) on SSR.
- The new Iraqi administration should be involved as early as possible in the process so as to feel ownership of the new structures.

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<sup>17</sup> Minute Dodd to Manning, 3 December 2002, ‘Ad Hoc Group on Iraq’.

<sup>18</sup> [Paper FCO Middle East Department, 10 December 2002, ‘Iraq: Security Sector Reform’.](#)

- There are some security organisations, staffed with Tikritis and Saddam's kinsmen and with a record of oppression, which should have no further future in a post-S[addam] H[ussein] Iraq.
- We need to find out more about the civilian police and the judiciary.
- Ministers will need to decide the level of engagement of the UK in SSR, given our limited and stretched resources."

**24.** The paper was tabled as a living document "open to comment and improvement" at the AHGI meeting on 13 December.<sup>19</sup> The AHGI was told that "a Whitehall working group on SSR in Iraq has now been established and can undertake further work". The SSR paper was one of four that the FCO had handed to Mr Zalmay Khalilzad, US National Security Council (NSC) Senior Director and Ambassador at Large to the Iraqi Opposition, "in an attempt to shape US thinking".

**25.** The second series of meetings between the UK, US and Australia to discuss post-conflict planning took place on 22 January 2003.<sup>20</sup> In preparation, the FCO Middle East Department drafted an "Annotated Agenda/overarching paper". That was submitted to Mr Jack Straw, Foreign Secretary, for approval of the "general line" that the UK proposed to take in discussion.

**26.** On SSR, the paper stated:

"Our handling of the defeated Iraqi forces will be critical. We shall need a DDR plan for them, consistent with our vision for the future of Iraq's armed forces. Experience in Sierra Leone and Afghanistan has shown that we need to ensure consistency between first steps and a longer-term vision on Security Sector Reform. As well as ensuring the efficient use of our own resources, we shall want to find a way to allow partners to join in SSR implementation. Does this work require new impetus?"

**27.** Mr Straw approved the recommendations on 20 January. He reported that Mr Colin Powell, US Secretary of State, had told him the US working assumption was that the US and UK would be in Iraq for a long time after military action.<sup>21</sup>

**28.** The FCO paper was also shared with the US and Australia.<sup>22</sup>

**29.** On 16 January, Mr Tony Brenton, Deputy Head of Mission at the British Embassy Washington, wrote to Mr Elliott Abrams, Senior Director for Near East and North African Affairs in the US NSC, to propose a draft agenda for the talks, attaching a copy of the

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<sup>19</sup> Minute Dodd to Manning, 19 December 2002, 'Ad Hoc Group on Iraq'.

<sup>20</sup> [Minute Chilcott to Chaplin and Private Secretary \[FCO\], 17 January 2003, 'Iraq: Day-after Issues'](#).

<sup>21</sup> Minute Private Secretary [FCO] to Chilcott, 20 January 2003, 'Iraq: Day-After Issues'.

<sup>22</sup> Letter Brenton to Abrams, 16 January 2003, 'US/UK/Australia Trilateral Talks on Iraq: 22 January 2003'.

paper.<sup>23</sup> The first suggested agenda item was security. “Key issues” for discussion included:

- “• how to dismantle Iraq’s secret security agencies, and to handle the defeated armed forces?
- how to provide legitimate and transparent law and order, and the necessary civil structures to deliver them?
- the co-operation of the Iraqi police ...
- longer-term Security Sector Reform and DDR planning.”

**30.** Reporting to Mr Straw after the talks, Mr Edward Chaplin, FCO Director Middle East and North Africa, said that the exchanges had gone “better than expected”, but also explained that “as we suspected, apart from on humanitarian relief and immediate post-conflict reconstruction, the US have not yet made much progress on a lot of the day-after agenda”.<sup>24</sup>

**31.** No discussion of SSR was recorded in reports of the Washington talks to Ms Clare Short, International Development Secretary, or Mr Geoff Hoon, the Defence Secretary.<sup>25</sup> Neither was it referred to in the reporting telegram from the Embassy.

**32.** An FCO official who attended the talks reported to Mr Dominick Chilcott in the Middle East Department that the “key message” was that Mr Donald Rumsfeld, US Secretary of Defense, had ordered his staff to plan both the military and civil administration of Iraq, and that this work was “going ahead fast, whether we like it or not”.<sup>26</sup> Plans were expected to be signed off in about a week’s time. Once that had happened, the official judged that it would be “very difficult to reverse what had been decided”.

**33.** Following the talks, Mr Drummond proposed that six working groups should be established to “pursue issues which require further planning”.<sup>27</sup> None of those groups were tasked to consider planning for SSR.

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<sup>23</sup> Letter Brenton to Abrams, 16 January 2003, ‘US/UK/Australia Trilateral Talks on Iraq: 22 January 2003’.

<sup>24</sup> Minute Chaplin to Secretary of State [FCO], 22 January 2003, ‘Iraq: ‘Day-After’ Issues’.

<sup>25</sup> Minute Chaplin to Secretary of State [FCO], 22 January 2003, ‘Iraq: ‘Day-After’ Issues’; Telegram 89 Washington to FCO London, 23 January 2003, ‘Iraq: US/UK/Australia Consultations on Day After Issues: 22 January 2003’; Minute Lee to PS/Secretary of State [MOD], 23 January 2003, ‘Aftermath: Visit to Washington’; Minute Miller to PS/Secretary of State [DFID], 23 January 2003, ‘UK/US/Australia talks, Washington: 22 January 2003’.

<sup>26</sup> Minute Middle East Directorate [junior official] to Chilcott, 6 February 2003, ‘Iraq: PJHQ Meeting on ‘Aftermath’.

<sup>27</sup> [Letter Drummond to Chaplin, 23 January 2003, ‘Iraq: Working Groups’.](#)

**34.** On 20 January, the MOD Permanent Joint Headquarters (PJHQ) proposed the creation of a ‘Common Document’ to provide a framework for UK Phase IV<sup>28</sup> planning.<sup>29</sup> That was conceived as a “cross-Government agreed UK ‘manifesto’, from which we would be able to guide subsequent engagement with the US”. It would also provide a “mechanism for systematically identifying issues that needed to be resolved”.

**35.** The draft described a number of elements of SSR work, including:

- disarmament/demobilisation and the future shape of the military;
- aspirations for the criminal justice system; and
- consideration of the military role in police mentoring.

**36.** The Chiefs of Staff discussed the Common Document at their meeting on 29 January and concluded that it “would establish a framework UK policy, which would ... provide guidance to the embedded UK staffs charged with influencing US thinking”.<sup>30</sup>

**37.** The same day, Mr Bowen shared a draft paper on UK campaign objectives for Iraq with Sir David Manning.<sup>31</sup> The paper identified a number of “immediate military priorities” for the Coalition in the aftermath of hostilities, including “lay plans for the reform of Iraq’s security forces”. Mr Bowen commented that “it will be important ... that we share the same military objectives with the US, otherwise the strategic direction of the campaign risks falling apart”. The objectives are addressed in further detail in Section 6.5.

**38.** On 4 February, Mr Drummond proposed that a special meeting on “aftermath” should replace the AHGI scheduled for 7 February.<sup>32</sup> That meeting would be used to co-ordinate a response to two US planning papers on post-war reconstruction and would also cover the “state of preparedness” on a range of issues, including an agenda item on SSR.

**39.** The AHGI appears to have used the meeting to focus on preparing key messages on post-conflict issues for Mr Hoon and Sir David Manning’s visit to Washington the following week.<sup>33</sup>

**40.** A meeting about the post-conflict period took place at PJHQ offices on 5 February.<sup>34</sup> To support the discussion, PJHQ tabled a paper entitled ‘Iraq – Phase IV Subjects’.<sup>35</sup>

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<sup>28</sup> Phase IV is a military term that describes the time after combat operations, when activities are conducted to stabilise and reconstruct the area where combat took place. It can also be described as “Stage IV”.

<sup>29</sup> [Minute PJHQ/Hd of J9 Pol/Ops to MA/DCJO\(Ops\), 20 January 2003, ‘Op TELIC: Taking Forward Aftermath Planning’ attaching Paper MOD, \[undated\], ‘Phase IV Planning – Common Document’.](#)

<sup>30</sup> Minutes, 29 January 2003, Chiefs of Staff meeting.

<sup>31</sup> [Minute Bowen to Manning, 29 January 2003, ‘Iraq: Military Campaign Objectives’ attaching Paper \[unattributed\], \[undated\], ‘Iraq: Military Campaign Objectives’.](#)

<sup>32</sup> Letter Drummond to Chaplin, 4 February 2003, ‘Iraq: Aftermath’.

<sup>33</sup> Letter Drummond to Chilcott, 10 February 2003, ‘Iraq: Key Messages’.

<sup>34</sup> Minute FCO Middle East Directorate [junior official] to Chilcott, 6 February 2003, ‘Iraq: PJHQ Meeting on ‘Aftermath’ attaching Paper [unattributed], 5 February 2003, ‘Iraq – Phase IV Subjects’.

<sup>35</sup> [Paper MOD \[unattributed\], 5 February 2003, ‘Iraq – Phase IV Subjects’.](#)

**41.** That document described for the first time some of the short and medium-term SSR objectives for the post-conflict management of Iraq. Following the US planning of the time, those were divided into a “stabilisation” phase covering the first six months and a “reconstruction” phase covering months six to 18.

**42.** The desired end state for the military and security forces was to have laid:

“... plans for the reform of Iraq’s security forces ... Security Sector Reform (SSR) ... to include the restructuring of the intelligence agencies, armed forces, police and criminal justice system. All elements of the Security Sector to be affordable and accountable.”

**43.** The military and security objectives for the UK during the stabilisation phase were described as:

- all units of Iraqi military have been accounted for and (if appropriate) disarmed;
- stability, law and order in Iraq; and
- inter-agency or international organisation efforts to reorganise and train Iraqi law enforcement agencies begun (supported by the UK).

**44.** The military and security objectives for the UK during the reconstruction phase were described as:

- reform of Iraqi Armed Forces under way, with a view to organisations able to defend Iraq without threatening Iraqi citizens or neighbours;
- elimination of the Iraqi NSC and the Iraqi Special Security Organisations;
- exploitation and subsequent disbandment of the Directorate of General Security, the Directorate of General Intelligence, the Military Security Service, the Special Republican Guard, and Saddam’s Martyrs (Fedayeen Saddam); and
- vetting and reintegration of acceptable elements of the Republican Guard Forces Command, regular army and police.

**45.** The desired end state for law enforcement was to have: “Rule of Law established. Police reformed and conforming to human rights.”

**46.** The law enforcement objectives for the UK during the stabilisation phase were described as:

- early implementation of a clear plan for development of Iraqi police;
- framework to provide military provision of law enforcement within UK Area of Operations (see Box, ‘Area of Operations and Area of Responsibility’, later in this Section); and
- police vetted and initial capability established.

**47.** The law enforcement objectives for the UK during the reconstruction phase were described as:

- responsibility for law enforcement passed back to Iraqi police; and
- joint police/military police, transitioning to police operating alone.

**48.** The desired end state for justice was to have a reformed legal system established under vetted judiciary, with unjustly jailed prisoners released.

**49.** The justice enforcement objectives for the UK during the stabilisation phase were described as:

- martial law in place for minimum time possible;
- new laws agreed and promulgated;
- judges vetted, and unsuitable judges removed;
- military management of prisons; and
- unjustly jailed prisoners released.

**50.** The law enforcement objectives for the UK during the reconstruction phase were described as:

- Iraqi legal system up and running before transmission. International mentoring system provided to support judges.
- If possible, management of prisons passed over to Iraqi citizens. If not possible, support programme to re-establish in UK AO.

**51.** On 7 February 2003, Mr Peter Ricketts, FCO Political Director, informed Mr Straw that there was inter-departmental agreement that “the FCO should lead policy work on planning for post-conflict Iraq”.<sup>36</sup>

**52.** There were two sections in different directorates within the FCO that had a role in relation to SSR:

- the Iraq Planning Unit (IPU); and
- the United Nations Department (UND), which had previous experience recruiting and deploying UK police for UN missions.<sup>37</sup>

**53.** Lord Jay, the FCO Permanent Under Secretary from 2002 to 2006, told the Inquiry:

“I cannot recollect any discussions specifically about policing, nor have I been able to come across any papers.”<sup>38</sup>

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<sup>36</sup> Minute Ricketts to Private Secretary [FCO], 7 February 2003, ‘Iraq Strategy’.

<sup>37</sup> [Letter Bowen to Ehrman, 5 February 2003, ‘Iraq: Operational Policy Unit’.](#)

<sup>38</sup> Public hearing, 30 June 2010, page 48.

### Iraq Planning Unit

The Iraq Planning Unit (IPU) was established on 10 February with Mr Dominick Chilcott, FCO Middle East Department as its head. Its remit was “to develop policy guidance to enable the administration of Iraq pending the appointment of a transitional civil administration, consistent as far as possible with the longer-term vision for the future of Iraq”.<sup>39</sup> Mr Bowen, defining the purpose of the Unit, wrote:

“They would need to work their way, with the US, through issues as diverse as humanitarian relief, policing, administration of justice, local government and provision of utilities, environmental recovery and priorities for the return to normality.”

The IPU was inter-departmental but based in the FCO.<sup>40</sup>

**54.** On 12 February, responsibility for the ‘Iraq Stage IV Subjects Document’ was transferred to the newly formed inter-departmental IPU.<sup>41</sup>

**55.** On 29 January, Mr Peter Gooderham, Political Counsellor at the British Embassy Washington, reported that the NSC had asked whether the UK, as one of the Occupying Powers, would be willing to take lead responsibility for reforming the Iraqi judicial system and Iraqi Police Service (IPS).<sup>42</sup> The NSC said that the justice sector would be run by the military Coalition in the immediate aftermath, but the Iraqis should “regain responsibility for law and order as quickly as possible”. That was described as having “something up and running within 60 days”. The UK would be “best suited” to take on this role because of its “wealth of experience and expertise”.

**56.** On 31 January, the UND submitted advice to Mr Straw, alerting him to the request and stating that “this would be a massive undertaking, with implications for the UK’s role as an ‘Occupying Power’, that should more properly be an international effort mandated by the UN”.<sup>43</sup>

**57.** Mr Straw commented that the UK “should help the US on police and judicial matters as much as possible”, but “this help has to be on the basis of what is practical”.<sup>44</sup>

**58.** On 4 February, Mr Drummond wrote to Mr Chilcott following a meeting between the Cabinet Office, the FCO, the MOD and DFID to consider the US request.<sup>45</sup> He observed

<sup>39</sup> [Letter Bowen to Ehrman, 5 February 2003, ‘Iraq: Operational Policy Unit’.](#)

<sup>40</sup> [Minute Chorley to PS/Secretary of State \[MOD\], 12 February 2003, ‘Iraq: Aftermath – Briefing for Meeting with OGD Ministers’.](#)

<sup>41</sup> [Minute Chorley to PS/Secretary of State \[MOD\], 12 February 2003, ‘Iraq: Aftermath – Briefing for Meeting with OGD Ministers’.](#)

<sup>42</sup> Letter Gooderham to Chaplin, 29 January 2003, ‘Iraq: Day After: US Requests for Assistance on Judicial Issues’.

<sup>43</sup> [Minute UND \[junior official\] to Private Secretary \[FCO\], 31 January 2003, ‘Iraq the Day After – US Requests for Assistance on Judicial Issues’.](#)

<sup>44</sup> [Minute PS Foreign Secretary \[FCO\] to UND \[junior official\], 3 February 2003, ‘Iraq the Day After – US Request for Assistance on Judicial Issues’.](#)

<sup>45</sup> Minute Drummond to Chilcott, 4 February 2003, ‘Iraq: Judicial Issues’.

that the management of the Iraqi police and judicial system in the first 60 days of Occupation would “condition the longer term”. The UK would need to know more about:

- “• Whether the US envisaged dismantling the Ba’ath Party.<sup>46</sup> While this is probably justified it would leave big gaps in the apparatus of the State.
- How much of the Saddam Hussein security structure they [the US] plan to retain.
- Whether the US envisaged a Kosovo style pillar structure, with a Coalition member leading each part. If so, what were the other pillars and who had been invited to lead them.
- What would the UN role be? We would need the UN to legitimise Security Sector Reforms. We accept that the UN would not deliver in time to manage the initial 60 days, but could play a useful role in the medium term on all aspects of judicial reform.”

**59.** It was agreed at the meeting that Mr Chilcott would pursue those questions in Washington at the next round of talks on 5 February between the UK, US and Australia. The issue would then be considered at a meeting on 7 February. If it was decided to “proceed further”, a scoping exercise would be undertaken by DFID, the MOD and “probably” the Home Office.

**60.** The British Embassy Washington’s report of the talks on 5 February did not mention the proposal of the US that the UK take lead responsibility in reform of the judicial system and the IPS.<sup>47</sup>

**61.** On 10 February, Mr Drummond wrote to Mr Chilcott to share a draft of “key messages for the Defence Secretary and David Manning to put to Donald Rumsfeld and Condi Rice [Dr Condoleezza Rice, President Bush’s National Security Advisor]”.<sup>48</sup> The US request that the UK lead on the IPS and judiciary was not addressed in the paper.

**62.** On 12 February, in a brief written to prepare Mr Straw for a meeting with Mr Blair on “Day After issues”, the FCO advised that the UK was still considering whether it should accept the US request that it become “lead nation on justice throughout Iraq”.<sup>49</sup> The FCO stated that “it would be very difficult to do this without a UNSC [UN Security Council] Resolution authorising a transitional administration”.

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<sup>46</sup> The Ba’ath Party, dominated by individuals linked to Saddam Hussein, were in power in Iraq at the time of the invasion.

<sup>47</sup> Telegram 167 Washington to FCO London, 6 February 2003, ‘Iraq: US/UK/Australia Talks on “Day After” Issues, 5 February’.

<sup>48</sup> Letter Drummond to Chilcott, 10 February 2003, ‘Iraq: Key Messages’ attaching Paper Cabinet Office, 10 February 2003, ‘Iraq Post Conflict: Key Messages’.

<sup>49</sup> [Minute IPU \[junior official\] to Private Secretary \[FCO\], 12 February 2003, ‘Meeting on Iraq Day After Issues before Cabinet, 13 Feb’.](#)

**63.** Mr Drummond wrote to Sir David Manning on 14 February to outline key messages for the US on “winning the peace”.<sup>50</sup> Addressing the US request that the UK “lead on reviving the Iraqi Justice system”, Mr Drummond reported that:

“We have asked for clarification of whether they see this as a short term revival of existing structures minus the Ba’ath influence or a much longer term reform agenda.”

**64.** The following week, Mr Chilcott informed Mr Straw that an assessment of UK capabilities in the field of police and judicial reform had been sent to the US, and that a minute on the subject was in preparation, but was awaiting “greater clarity on UK commitments”.<sup>51</sup> In an accompanying document, Mr Chilcott described the UK position as:

“No commitment, but UK could consider providing support for UN-led justice sector reform, providing we had the right UN cover.”

**65.** Mr Straw responded the following day without comment on the UK’s role in judicial reform.<sup>52</sup> The Government has been unable to supply evidence of any further consideration of the US request.

## SSR planning during the build-up to invasion

**66.** In February and early March 2003, the main effort within the FCO and No.10 was the pursuit of a further UN Security Council Resolution, as described in Section 3.7. During this period, much of the debate around post-conflict management of Iraq focused on the prospect of the UK taking responsibility for a geographical region following the invasion, as described in Section 6.5.

**67.** The MOD Iraq Secretariat briefed Mr Hoon on 10 February ahead of a visit to Washington.<sup>53</sup> They advised that US aftermath planning was “impressive on details”, but “riddled with holes at the political and strategic levels”. The MOD identified a number of factors for consideration:

“SSR will be a huge issue, both in dismantling the current infrastructure and growing a new one. Will the US look to the current Iraqi police to maintain law and order, or will it train a new force? If US AID [Agency for International Development] are legally prevented from paying police or military salaries, how will SSR be funded prior to the utilisation of oil revenues? What will the new security apparatus look like, and how can it (particularly internal security organs) be made transparent and

<sup>50</sup> [Minute Drummond to Manning, 14 February 2003, ‘Iraq: Winning the Peace’.](#)

<sup>51</sup> [Minute Chilcott to Private Secretary \[FCO\], 20 February 2003, ‘Iraq: Day-After \(Phase IV\)’ attaching ‘Iraq Day After: Guidance for Officials at US Rock Drill’.](#)

<sup>52</sup> Minute Owen to Chilcott, 21 February 2003, ‘Iraq: Day-After (Phase IV)’.

<sup>53</sup> Minute Johnson to PS/Secretary of State [MOD], 10 February 2003, ‘Secretary of State’s Visit to Washington: Iraq’ attaching Briefing MOD Iraq Secretariat, [undated], ‘Iraq Aftermath – Summary of Key Gaps/US-UK Policy Differences’.

accountable? ... At a tactical level, UK forces will need guidance on how to treat various wings of the Iraqi security infrastructure as they are encountered in country.”

**68.** On 11 February, Mr Mike O’Brien, FCO Minister of State for the Middle East, was briefed on “Day After issues”.<sup>54</sup> That included detail on SSR preparations. On policing, Mr O’Brien was told that the UK’s experience in other areas, such as Bosnia, “should mean we would be well placed to share our expertise with the US and help influence their thinking on the issue”. A scoping paper “which could be shared with the US” on the establishment of an independent Iraqi judiciary was also commissioned.

**69.** More broadly, the briefing stated:

“It was agreed that the US saw themselves as the lead nation. On Security Sector Reform, we should ensure that we feed in to their decision making process. We could suggest leading on those areas where we have expertise eg: good governance.”

**70.** On 14 February, Mr Drummond produced a note for Sir David Manning on “key messages for the US” which outlined a number of decisions that needed to be taken.<sup>55</sup> On SSR he wrote:

“If we are not to replicate the problems seen in Afghanistan, we will also need the US to agree early to [sic] single holistic plan for Security Sector Reform. We have offered outline proposals on the security sector. We should offer a plan.”

**71.** The following week, the US hosted a Rock Drill: an inter-agency rehearsal for the post-conflict administration of Iraq. It was attended by a team of UK officials led by Mr Chilcott and is described in detail in Section 6.5.

**72.** On 20 February, Mr Chilcott submitted advice to Mr Straw, including an IPU guidance note for officials participating in the Rock Drill.<sup>56</sup> There was a brief mention of SSR activities in the context of maximising “involvement of the Iraqis in most tasks, including: policing ... judiciary ... and some security forces”.

**73.** In an update to Mr Blair shortly after the Rock Drill, Mr Nicholas Cannon, Mr Blair’s Assistant Private Secretary for Foreign Affairs, provided an overview of work undertaken by the IPU, including on humanitarian and economic issues.<sup>57</sup> Mr Cannon did not mention SSR.

**74.** On 25 February, the IPU produced a ‘UK Vision for Phase IV’.<sup>58</sup> The paper was sent to Sir David Manning the following day, copied to the offices of Mr Gordon Brown,

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<sup>54</sup> [Minute APS/Mr O’Brien to Chilcott, 11 February 2003, ‘Iraq: Day After Issues’.](#)

<sup>55</sup> [Minute Drummond to Manning, 14 February 2003, ‘Iraq: Winning the Peace’.](#)

<sup>56</sup> [Minute Chilcott to Private Secretary \[FCO\], 20 February 2003, ‘Iraq: Day-After \(Phase IV\) attaching Paper ‘Iraq Day After: Guidance for Officials at US ROCK Drill’.](#)

<sup>57</sup> Minute Cannon to Prime Minister, 24 February 2003, ‘Southern Iraq: Aftermath Issues’.

<sup>58</sup> [Paper IPU, 25 February 2002, ‘UK Vision for Phase IV’.](#)

the Chancellor of the Exchequer, Mr Hoon and Ms Short.<sup>59</sup> The vision was that the UK “should aim to leave Iraq radically changed for the better”.<sup>60</sup>

**75.** The paper listed a number of mission objectives, including the formation of an Iraq which “has appropriately sized, reformed armed forces and intelligence/security agencies” and “has a fair justice sector”.

**76.** The paper was structured to match the US organisation of Phase IV into three stages:

- Alpha – military administration while UN agencies and Non-Governmental Organisations (NGOs) “tackle the humanitarian crisis”.
- Bravo – an “international civil transitional administration”, supported by UN-mandated Coalition military, which would “take forward the programme of ambitious reforms ... to transform Iraq along the lines of the vision”.
- Charlie – the handover to a democratically elected Iraqi Government, during which the international community would continue to support the restructuring of Iraq’s economy and public administration. “Training of the armed forces and of the police and judiciary may also continue in Phase IV Charlie.”

**77.** The FCO sent a draft ‘Vision for Iraq and the Iraqi People’ to No.10 on 28 February.<sup>61</sup> That version made no reference to the security sector, but did state that the UK would “help” by “supporting institutional and administrative reform”.

**78.** The UK’s objectives were described again in a paper prepared by the IPU for a meeting chaired by Mr Blair on 6 March.<sup>62</sup> The paper sought Ministerial agreement to a number of objectives for the UK’s post-conflict Occupation of Iraq, including that Iraq:

- “Has armed forces and intelligence services that are of an appropriate size (striking a balance between not threatening its neighbours and protecting the territorial integrity of Iraq) and are well on the way to being reformed”; and
- “Respects human rights and has made significant progress towards a fair and effective justice sector.”

**79.** The IPU paper was not discussed at the meeting, so the draft objectives for post-conflict Iraq were incorporated into another IPU paper describing “the UK overall plan for Phase IV” and submitted to Mr Blair by Mr Matthew Rycroft, Mr Blair’s Private Secretary for Foreign Affairs, on 7 March<sup>63</sup> and again by Mr Cannon on 12 March.<sup>64</sup>

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<sup>59</sup> [Letter Owen to Rycroft, 26 February 2002, ‘Iraq: Phase IV’.](#)

<sup>60</sup> [Paper IPU, 25 February 2002, ‘UK Vision for Phase IV’.](#)

<sup>61</sup> [Minute Owen to Rycroft, 28 February 2003, ‘A Vision for Iraq and the Iraqi People’.](#)

<sup>62</sup> [Paper IPU, 5 March 2003, ‘Planning for the UK’s Role in Iraq after Saddam’.](#)

<sup>63</sup> Minute Rycroft to Prime Minister, 7 March 2003, ‘Iraq: Weekend Papers’.

<sup>64</sup> [Minute Cannon to Prime Minister, 12 March 2003, ‘Iraq: Post-Conflict Planning: Objectives and Principles’.](#)

**80.** The MOD produced a number of papers in March that discussed SSR.

**81.** On 7 March, an MOD “Red Team”, which had been established within the Defence Intelligence Staff (DIS) (as described in Section 6.2), produced a report seeking to identify “the optimum structure of the Immediate and Interim Administrations in Iraq and other measures most likely to obtain and retain the support of the Iraqi people”.<sup>65</sup> The report stated that “law and order, including the judicial process, will require special handling”. It stated that:

- “• ... once an assessment has been made of the effectiveness of local police forces it should be increasingly possible to include them in military-led law and order operations;
- the judicial system is largely dysfunctional and ... some form of interim judicial system may be necessary;
- the prison system is likely to require a complete overhaul and supervisory regime, although the infrastructure may be useable.”

**82.** The Red Team advised that:

“Expectations that the Coalition Forces will be able to deliver these responsibilities [those of an Occupying Power under international law] are high; so if there is doubt over our ability to meet them in an ‘exemplary’ fashion we should take steps to lower expectations as early as possible.”

**83.** On 11 March, the DIS issued a further assessment of the “political and security environment” that Coalition troops would encounter in Basra.<sup>66</sup> Though not specifically focused on SSR, some of the judgements in the document illustrate the UK’s pre-invasion understanding of the Iraqi security sector in what would become its Area of Operations (AOR).

### **Area of Operations and Area of Responsibility**

Area of Operations (AO) refers to the UK military’s area of combat operations during the invasion of Iraq (Phase III of operations).

Area of Responsibility (AOR) refers to the area for which the UK military was responsible during the post-conflict Occupation of Iraq (Phase IV of operations).

The two terms were often used interchangeably, sometimes in the same document.

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<sup>65</sup> [Minute PS/CDI to PS/SofS \[MOD\], 7 March 2003, ‘Iraq Red Team – Obtaining and Retaining the Support of the Iraqi People in the Aftermath of Conflict’ attaching Paper DIS Red Team, 7 March 2003, ‘Obtaining and Retaining the Support of the Iraqi People in the Aftermath of Conflict’.](#)

<sup>66</sup> [Report DIS, 11 March 2003, ‘Basra: Post Saddam Governance’.](#)

**84.** On the Iraqi police, the assessment stated:

“We have very little reporting on the organisation of Iraq’s Civil Police. And we have no information specific to Basra ... We have little idea as to how the police will act during a Coalition attack or in the aftermath. Limited anecdotal reporting suggest [sic] that they are likely to disappear from the street.”

**85.** The establishment of law and order was described as an “important” factor in the reaction of the Basra populace to Coalition control. However, the DIS judged that “in the absence of a civil police force and other security forces this will prove difficult”.

**86.** The paper also addressed the dismissal of Ba’ath Party members from the military and civil administration. The DIS assessed that:

“Directorate of General Security (DGS), DGI (Directorate of General Intelligence), SSO (Special Security Organisations) elements and Ba’ath Party militia should be disbanded. Ba’ath leadership (*Udw Firqa/Fara*) might also need to be detained ...

“... But within Basra City there seems to [sic] no organisation with a better understanding of tribal relationships, the civil populace, internal security matters and provision of public services than the Ba’ath Party. Many party members will not have been involved in repressive activity. We assess that Ba’ath Party members will have to be utilised by any military administration, at least in the early phases of control.”

**87.** On 18 March, the day before the invasion began, the MOD Defence Advisory Team (DAT) produced a paper on SSR and the future Iraqi armed forces.<sup>67</sup> The paper was designed “to inform UK policy making and assist in advancing US thinking on these topics”. Much of its content revisited the themes discussed in the FCO paper of 10 December 2002, which had already been shared with the US.

**88.** The MOD paper listed the range of SSR activities in which the UK could be expected to participate as follows:

- DDR;
- clearance of unexploded ordnance (de-mining);
- reconstruction of the Iraqi armed forces;
- non-military security forces and intelligence services;
- police and law enforcement;
- border control; and
- judicial systems.

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<sup>67</sup> [Minute IPU \[junior official\] to IPU Members, 18 March 2003, ‘Security Sector Reform: Future Iraqi Armed Forces’ attaching Paper Defence Advisory Team, March 2003, ‘Security Sector Reform: Future Iraqi Armed Forces’.](#)

**89.** The first three were considered “defence/military elements” and potential areas for involvement by the MOD. The MOD’s estimated total cost of those activities (for the whole of Iraq) is set out in Table 1.

Table 1: MOD estimate of costs for SSR, March 2003

Activity	Cost (£m)
DDR	400
De-mining	500
Reconstruction and reorientation of the Iraqi Ministry of Defence	50
<b>Total</b>	<b>950</b>

**90.** The DAT described a number of “high-level risks”, including the potential for “a lack of coherence between primary Coalition partners over SSR Policy”. The paper stated:

“Whilst the UK may try and influence the shape and content of such an SSR strategy, the reality is that it will have to accommodate to the plans of the senior Coalition partner/lead international body and their intentions for this area of activity.”

**91.** The Cabinet Office circulated an agreed set of “Military Campaign Objectives” on 18 March.<sup>68</sup> The “immediate military priorities” included to:

- “contribute to the creation of a secure environment so that normal life can be restored”; and
- “lay plans for the reform of Iraq’s security forces”.

**92.** The military objectives were placed in the Library of the House of Commons by Mr Hoon on 20 March.<sup>69</sup>

**93.** On 19 March, Admiral Sir Michael Boyce, Chief of the Defence Staff (CDS), issued his Directive to Lieutenant General John Reith, Chief of Joint Operations (CJO) authorising the commencement of Operation TELIC (UK military action in Iraq).<sup>70</sup> The tasks of relevance to SSR were:

- “Protect, and be prepared to secure, essential Iraqi political, administrative and economic infrastructure from unnecessary destruction in order to reassure the Iraqi people and facilitate rapid regeneration.”
- “Deter opportunistic inter-ethnic and inter-communal conflict.”

<sup>68</sup> [Minute Bowen to Manning, 18 March 2003, ‘Iraq: Military Campaign Objectives’.](#)

<sup>69</sup> House of Commons, *Official Report*, 20 March 2003, column 1087.

<sup>70</sup> Minute CDS to CJO, 19 March 2003, ‘Chief of the Defence Staff Executive Directive to the Joint Commander Operation TELIC Edition 2’.

- “As quickly as possible, contribute to a safe and secure environment within which humanitarian aid agencies are able to operate.”
- “If directed, be prepared to contribute to the reform of Iraq’s security forces.”

**94.** A later Directive, issued on 30 July, included a “key” priority:

“To support the Coalition wider SSR effort where this can be done within the appropriate UK scale of effort.”<sup>71</sup>

**95.** This Directive included a further task:

“Maintain public order and safety using, where possible, local law enforcement organisations supervised by military and civil police in order to achieve Iraqi support for stability operations.”

## Planning the deployment of police officers

**96.** In his evidence to the Inquiry, Mr Stephen Pattison, Head of UND until June 2003, described UND’s involvement in police matters as “essentially operational”.<sup>72</sup> Since 1997 UND had managed a Whitehall system to identify, train and deploy civilian police overseas. Mr Pattison said:

“Obtaining sufficient UK police officers to take part in international policing was always a struggle. We needed to get the co-operation of Chief Police Officers. And we needed to find ways of attracting volunteers ... We cast the net as wide as we could, including canvassing recently retired officers.

“In most cases the overseas requirement was for armed police, which rules out most UK officers. So we focused on getting UK officers into niche roles where their expertise would add to the international police force’s skills, rather than into front line executive policing.

“... And deploying UK police was not straightforward: all UK overseas police officers are volunteers, ACPO [Association of Chief Police Officers] and the Home Office would only agree to deployment when certain conditions were met (security, in mission support structure) and the funding had to be identified.”

**97.** Mr Pattison told the Inquiry that UND had not been tasked to undertake any preparatory work, but had identified a potential problem and acted to address it.<sup>73</sup> He said that there was no-one in Whitehall pulling together knowledge of policing to design the kind of police operation needed in Iraq. In his recollection, “awareness of our responsibilities under the Geneva Convention and Hague regulations did not inform our thinking about policing in the run-up to the war.”

<sup>71</sup> Minute CDS to CJO, 30 July 2003, ‘Chief of the Defence Staff Executive Directive to the Joint Commander Operation TELIC Edition 3’.

<sup>72</sup> Statement, 6 January 2011, pages 12-13.

<sup>73</sup> Public hearing, 31 January 2011, pages 5 and 9.

**98.** Responsibilities under the Geneva and Hague regulations included that, as an Occupying Force, the UK would assume responsibility for ensuring public order and safety within their AO.<sup>74</sup>

**99.** UND had assumed that the UK would not provide an “executive” police force (“a force to do actual policing”) for Iraq, which would be a “massive undertaking”.<sup>75</sup> Instead the focus would be on supplying a “small number” of UK police to provide training and advice on SSR, as had happened in other international policing missions. It was judged that those police would need to be armed.

**100.** Mr Pattison told the Inquiry:

“We were aware of the constraints and we were aware of roughly how many police we could provide to do training and it wasn’t very many. This would have to be a wholly voluntary force. Any police deployed would need the approval of their Chief Constable. There were duty of care issues.

“You know, this was not going to be one of those situations where you could simply turn on a tap of British police to go and help. It was going to be very difficult. We [UND] certainly understood that, but I’m not aware that there was ever a serious discussion of post-conflict police issues.”<sup>76</sup>

**101.** On 23 January, a junior official wrote to the Head of the UND Peacekeeping Section to seek authorisation to proceed with “plans for the training of a small contingent (30 officers) of Ministry of Defence Police for immediate deployment should they be required”.<sup>77</sup> The Minute stated:

“... we are taking these steps mindful of our experience in Kosovo, where the Prime Minister committed us to deployment of UK civpol shortly after the liberation of Pristina ... In that exercise police were on the ground within a month but only following a great deal of effort.”

**102.** Following a Cabinet meeting on 10 April, Mr David Blunkett, the Home Secretary, told officials that he wanted to be in a position to offer, or react very quickly to a request for, assistance in re-establishing policing in Iraq.<sup>78</sup> He was reported to have been thinking more of offering specialist advice than substantial numbers of police officers.

**103.** Home Office officials were told by Mr Pattison that the FCO’s preferred approach was to proceed with the initial deployment of a small MOD police contingent before deciding whether to ask the Home Office for any assistance from other forces.

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<sup>74</sup> [Paper MOD, 9 December 2009, ‘Iraq Security Sector Reform’.](#)

<sup>75</sup> Public hearing Pattison and Buck, 31 January 2011, pages 3-4.

<sup>76</sup> Public hearing, 31 January 2011, page 14.

<sup>77</sup> Minute FCO [junior official] to UND [junior official], 23 January 2003, ‘Post Saddam Iraq: UK Civilian Policing Contingency Planning’.

<sup>78</sup> [Email Home Office \[junior official\] to Kernaghan, 14 April 2003, ‘Potential Police Involvement in Iraq’.](#)

**104.** Mr Blunkett was said to be “disappointed” by that response and told Mr Blair that he was “very keen to make his own contribution”. He instructed his officials to make contact with the Association of Chief Police Officers (ACPO) to explore the possibilities, which they did on 14 April.

**105.** Chief Constable Paul Kernaghan, the lead on international affairs for ACPO, responded:

“ACPO and I are very keen to play a full and appropriate part in supporting the UK’s contribution to liberating the people of Iraq. The form of assistance we can provide depends on the mission envisaged and crucially clear political direction.”<sup>79</sup>

**106.** Mr Blunkett relayed CC Kernaghan’s offer to Mr Straw, confirming his own “commitment to the rehabilitation of Iraq, and in particular to the principle of the provision of UK policing assistance as soon as practicable”.<sup>80</sup> Mr Blunkett emphasised that both CC Kernaghan and he were “ready and willing to engage with you in working towards identifying civilian policing requirements in Iraq and how they might best be met”.

**107.** CC Kernaghan wrote to Mr Pattison, offering his services and suggesting that the FCO might wish to convene a meeting to bring together the key players from the FCO, Home Office and relevant policing interests to ensure a co-ordinated approach.<sup>81</sup> He had already discussed the matter with the Chief Constable of the MOD police and they were “agreed that an integrated response between all elements of the UK police service is the best approach”.

**108.** On 23 April, a meeting between the FCO, the Home Office, the MOD and ACPO agreed that the MOD police would deploy two officers – at the rank of Superintendent and either Inspector or Chief Inspector – “to enhance the police advice available to GOC [General Officer Commanding] 1 UK Armoured Division” and that the FCO would try to place a UK Chief Inspector inside the Office for Reconstruction and Humanitarian Assistance (ORHA).<sup>82</sup> It was confirmed that, in the meantime, CC Kernaghan should visit Iraq to gather information “to enable FCO/ACPO/Home Office to plan the UK’s contribution”.

**109.** CC Kernaghan’s record of the meeting concluded that “at this point in time there is no clear shared vision of the future but instead a strong determination by the agencies represented to provide meaningful support based on a professional assessment of the situation”.

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<sup>79</sup> [Email Kernaghan to Home Office \[junior official\], 15 April 2003, ‘Potential UK Civil Police Involvement in Iraq’.](#)

<sup>80</sup> [Minute Blunkett to Straw, 16 April 2003, ‘UK Police Assistance for Iraq’.](#)

<sup>81</sup> [Letter Kernaghan to Pattison, 17 April 2003, ‘Iraq and the UK Police Service’.](#)

<sup>82</sup> [Email Kernaghan to Pattison, 23 April 2003, ‘Iraq and the UK Police Service – Meeting 23/4/03’.](#)

**110.** The Ad Hoc Ministerial Group on Iraq Rehabilitation (AHMGIR – see box later in this Section) discussed an IPU paper on SSR on 8 May.<sup>83</sup> No Home Office Minister was available to attend the meeting but Lord Goldsmith, the Attorney General, did attend. In advance of the meeting Mr Blunkett spoke to Lord Goldsmith and confirmed the Home Office’s willingness to contribute resources and expertise to assist UK efforts to shape SSR work in Iraq. They agreed that it would be useful for their two departments to work together on the matter.

**111.** The Home Office recognised that its potentially relevant expertise covered a range of areas, including terrorism and security, immigration and asylum, drugs, policing and prisons.

**112.** Lord Goldsmith reported to the AHMGIR that he and Mr Blunkett were willing to put more resources into helping the police and justice work in Iraq.<sup>84</sup>

**113.** CC Kernaghan visited Iraq in late May.<sup>85</sup> In his visit report he observed: “Effective policing in Iraq requires operational officers to be armed.” Given that, and the fact that the vast majority of police officers in the UK did not routinely carry firearms and so were not trained in their use, he did not believe that they would be effective in an operational role in Iraq.

**114.** CC Kernaghan thought that UK involvement in police training would be more appropriate. He commented that the pressure to deploy police officers on operational duties was likely to be immense.

**115.** Following an agreement for the UK to provide a Chief Constable to be the senior policing adviser to the Coalition Provisional Authority (CPA) within the Iraqi Ministry of Interior (MOI), on 6 June 2003 ACPO issued a notice advertising a secondment opportunity for a senior UK police officer.<sup>86</sup>

## SSR across Iraq: after the invasion

**116.** The progress of the Coalition invasion of Iraq is described in detail in Section 8, and the events that followed it in Section 9.1. The start of efforts to reconstruct Iraq is set out in Section 10.1.

**117.** Shortly after the start of Operation TELIC,<sup>87</sup> the IPU circulated a “core script” on Phase IV issues from which Ministers and officials could draw as Parliamentary and

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<sup>83</sup> Minute Acton to Riley, 7 May 2003, ‘Iraq – Security Sector Reform’.

<sup>84</sup> Minutes, 8 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>85</sup> [Letter Kernaghan to Blunkett, 23 May 2003, ‘Iraq – Visit by Chief Constable P R Kernaghan’ attaching Report Kernaghan, 10 May 2003, ‘Report on Visit to Iraq by Chief Constable Kernaghan \[13-20 May 2003\]’.](#)

<sup>86</sup> Statement White, 20 June 2010, page 2.

<sup>87</sup> Operation TELIC was the codename for the involvement of UK Armed Forces in the military campaign to remove the threat from Iraq’s weapons of mass destruction.

media interest grew.<sup>88</sup> Until that point, the Government had been “reluctant” to discuss openly how post-conflict Iraq would be managed, but this was to be given greater prominence as military action began.

**118.** The script was also circulated to all Embassies, High Commissions and Consulates to aid the briefing of “key contacts”.<sup>89</sup>

**119.** Neither document made any reference to SSR.

**120.** Lt Gen Reith updated the Chiefs of Staff on Phase IV planning on 21 March.<sup>90</sup> He warned that Phase IV delivery remained subject to “uncertain US dynamics at the pol/mil [politico-military] level” and identified a number of key issues that still required resolution (see Section 6.5), including how to approach SSR.

**121.** Mr Bowen circulated a draft paper to senior officials in the FCO, MOD and DFID on 25 March that set out “British Post-Conflict Objectives” (see Section 9.1).<sup>91</sup> On SSR, the draft stated that the UK would, with others, assist reform in Iraq by:

- supporting the observance of human rights, and legal and judicial reform; and
- helping Iraq generate reformed and accountable security forces acting in accordance with human rights standards.

**122.** Mr Bowen suggested that officials should show the draft paper to their Ministers, if they had not already done so: “We will then see the outcome of the Prime Ministerial visit to Camp David and consider formal submission early next week.”

**123.** The AHMGIR met on 10 April.<sup>92</sup> Ministers agreed that the UK should participate in work being done by the Office of Reconstruction and Humanitarian Affairs (ORHA), headed by retired US Lieutenant General Jay Garner. The UK should lead a group on security sector management and planning for SSR.

### **The Ad Hoc Ministerial Group on Iraq Rehabilitation**

The Ad Hoc Ministerial Group on Iraq Rehabilitation (AHMGIR) was a sub-committee of Cabinet with a particular focus on the reconstruction of Iraq. It was chaired by the Foreign Secretary and was attended by the Chancellor, Defence Secretary, Development Secretary and Trade and Industry Secretary. The AHMGIR is described in detail in Section 2.

<sup>88</sup> [Minute Owen to Rycroft, 20 March 2003, ‘Iraq: Phase IV: Core Script’.](#)

<sup>89</sup> [Telegram 150 FCO to Abidjan, 19 March 2003, ‘Iraq: Core Script – Phase IV’.](#)

<sup>90</sup> Minute Reith to COSSEC, 21 March 2003, ‘Phase IV Planning – Taking Stock’.

<sup>91</sup> [Letter Bowen to Chaplin, 25 March 2003, ‘Iraq: Post Conflict Objectives’ attaching Paper \[draft\], 25 March 2003, ‘Iraq: British Post-Conflict Objectives’.](#)

<sup>92</sup> Minutes, 10 April 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

**124.** On 14 April, Mr Blair told the House of Commons that:

“... around 2,000 police officers have reported for work, there are some joint patrols in being and the head of the civil police department, not to be confused with the special security forces, has ordered police to return to work.”<sup>93</sup>

**125.** In a conversation with President Bush on 14 April, Mr Blair stated that the Iraqi police clearly needed to be re-organised and deployed.<sup>94</sup> There could be a role for foreign police contingents.

**126.** General Tommy Franks, Commander in Chief US Central Command (CENTCOM), issued his ‘Freedom Message to the Iraqi People’ on 16 April 2003.<sup>95</sup> It instructed the Iraqi armed forces and security organisations to:

“... lay down their arms ... and ... obey the orders of the nearest Coalition military commander. All other Iraqis should continue their normal daily activities; officials should report to their places of work until told otherwise.”

**127.** On 21 April, OHRA entered Iraq.<sup>96</sup>

**128.** In late April, the UK AO was declared “permissive”, first by UK forces on 22 April<sup>97</sup> and a few days later by the UN Security Co-ordinator.<sup>98</sup> The Coalition defined “permissive” environments as ones to which humanitarian assistance organisations could have access, although they should use all precautionary measures and notify the Coalition Forces.<sup>99</sup>

**129.** Section 8 describes the evolution of the boundaries of the UK AO. On 24 April, Ministers agreed that “the size of the UK military sector will depend on the permissiveness of the environment and the extent of other nations’ contributions, but the current assumption was that it would comprise four, or possibly five provinces in the South”.<sup>100</sup>

**130.** As Occupying Power in those provinces, the UK had responsibility for the provision of public order and safety under international law and resolution 1483 (2003), as set out in Section 9.1.

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<sup>93</sup> House of Commons, *Official Report*, 14 April 2003, column 616.

<sup>94</sup> Letter Cannon to McDonald, 14 April 2003, ‘Iraq: Prime Minister’s Conversation with Bush, 14 April’.

<sup>95</sup> Statement General Tommy R Franks, 16 April 2003, ‘Freedom Message to the Iraqi People’.

<sup>96</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>97</sup> Note MOD to No.10, 23 April 2003, ‘Iraq: Update for the Number 10 Sitrep – As at 0630 on 23 April 2003’.

<sup>98</sup> Written evidence to the Select Committee on Defence, 16 March 2004, ‘Further Memorandum from the Ministry of Defence on Post Conflict Issues’, February 2004’, HC 57-III.

<sup>99</sup> Report of The Independent Panel on the Safety and Security of UN Personnel in Iraq, 20 October 2003.

<sup>100</sup> Minutes, 24 April 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

## Resolution 1483

Resolution 1483 was adopted on 22 May 2003.<sup>101</sup> In relation to security and SSR, the Security Council called upon the Coalition to:

“... promote the welfare of the Iraqi people through the effective administration of the territory, including in particular working towards the restoration of conditions of security and stability and the creation of conditions in which the Iraqi people can freely determine their own political future.”

Resolution 1483 also provided for a UN Special Representative who would, in co-ordination with the Coalition, encourage “international efforts to rebuild the capacity of the Iraqi civilian police force” and “promote legal and judicial reforms”.

**131.** The report of a visit to Iraq by DFID officials described how the “justice and security teams” within ORHA had:

“... drawn up extensive plans covering law and order, transitional justice, longer term institutional reform in the justice sector and limited DDR. Justice sector plans have been developed over two years, are well thought through and, with the requisite UN authority, would provide an excellent basis for future work. The likely breakdown in public administration and the implications for law and order were identified before the Iraq conflict began. Unfortunately, this advice was disregarded by the US Administration and the Coalition military.”<sup>102</sup>

**132.** The AHMGIR met on 24 April.<sup>103</sup> In discussion, it was stated that the UK had “plenty of good expertise on Security Sector Reform and should play a prominent role”. Ministers agreed that the UK should lobby the US to create a “comprehensive strategy” and to involve UK personnel in ORHA scoping studies. There was no attendee from the Home Office.

**133.** Ministers also agreed that UK forces should continue to exercise a policing function while attempting to revive the local police forces and courts.

**134.** On 2 May, ORHA issued a call to all Baghdad employees of the MOI, the IPS, Civil Defence Force, Vital Institutions Protection Force and traffic police, summoning them back to work for 4 May.<sup>104</sup> Similar calls were also issued by individual Coalition Force Commanders “as their areas were secured”.

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<sup>101</sup> UN Security Council Resolution 1483 (2003).

<sup>102</sup> [Minute PS \[DFID\] to Rycroft, 22 April 2003, 'Iraq: Engagement with ORHA'](#).

<sup>103</sup> Minutes, 24 April 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>104</sup> [Report CPA Interior Ministry, 30 May 2003, 'Iraq Police: An Assessment of the Present and Recommendations for the Future'](#).

**135.** On 6 May, President Bush announced the appointment of Ambassador Paul Bremer as the Presidential Envoy to Iraq and head of the CPA (see Section 9.1).<sup>105</sup> The CPA quickly subsumed ORHA, retaining many of its staff.<sup>106</sup>

**136.** Within the CPA, Ambassador Bremer's Senior Adviser for National Security and Defense was Mr Walt Slocombe.<sup>107</sup> A former New York City Police Commissioner, Mr Bernard Kerik, became the CPA's senior adviser to the MOI.

**137.** On 6 May, Mr Straw announced to Parliament that Mr John Sawers had been appointed as the Prime Minister's Special Representative on Iraq:

“Mr Sawers will work alongside Chris Segar, head of the newly opened British office in Baghdad, particularly in relation to the political process and our work in the Office of Reconstruction and Humanitarian Assistance.”<sup>108</sup>

**138.** On 8 May the AHMGIR discussed a paper on SSR produced by the IPU.<sup>109</sup> The paper stated:

“Reform across the full range of security activities (armed forces, intelligence agencies, justice and law enforcement institutions) is an essential element of the overall Coalition strategy to establish a united and representative Iraqi Government and to create the conditions under which the Coalition can eventually disengage.

“The objective must be the transformation of Iraq's security institutions so that they play an effective, legitimate and democratically accountable role in providing external and internal security for Iraq's citizens ... UK experience suggests that a coherent strategy will need effective burden sharing and ... the extended involvement of NGOs and other SSR actors. Immediate decisions and urgent action is needed to deal with the potential problems of unemployed and disaffected military and security service personnel.”

**139.** The paper described the US approach as “embryonic” and assessed that it “tends to approach elements of the security sector separately”. It also stated that “we must recognise that influencing US views may prove difficult, and will undoubtedly require considerable and sustained effort”.

**140.** The paper reported that Mr Slocombe was assembling a team to deploy to Iraq later that month to establish the “Office of the Senior Advisor for the Ministry of Defence Iraq and the Iraqi National Defence Force”. He was reported to be “actively seeking

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<sup>105</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>106</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>107</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>108</sup> House of Commons, *Official Report*, 6 May 2003, column 515.

<sup>109</sup> Paper IPU, May 2003, ‘Iraq – Security Sector Reform’; Minutes, 8 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

Coalition partners to join his team and a number of key posts ... have been identified for possible UK secondees”.

**141.** The paper concluded that “the UK will neither be required nor able to develop an independent policy on SSR in Iraq”.<sup>110</sup> The immediate UK priorities were therefore aimed at seeking to influence the development of US policy. Although the paper recommended that the UK should “contribute personnel and expertise”, there was no mention of where those resources would come from or what particular role they might be expected to play.

**142.** In discussion, the point was made that in Afghanistan, UK influence over the approach of the US to SSR had been limited.<sup>111</sup>

**143.** Ministers agreed that:

- The UK should continue to encourage the US to adopt a broad concept of SSR, and “to address the employment of Iraqi defence and security personnel urgently through DDR processes”.
- UK personnel should be deployed, including the creation of an SSR secretariat within ORHA, to advise on cross-cutting SSR issues.
- The UK should facilitate UN, international financial institutions and other donor engagement in SSR.

## De-Ba’athification

**144.** On 16 May, Ambassador Bremer issued CPA Order No.1 which eliminated all Ba’ath Party structures and banned “Senior Party Members” (the top four ranks of the Party) from serving in Iraq’s public sector.<sup>112</sup> It also placed individuals in senior management roles (the top three levels of management) under investigation. The impact of the de-Ba’athification process is described in more detail in Section 11.1.

**145.** Order No.1 had an immediate impact on the senior management of the security structures in Iraq, although Mr Slocombe observed in an interview in 2004 that: “Out of a Ba’ath Party membership of well over a million, maybe more, only about 40,000 people were in this category ... only about 10 percent of the brigadier generals were in these top four ranks.”<sup>113</sup>

**146.** The CPA’s records indicate that, of the 860 judges and prosecutors in post at the time of CPA Order No.1, 656 were reviewed under the de-Ba’athification scheme.<sup>114</sup> As a result 176 were removed from their positions, with 185 new judges and prosecutors being appointed to take their place.

<sup>110</sup> Paper IPU, May 2003, ‘Iraq – Security Sector Reform’.

<sup>111</sup> Minutes, 8 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>112</sup> Coalition Provisional Authority Memorandum Number 1 – Implementation of De-Ba’athification Order No. 1 (CPA/ORD/16 May 2003/01), 3 June 2003.

<sup>113</sup> PBS, 26 October 2004, *Interview Walter Slocombe*.

<sup>114</sup> Report Coalition Provisional Authority, [undated], ‘An Historic Review of CPA Accomplishments’.

**147.** In a meeting with Ambassador Bremer and Mr Sawers on 16 May, some of the Iraqi leaders present argued that the scope of the recently announced de-Ba'athification policy should be "broadened to include the security services and army, private companies set up under Saddam, and the media".<sup>115</sup> Bremer promised that there would be a further proclamation on the security services and army in the days ahead.

**148.** On 23 May, CPA Order No.2 – "Dissolution of Entities" – "dissolved" (or disbanded) a number of military and other security entities that had operated as part of Saddam Hussein's regime.<sup>116</sup> The dissolved entities included:

- the government ministries responsible for Defence, Information and Military Affairs;
- the intelligence agencies;
- the armed forces; and
- the paramilitary forces which were closely associated with Saddam Hussein.

**149.** CPA Order No.2 also stated that:

- military ranks were cancelled;
- conscripts were released;
- a termination payment would be paid to those dismissed, except to senior party members; and
- pensions would continue to be paid, except to senior party members.

**150.** Neither the IPS nor the MOI were dissolved. Reflecting on the Order several years later, Ambassador Bremer wrote in the *New York Times* that the "police force, which we did recall to duty, has proven unreliable and is mistrusted by the very Iraqi people it is supposed to protect".<sup>117</sup>

**151.** In his book *State of Denial*, Mr Bob Woodward suggested that an early draft of the Order had proposed disbanding the MOI.<sup>118</sup> At Lt Gen Garner's suggestion, that had not been implemented, in order to preserve the IPS who were employed by the MOI.

**152.** Existing members of the organisations listed above were dismissed from their former employment, with effect from 16 April (the date of Gen Franks' declaration).<sup>119</sup>

**153.** Order No.2 also announced:

"The CPA plans to create in the near future a New Iraqi Corps,<sup>120</sup> as the first step in forming a national self-defense capability for a free Iraq. Under civilian control,

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<sup>115</sup> Telegram 13 IraqRep to FCO London, 17 May 2003, 'Iraq: Bremer Meets Leadership Group'.

<sup>116</sup> Coalition Provisional Authority Order Number 2, 23 May 2003, Section 1.

<sup>117</sup> *New York Times*, 6 September 2007, *How I didn't dismantle Iraq's army*.

<sup>118</sup> Woodward B. *State of Denial*. Simon & Schuster UK Ltd, 2006.

<sup>119</sup> Coalition Provisional Authority Order Number 2, 23 May 2003, Section 3(1)-(3).

<sup>120</sup> The New Iraqi Corps later became the New Iraqi Army.

that Corps will be professional, non-political, militarily effective, and representative of all Iraqis. The CPA will promulgate procedures for participation in the New Iraqi Corps.”<sup>121</sup>

**154.** There was nothing in CPA Order No.2 that prevented former employees of the dissolved entities – including the military – from applying to join the New Iraqi Army (NIA), although the provisions of Order No.1 would apply.

**155.** *Hard Lessons*, the account of US involvement in Iraq by the US Special Inspector General for Iraq Reconstruction, records that Order No.2 was drafted by Mr Slocombe.<sup>122</sup>

**156.** In a 2004 interview, Mr Slocombe observed that the reasons for disbanding the Iraqi Army were both political and practical:

- The Army had effectively disappeared after the invasion and its barracks had been heavily looted: “We didn’t disband the army. The army disbanded itself ... Furthermore, even if they had come back ... all the facilities were trashed.”
- The structure of the former Iraqi Army was such that it would have required substantial reform to be a suitable modern army: “... it was a conscript army with overwhelmingly Shia conscripts and overwhelmingly Sunni officers ... The Iraqi Army had 11,000 general officers. The American Army ... has 300 general officers.”<sup>123</sup>

**157.** Lieutenant General Jonathon Riley, who served in Baghdad in 2003 as Deputy Head of the Coalition Military Assistance Training Team (CMATT), told the Inquiry that the CPA was left with no choice but to disband the army:

“He [Ambassador Bremer] is criticised for doing it, but I believe that by the time he made that decree, the army had disbanded itself and what was left of its infrastructure had been largely torn apart by the population, which had lost all respect for its own army. A very bad situation to be in.”<sup>124</sup>

**158.** According to the RAND Report, *After Saddam: Pre-war Planning and the Occupation of Iraq*:

“... the decision to disband the Iraqi armed forces was ... made in Washington ... in early May 2003, before the deployment of Ambassador L Paul Bremer to Baghdad.”<sup>125</sup>

<sup>121</sup> Coalition Provisional Authority Order Number 2, 23 May 2003, Section 4.

<sup>122</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>123</sup> PBS, 26 October 2004, *Interview Walter Slocombe*.

<sup>124</sup> Public hearing, 14 December 2009, pages 31-32.

<sup>125</sup> Bensahel N, Oliker O, Crane K, Brennan RR Jr, Gregg HS, Sullivan T & Rathmell A. *After Saddam: Prewar Planning and the Occupation of Iraq*. RAND Corporation, 2008.

**159.** Mr Douglas Feith, the former US Under Secretary for Defense and Policy, recorded in his memoir that he had been briefed by Ambassador Bremer and Mr Slocombe on 9 May 2003 about “their plan to dissolve the Iraqi Army”.<sup>126</sup>

**160.** According to *Hard Lessons*, the US Department of Defense (DoD) had not discussed the Order with senior officials from other US agencies before approving it.<sup>127</sup> Secretary Powell recalled that “There was no meeting on it; there was no, ‘Gee, is this a good idea?’ You couldn’t even tell who had decided it.”

**161.** Major General Tim Cross, a senior secondee to ORHA, told the Inquiry that the decision to demobilise the army had been made “against all advice from Garner and myself”.<sup>128</sup>

**162.** Sir Kevin Tebbit, MOD Permanent Under Secretary between 2001 and 2005, told the Inquiry:

“I was not aware of any discussion with us, with the UK, before those judgements were taken. After they were taken, the Americans said to us ... that it had to happen anyway, because the army had disappeared. Well, true, but not the 10,000 officers. So I didn’t quite buy that.”<sup>129</sup>

**163.** Ambassador Bremer had specifically raised the issue of “dissolving the MOD and the security and intelligence organisations” and “establish[ing] a new national army” in his first meeting with Mr Sawers on 12 May.<sup>130</sup> Mr Sawers had not expressed any concerns and commented that Ambassador Bremer had made a “good dynamic start”.

**164.** Mr Slocombe met Mr Hoon in London on 13 May.<sup>131</sup> Mr Slocombe produced a record of this meeting for Ambassador Bremer (a leaked copy of which has appeared on the internet), which stated:

“If some UK officers or officials think we should try to rebuild and reassemble the old RA [regular army] they did not give any hint of it ...”

**165.** The MOD record of Mr Hoon’s meeting with Mr Slocombe on 13 May stated that Mr Slocombe had:

“... outlined ... the plans for ... the new Iraqi Armed Force. He emphasised that this would be a new Army, rather than a reconstituted version of the old.”<sup>132</sup>

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<sup>126</sup> Feith DJ. *War and Decision: Inside the Pentagon at the Dawn of the War on Terrorism*. HarperCollins, 2008.

<sup>127</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>128</sup> Statement, 2009, page 25.

<sup>129</sup> Private hearing, 6 May 2010, page 36.

<sup>130</sup> Telegram 5 IraqRep to FCO London, 12 May 2003, ‘Iraq: Bremer’s First Moves’.

<sup>131</sup> *BBC News*, 29 October 2007, *In full: Memo from Walt Slocombe to Bremer*.

<sup>132</sup> [Minute APS/Secretary of State \[MOD\] to Policy Director, 13 May 2003, ‘Call on Defence Secretary by Walt Slocombe: 13 May 2003’](#).

**166.** There is nothing in the record to suggest that Mr Hoon or those accompanying him raised any concerns.

**167.** Mr Hoon offered UK support with the training of the NIA and stated that it was important that police reform took place in the context of a wider SSR process, “including lawyers, judges, prison officers”.

**168.** The Inquiry asked Mr Simon Webb, MOD Policy Director, about the meeting.<sup>133</sup> Mr Webb said that he had expected the Iraqi Army to be retained and reformed but observed:

“Of course, life then became particularly complicated when the army disappeared, because of course Saddam [Hussein] had himself ... dispersed the army so that it couldn’t become a political threat to him. Under this ... strange command structure he had introduced in 2002, the army just ... gave up and went away. So when Walt Slocombe showed up ... it seemed a bit odd to ... summon the army back in again when you knew that actually you really wanted a rather different army from a democratisation point of view.”

**169.** Mr Ian Lee, MOD Director General Operational Policy, told the Inquiry that although he had met Mr Slocombe when the latter visited London in May 2003, he did not recall a discussion on the disbandment of the Iraqi military.<sup>134</sup>

**170.** The Chiefs of Staff met on 14 May.<sup>135</sup> Minutes of the meeting recorded that “the de-Ba’athification process was anticipated to render all those officials senior to the rank of Lieutenant Colonel as ‘out of play’”. No concerns about that were recorded, nor do the minutes contain any mention of concern about Mr Slocombe’s plan to rebuild the Iraqi Army from scratch.

**171.** Adm Boyce told the Inquiry that he had “laid down ... that we should not ... go through de-Ba’athification or indeed disband the Iraqi Army. I saw that as being absolutely essential for the future.”<sup>136</sup>

**172.** Sir David Manning told the Inquiry about the impact of dissolving Iraqi military and security entities:

“... these were policies that added to the difficulties, because we might have addressed the security vacuum by trying to encourage Iraqi police, Iraqi military, to co-operate with us, instead of which, they are disbanded and then become natural dissidents and potential insurgents.”<sup>137</sup>

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<sup>133</sup> Private hearing, 23 June 2010, pages 66-68.

<sup>134</sup> Private hearing, 22 June 2010, pages 55-56.

<sup>135</sup> Minutes, 14 May 2003, Chiefs of Staff meeting.

<sup>136</sup> Public hearing, 27 January 2011, pages 94-95.

<sup>137</sup> Public hearing, 30 November 2009, page 91.

**173.** That view was shared by Mr Hoon, who told the Inquiry that:

“... some of the security difficulties, particularly in and around Baghdad were the result of disaffected people, no longer receiving their salary, joining the insurgency and, indeed, putting their expertise to use in the sense that there was a clear suggestion to me that some of the attacks became more sophisticated as some [former] military people became involved ...

“... I think that it would have been better to have that stability in that immediate aftermath and I think that, to some extent, disbanding the army fuelled the insurgency in a way that made it much harder to contain.”<sup>138</sup>

**174.** Sir John Sawers told the Inquiry:

“I don’t think it is credible to lay the insurgency, the roots of the insurgency, in the decision to disband the army ... The decision to formally disband the army was not something that inspired or triggered the insurgency. It may, in some areas, have compounded it, but it wasn’t the fundamental reason behind it.”<sup>139</sup>

**175.** The Order to disband the army also reduced the rate at which the security forces were later re-established. General Sir John Reith told the Inquiry that if the army had not been disbanded “there was still some structure there we could have built on, whereas, as it was, we really had to start from scratch”.<sup>140</sup>

**176.** Lieutenant General Sir John Kiszely, who became Senior British Military Representative – Iraq (SBMR-I) in October 2004, described the impact on army capability:

“The Iraqi Army, of course, as a result of the Coalition Provisional Authority’s decision to disband the army, had been starting from scratch in many areas. So the competence of commanders was in many cases way below that which you would expect of their rank.”<sup>141</sup>

**177.** Lieutenant General Sir Robert Fry, Deputy Chief of Joint Operations from May 2003 to July 2003, told the Inquiry that:

“... one advantage that the Iraqi Army has had subsequently over the Iraqi police force is that it was created ab initio and thus did not contain some of the flaws that manifested themselves in the Iraqi police force in subsequent years.”<sup>142</sup>

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<sup>138</sup> Public hearing, 19 January 2010, page 161.

<sup>139</sup> Public hearing, 10 December 2009, page 78.

<sup>140</sup> Private hearing, 15 January 2010, page 61.

<sup>141</sup> Public hearing, 14 December 2009, page 11.

<sup>142</sup> Public hearing, 16 December 2009, page 76.

**178.** Mr Sawers had reported to the FCO in London on 20 May that the question of “what to do about military pay and pensions” was one of the “problems in the pipeline”.<sup>143</sup> No further details were provided.

**179.** Maj Gen Cross prepared a note for Mr Blair on 22 May setting out some points to make in a forthcoming discussion with President Bush.<sup>144</sup> Those included a reference to the recent de-Ba’athification announcement having “created some inevitable difficulties”.

**180.** Maj Gen Cross also raised a concern about what he understood to be the emerging policy decision not to pay pensions to former military personnel. He commented that “there are dangers in excluding such a large and possibly well armed group” from arrangements that were to apply to other members of the public sector.

**181.** Although no details of the amount of that payment and the arrangements for receiving it were given in the Order itself, those dismissed by CPA Order No.2 were entitled to a termination payment (unless they were a “Senior Party Member” within the terms of the de-Ba’athification Order).<sup>145</sup> Those who had previously been receiving a pension from one of the dissolved organisations would continue to receive that pension (again, unless they were a “Senior Party Member”).

**182.** A telegram from FCO London to Washington, dated 30 May, identified the problem of large numbers of people (and in particular those with military training) out of work and without prospect of further employment.<sup>146</sup> The FCO commented:

“... the Coalition needs a policy to reduce the perverse incentives for ... [that group] to drift towards the hard core actively opposing the Coalition ... one solution might be to create a workfare scheme – a pool of labour drawn specifically from those left unemployed by the disbandment of the security apparatus, to meet urgent short term requirements ...

“In the medium term, Security Sector Reform (SSR) will make a significant contribution to resolving this issue.”

**183.** An alternative proposal for re-employing former army personnel was put forward by the Cabinet Office in the Annotated Agenda for the AHMGIR on 12 June.<sup>147</sup> Officials suggested “pioneering the re-employment of former Iraqi service personnel as static guards in the UK-led military sectors”.

**184.** The minutes of the meeting do not record a discussion of the proposal.<sup>148</sup>

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<sup>143</sup> [Telegram 18 IraqRep to FCO London, 20 May 2003, ‘Iraq: Bremer’s Impact’.](#)

<sup>144</sup> Letter Williams to Rycroft, 23 May 2003, ‘Iraq Reconstruction’ attaching Paper Cross, 22 May 2003, ‘Iraq Reconstruction: Some Thoughts for the PM in his Discussions with President Bush’.

<sup>145</sup> Coalition Provisional Authority Order Number 2, 23 May 2003, Section 3(5).

<sup>146</sup> [Telegram 251 FCO London to Washington, 30 May 2003, ‘Iraq: Dismantling the Ba’athist State’.](#)

<sup>147</sup> Annotated Agenda, 12 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>148</sup> Minutes, 12 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

**185.** Mr Sawers reported on 20 June that plans were in train to pay more generous severance payments and a monthly stipend for those with at least 15 years' service who were not senior Ba'athists.<sup>149</sup> Mr Sawers' own view was that the sums being proposed "may not be enough to solve the problem", adding:

"Bremer has an open mind on this, though does not want to burden a future Iraqi Government more than necessary, nor be more generous to ex-soldiers than to civilians ... At a meeting with leading Iraqis today Bremer sought views on how to deal with the ex-military. The great majority of those present – including Shia Islamists – argued that regular payments should be made to ease the security threat that the ex-military would pose if they were marginalised."

**186.** Payments for ex-servicemen were announced on 23 June.<sup>150</sup>

**187.** Ms Ann Clwyd, the Prime Minister's Special Envoy to Iraq on Human Rights from 2003 to 2009, told the Inquiry that "many people slipped through the net ... senior people, who could have been used in those early stages to help the Coalition".<sup>151</sup> She recounted a meeting with a senior army officer who had queued for his stipend for two weeks without reaching the front of the queue. He had told her: "if they want to humiliate us, this is the way of doing it".

**188.** Major General Freddie Viggers, who arrived in Baghdad in May 2003 as SBMR-I, described similar scenes:

"I can remember going with Walt Slocombe in to see Paul Bremer and saying 'this has got to stop. The numbers at the gate now are over 1,000, 2,000, 3,000, and we have to start giving these people a little bit of respect and the means to live on'. "<sup>152</sup>

## Views on SSR: May 2003

**189.** Sir David Manning visited Baghdad and Basra in May. A substantial part of his report to Mr Blair (described in Section 9.2) dealt with policing and security, and the way in which the UK could contribute to restoring order in the Iraqi capital. He reported to Mr Blair that: "Baghdad remains key; and the key to Baghdad is security."<sup>153</sup> Sir David's view was that:

"Police training could have a disproportionate impact. (Police are conspicuous by their absence). A quick win would be moving 16 Air Assault Brigade to Baghdad with the task of providing police training for six weeks."

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<sup>149</sup> Telegram 46 IraqRep to FCO London, 20 June 2003, 'Iraq: Payments to Ex-Military, and Preparations for the New Army'.

<sup>150</sup> CPA Press Notice, 23 June 2003, 'Good News for Iraqi Soldiers'.

<sup>151</sup> Public hearing, 3 February 2010, pages 26-27.

<sup>152</sup> Public hearing, 9 December 2009, page 29.

<sup>153</sup> [Minute Manning to Prime Minister, 22 May 2003, 'Iraq – Visit to Baghdad and Basra'](#).

**190.** The proposal to deploy 16 Air Assault Brigade was supported by Major General David Richards, the Assistant Chief of the General Staff, who had been sent to Iraq by Mr Hoon and General Sir Michael Walker, CDS, to scope the potential for a UK role in improving SSR.<sup>154</sup>

**191.** The deployment was also encouraged by Mr Sawers, who emphasised the strategic importance of taking action in the immediate future to avoid further deterioration in security.<sup>155</sup>

**192.** On 23 May, Mr Peter Watkins, Mr Hoon's Private Secretary, wrote to Sir David Manning to explain that the MOD advised against the deployment to Baghdad, on the basis that it was "likely to have only a marginal effect" and might divert effort away from the South of Iraq, where the UK was seeking to implement an "exemplary approach".<sup>156</sup>

**193.** The Chiefs of Staff discussed SSR on 29 May, when they considered a paper prepared by the SPG.<sup>157</sup> The paper had been circulated to the FCO and the Cabinet Office, though not to DFID, the Home Office or other departments with responsibility for wider security or justice issues.<sup>158</sup>

**194.** The SPG defined SSR as addressing "all aspects of the security sector (police, judiciary, penal service, border security, intelligence services and armed forces) as part of a long term holistic programme of change". Although SSR was normally led by DFID, with the MOD, the FCO and the Home Office as stakeholders, for Iraq the IPU had been given the lead "for the development of UK strategy through the Cabinet Office".

**195.** The SPG recognised that SSR in Iraq was part of both the security and reconstruction efforts, and defined the SSR goal for Phase IV as:

"To establish as soon as possible the core elements of a legitimate, accountable, sustainable Security Sector – which safeguards the Rights of Citizens and provides adequate Defence of future Iraqi Sovereignty."

**196.** The paper concluded with an assessment of the level of UK military resource that should be devoted to that task, commenting that "we may face a requirement to provide additional resources" and that there was "a choice about the degree of military involvement" which would "have implications for both the level [sic] resources and the length of time we are likely to be engaged".

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<sup>154</sup> [Minute ACGS to PSO/CDS, 20 May 2003, 'Op TELIC: ACGS' Trip to Iraq \(17-21 May 03\) – Initial Findings and Recommendations'](#).

<sup>155</sup> Minutes, 22 May 2003, Chiefs of Staff meeting.

<sup>156</sup> [Letter Watkins to Manning, 23 May 2003, 'Security in Baghdad'](#).

<sup>157</sup> Minutes, 29 May 2003, Chiefs of Staff meeting.

<sup>158</sup> [Minute Williams to COSSEC, 15 May 2003, 'Iraq – Security Sector Reform' attaching Paper \[SPG\], 15 May 2003, 'Iraq – Security Sector Reform'](#).

**197.** In the area of Iraq under UK control, UK forces were “likely to be faced with a variety of low level military activities required of Coalition Forces by the US to enable SSR implementation (e.g. oversight of recruiting procedures, provision of training advice and resources)”.

**198.** The SPG’s recommendations included:

- “We should proceed on the basis of minimal engagement in SSR in Iraq coherent with current Ministerial intent.”
- “We should seek clarification of where the funding for engagement in SSR will be forthcoming.”
- That the UK should seek clarification from the US on “who will decide size and shape of internal security forces”.

**199.** The minutes of the Chiefs of Staff meeting recorded that the MOD “should remain flexible on the degree to which the UK should be militarily involved, but be forward leaning in those areas where valuable assistance could be offered.”<sup>159</sup>

### The police structure in the UK

In his statement to the Inquiry, Chief Constable Paul Kernaghan described the police structure in the UK during the Iraq conflict.<sup>160</sup> There were 52 territorial forces: the Home Office was responsible for the 43 forces that cover England and Wales, the Scottish Executive for the eight forces in Scotland and the Northern Ireland Office for the Police Service in Northern Ireland (PSNI). Each force was headed by a Chief Constable (or Commissioner), who were members of the Association of Chief Police Officers (ACPO).<sup>161</sup> Within ACPO, discrete “business areas” were led by individual Chief Constables “in addition to other duties”.

From 2000 to 2008, CC Kernaghan was the lead on international affairs for ACPO in addition to his role as Chief Constable of Hampshire Constabulary.

**200.** CC Kernaghan had first been informed of a potential requirement to deploy police officers to Iraq in an email from a junior Home Office official on 14 April.<sup>162</sup> That exchange is also referred to earlier in this Section. The junior official explained:

“As you know, we would expect the FCO, who lead on the UK contribution to the policing element of international peacekeeping/crisis management operations, to initiate any request for policing assistance in Iraq. No formal approach has yet been made. But in view of the Home Secretary’s keen interest, I spoke to Stephen Pattison, Head of the UN Department at the FCO, to find out what their thinking was.

<sup>159</sup> Minutes, 29 May 2003, Chiefs of Staff meeting.

<sup>160</sup> Statement, 9 June 2010, pages 1-2.

<sup>161</sup> Chief Constables of forces in Scotland were members of ACPO Scotland.

<sup>162</sup> [Email Home Office \[junior official\] to Kernaghan, 14 April 2003, ‘Potential police involvement in Iraq’.](#)

He considers that an initial, fairly small, deployment of armed police officers to Basra would be useful in the first instance. The idea being that they would seek out credible elements of the local police force and encourage them (e.g. to act against looters etc).

“To meet this requirement, the International Policing Unit was looking to recruit about 20 Ministry of Defence Police officers, after the MDP [Ministry of Defence Police] had made a short reconnaissance visit ... Stephen Pattison said that he would like to see how this initiative worked out, before deciding whether to ask the HO [Home Office] for any assistance from other (i.e. ACPO) forces.”

**201.** In his response CC Kernaghan asked a number of questions about how the UK government envisaged any civilian policing assistance fitting in with the current military role and volunteered to visit Iraq “to consult with appropriate Coalition commanders/administrators and assess the input the UK could make”.<sup>163</sup>

**202.** CC Kernaghan told the Inquiry that he was “quite clear” that he could not offer valid professional advice unless he had “first hand exposure to the realities of contemporary Iraq”.<sup>164</sup>

**203.** On 23 May, CC Kernaghan reported to Mr Blunkett and Mr Straw on his visit to Iraq the previous week, undertaken to assess the possibilities for a UK police contribution to the Coalition effort and the scale of the task involved.<sup>165</sup> CC Kernaghan identified a number of challenges that he judged the Coalition powers would need to overcome in order to deliver effective law and order within Iraq:

- The absence of strategic direction or professionally informed planning. As well as the disorganisation he encountered in ORHA (which he attributed in part to the transition to the CPA), CC Kernaghan highlighted the absence of a clear plan from either of the two Occupying Powers for maintaining law and order or operating an effective criminal justice system. He observed that, in the course of his visit, it had become apparent that the UK had been preparing for the potential Occupation for some time and stated that it was a matter of “regret” that professional police advice from the UK had not been sought until April 2003.
- Criminal justice infrastructure was “totally degraded with police stations, courthouses and prisons having been looted by the local population and in some cases their own staff”. CC Kernaghan commented that: “Looting does not do justice to the level of destruction inflicted and I can best liken the outcome to the progress of locusts across a field of corn.” He suggested that a prison facility “meeting minimum international standards was also a high priority” and that the old Iraqi prison facilities that had been discovered indicated that “humane

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<sup>163</sup> Email Kernaghan to Home Office [junior official], 14 April 2003, ‘Potential UK civil police involvement in Iraq’.

<sup>164</sup> Statement, 9 June 2010, page 2.

<sup>165</sup> Letter Kernaghan to Blunkett, 23 May 2003, ‘Iraq – visit by Chief Constable P R Kernaghan’ attaching Report Kernaghan, 10 May 2003, ‘Report on Visit to Iraq by Chief Constable Kernaghan [13-20 May 2003]’.

treatment of prisoners was an unknown concept.” Prisoners were, at the time, being held in the theatre internment facility designed for prisoners of war.

- The difference between the social norms and attitudes of the Occupying Powers and the local people and their neighbours in the wider region. That divergence was going to be a significant issue: “If the [Coalition Powers] are going to ensure that their values and concept of human rights are respected in Iraq, excellent. Equally, if they feel that legally they cannot change Iraqi society on those lines, it would be helpful for that reality to be spelt out. This is particularly relevant to policing, as any international officer serving in Iraq could not be associated with operational policing which did not reflect the human rights position of their parent country. Ambiguity and obfuscation would not survive long in the glare of media and domestic political scrutiny.”

**204.** After returning to the UK from a visit to Iraq, Mr Blair sent a personal note to President Bush.<sup>166</sup> Sir David Manning provided copies to Mr Straw, Mr Hoon, Mr Watkins and Mr Powell, but instructed “It must not go wider”.

**205.** Mr Blair wrote that:

“... the task is absolutely awesome and I’m not at all sure we’re geared for it. This is worse than re-building a country from scratch.”

**206.** He went on to explain that security in Baghdad had to be dealt with at once; police training was vital and urgent.

**207.** During May, the CPA Interior Ministry’s International Police Assistance Team (IPAT) – comprising 15 policing experts from the UK, US, Canada and Denmark – carried out an assessment of the Iraqi police, to inform the CPA’s plans for reconstituting and developing policing in Iraq.<sup>167</sup> The Coalition had originally intended to conduct the policing assessment as part of a wider justice sector assessment; however, because “the law and order situation was in a critical state of disarray ... the ... priority was defined as establishing the police forces” and the work on policing was taken forward in advance of wider work on the justice sector. The team produced a 56-page assessment of the state and future of policing in Iraq on 30 May.

**208.** The IPAT assessed that the law and order situation varied across Iraq. It explained that the arrangements for recalling and reinstating the Iraqi police had varied geographically and that individual Coalition commanders had taken different approaches to the training and re-use of existing police:

“This effectively began the creation of four potentially different police forces in Iraq: North, Central, South Central and South.”

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<sup>166</sup> Letter Manning to McDonald, 2 June 2003, ‘Iraq: Prime Minister’s Note’ attaching [Note](#), ‘[Note](#)’.

<sup>167</sup> [Report CPA Interior Ministry, 30 May 2003, ‘Iraq Police: An Assessment of the Present and Recommendations for the Future’](#).

**209.** The IPAT commented:

“Encouragingly, the Iraqi police are co-operating and demonstrating a willingness to work alongside the Coalition Forces in order to address the law and order situation.”

**210.** The IPAT explained that ORHA had:

- issued guidelines “to ensure that a standardised approach is utilised while re-organising the police within each military area of responsibility”;
- established “criteria for vetting existing and screening newly recruited personnel”;
- stated that programmes of instruction to re-train all existing personnel and new recruits would be complete by mid-June;
- increased salary levels; and
- begun vetting of senior police officers in response to the de-Ba’athification Order.

**211.** The IPAT assessment concluded:

“The Iraqi Police, as currently constituted and trained, are unable to independently maintain law and order and need the assistance and guidance of Coalition Force assets (or some similar follow on force) to accomplish this task.”

**212.** The Iraqi police would need to be “redesigned and redeveloped” if they were to become capable of engendering public trust and confidence and being able to recover from the “years of neglect” and the “repressive command structure” that prohibited training, proactivity and initiative.

**213.** The IPAT recommended demilitarising the structure and ethos of the police and, while it recommended that the new police force should be recruited primarily from those who served in the previous Iraqi police, there should be tight vetting arrangements, retraining and “the establishment of an aggressive Office of Professional Standards ... that ferrets out corruption while immediately addressing unprofessional, unethical or criminal behaviour within the Service”.

**214.** The IPAT set out a summary of the principles to be applied to vetting. It explained that the purpose was both “to remove unacceptable personnel from the existing ... service” and to prevent unsuitable individuals joining the reconstituted police service. In addition to physical fitness and basic Arabic literacy, the criteria included:

- No affiliation with the Ba’ath Party in accordance with ... CPA Order No.1;
- No reported history of human rights violations or history of mistreatment or abuse of other persons;
- No criminal history involving violence, theft or violating the public trust;
- No reported history of a propensity to engage in violence or criminal acts;
- No reported history of immoral or unethical activity.”

**215.** The IPAT explained that once applicants had met those minimum requirements, they would be investigated in line with the de-Ba'athification Order to check that they were not disqualified from employment. Absolute disqualifications would include:

- Former regime security organisation affiliation (RG [Republican Guard] or worse);
- Senior Ba'ath Party membership;
- Terrorist organisation affiliation; or
- Human rights violations and crimes against humanity.”

**216.** The IPAT did not provide any details of how the information on which to make judgements about individual cases was to be obtained and evaluated. Nor was there any information about who would make the judgements.

**217.** Training programmes for existing police officers were to comprise an initial three-week transitional training programme followed by a longer-term capacity-building programme, to include monitoring and mentoring, “until an effective, locally acceptable police force is established that incorporates principles of community policing and full respect for the human rights of individuals”.

**218.** The IPAT assessed that that could not be achieved “without significant international assistance” and estimated that “a requisite force” would comprise 6,633<sup>168</sup> international police advisers, an unspecified number of whom would have executive powers. Training sites should be opened in Baghdad, Basra, al-Anbar and Northern Iraq. Those whom the IPAT had spoken to as part of its research had “expressed a wish for US and UK police as trainers and supervisors”, though the IPAT was of the opinion that “consideration should obviously be given to a wider pool than this and should also include consideration of other Arab police forces”. There was no detail about how those advisers would be sourced.

**219.** The IPAT stated:

“... a policy decision is needed as to the end state of the police ... so that there is an overarching vision and focus ... Two models are available. One is the classic single national police force with specialised units at the centre and decentralised administration. The second is a police force which reflects a federal government structure.”

**220.** Former Deputy Chief Constable (DCC) Douglas Brand, who served as the UK's senior policing representative in Baghdad from July 2003, told the Inquiry that he recalled seeing the IPAT assessment prior to his deployment and thought that it was “high on aspiration but very low on actual, practical capability ... not least, there wasn't a great deal of understanding of the local culture and context”.<sup>169</sup>

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<sup>168</sup> The report quotes two figures; 6,663 and 6,633. The Inquiry believes the latter is the correct figure.

<sup>169</sup> Public hearing, 29 June 2010, pages 11-13.

## SSR roles and responsibilities in Iraq

**221.** On 3 June, a conference was held in Washington chaired by Mr Slocombe.<sup>170</sup> It was attended by personnel from the MOD, the FCO, the IPU and DFID, led by Brigadier John Rose, the Chief of Defence Staff's Liaison Officer. At the conference, Mr Slocombe proposed a new structure for the CPA's Office of the Director of Security Affairs.

**222.** The "most significant" change to previous plans was the addition of the post of Deputy Director for SSR, which Mr Slocombe said would take on "the co-ordination role".<sup>171</sup> The British Embassy Washington commented that "this reflected a general willingness, by Slocombe at least, to view the management of the sector in the round". The UK delegation told Mr Slocombe that the UK "would be keen to provide someone" for the SSR role.

**223.** The UK also undertook to provide a Chief Constable to advise on police support, a one or two-star civilian deputy director to work on reform of the Iraqi MOD (IMOD<sup>172</sup>), a deputy director for intelligence conversion and a one-star deputy commander of the Coalition Military Assistance<sup>173</sup> and Training Team (CMATT).<sup>174</sup> The UK also offered assistance with navy and air force reform.

**224.** US Major General Paul Eaton arrived in Iraq on 13 June to take control of the CPA's CMATT, which was to be responsible for developing and training the NIA.<sup>175</sup>

**225.** CMATT reported to Mr Slocombe's deputy, Lieutenant General Luis Feliu of the Spanish Army.<sup>176</sup> Maj Gen Eaton's Deputy Commander was from the UK – Brigadier Jonathon Riley. There were a further eight UK officers seconded to CMATT.<sup>177</sup>

**226.** CMATT was initially given a budget of US\$173m and directed to train three divisions of light or motorised infantry by September 2006.<sup>178</sup> It was also directed to form a small aviation element and a coastal defence force.

**227.** In early July, responsibilities for SSR in the CPA were divided. Mr Kerik took on responsibility for the MOI including policing, fire, customs, border control, immigration,

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<sup>170</sup> Minutes, 4 June 2003, Chiefs of Staff meeting.

<sup>171</sup> Telegram 780 Washington to FCO London, 3 June 2003, 'Iraq: Roundtable with Walt Slocombe, CPA Director'.

<sup>172</sup> The IMOD was also referred to as the 'Iraqi MOD' or simply the 'MOD'. The Inquiry will use the term 'IMOD' unless quoting from a document which uses an alternative.

<sup>173</sup> 'Advisory' is used instead of 'Assistance' in some papers.

<sup>174</sup> Minutes, 4 June 2003, Chiefs of Staff meeting.

<sup>175</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>176</sup> Wright Dr DP & Reese Col TR. *On Point II: Transition to the New Campaign – The United States Army in Operation IRAQI FREEDOM May 2003 – January 2005*. Combined Studies Institute Press, June 2008.

<sup>177</sup> [Paper MOD, 9 December 2009, 'Iraq Security Sector Reform'](#).

<sup>178</sup> Wright Dr DP & Reese Col TR. *On Point II: Transition to the New Campaign – The United States Army in Operation IRAQI FREEDOM May 2003 – January 2005*. Combined Studies Institute Press, June 2008.

passports, citizenship and disaster relief and Mr Slocombe focused on the development of the Iraqi Armed Forces.<sup>179</sup> Mr Kerik's team at this stage comprised 12 people with an additional five consultants on short-term assignments.

**228.** A record of the IPU's SSR team's visit to Iraq at the start of July stated:

"Although Kerik has a clear vision on his aspirations for a police force there currently appears to be a lack of strategic direction for the whole of Iraq with his focus firmly on Baghdad. That said it is understood that guidance has been given to the regions but they have largely been left to fend for themselves. It is expected that this will change as the international policing effort is established. Kerik offered much praise for the efforts and progress made in the Basra area by UK forces."<sup>180</sup>

### UK policing strategy: summer 2003

**229.** On 5 June, Mr Straw sent a number of papers to Mr Blair including a three-page policing strategy produced by the UND.<sup>181</sup> It referenced the CPA's assessment of 30 May and commented that, in the FCO's view, the immediate objective was "to stabilise the security situation by creating an effective interim police force with international civilian police working alongside Iraqi police and Coalition military forces".

**230.** The strategy stated that the longer-term objective was "to establish an effective, viable and sustainable police force within a fully functioning security sector". The initial response would be deployment of "an armed International Police Monitoring Force ... to Baghdad and Basra, to conduct joint patrols with the current Iraqi police force and Coalition military" requiring 3,000 armed police officers. Once the Iraqi police were considered to have received sufficient initial training, the international presence would have a longer-term training focus, eventually taking on a mentoring role.

**231.** The UND paper suggested the following timetable:

- By 14 June: CPA/Coalition agree strategy for reforming Iraq Police Force [to include a decision on the model of police force required];
- By 21 June: Appointment of Police Commissioner to implement strategy;
- By 30 June: Police Contributors conference;
- By 14 August: Infrastructure in place for international police monitoring/ mentoring force (IPMF);
- By 31 August: Arrival of international police force (IPMF) personnel."

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<sup>179</sup> [Minute Lowe \[MOD\], 9 July 2003, 'Visit Report – IPU Security Sector Reform Team Visit to Baghdad 4-7 July'](#).

<sup>180</sup> [Minute Lowe \[MOD\], 9 July 2003, 'Visit Report – IPU Security Sector Reform Team Visit to Baghdad 4-7 July'](#).

<sup>181</sup> [Minute Straw to Blair, 5 June 2003, 'Iraq: Winning the Peace' attaching Paper UND, 3 June 2003, 'Iraq: Security Sector Reform: Policing Strategy'](#).

**232.** An FCO update to the MOD’s Iraq Secretariat stated that the strategy was “broadly endorsed by the Prime Minister”.<sup>182</sup>

**233.** On 6 June, the UND contacted the US State Department to share its draft policing strategy.<sup>183</sup>

**234.** Sir Kevin Tebbit and Gen Walker visited Baghdad and Basra in early June.<sup>184</sup> Sir Kevin reported that Ambassador Bremer had expressed a desire to draw on UK expertise from Northern Ireland and they had explored how the UK might offer assistance. Sir Kevin also recorded that Gen Walker thought that the MOD Operational Training and Advisory Group (OPTAG) should advise on the creation of a “Police and Security Sector Reform Assistance” team.

**235.** The UND responded with a formal minute defending the UK’s draft strategy. The minute stated:

“Since 1997 there has been a Whitehall system in place for the deployment of UK civilian police ... The International Policing Unit in UND, FCO is in the lead ... They ... have a large amount of experience and expertise to draw on. I do not see the need to ask OPTAG to advise on setting up a new team ... nor indeed do I see the need for a new team to be set up at all.”<sup>185</sup>

**236.** The MOD’s Iraq Secretariat had also been in touch with Mr Kerik in Baghdad.<sup>186</sup> As a result, they considered that the FCO’s policing strategy was “about three weeks behind the curve” as Mr Kerik “doesn’t want an international force, he wants trainers (about 7,000 of them).”

**237.** The UND commented:

“Until we see a policing strategy from the Americans ... I suggest we continue to sell our proposal.”

**238.** At the AHMGIR held on 12 June, the FCO’s policing strategy was not discussed.<sup>187</sup> Instead discussion on SSR focused on the deployment of UK personnel.

**239.** The minutes also recorded:

“The US had asked for our advice on how to win hearts and minds and establish security based on our Northern Ireland experience. The MOD would send a team.”

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<sup>182</sup> Letter UND [junior official] to MOD(Sec Iraq), 9 June 2003, ‘Iraq: Policing Strategy’.

<sup>183</sup> Email UND [junior official] to [State Department], 6 June 2003, ‘Iraq Policing’.

<sup>184</sup> Minute Tebbit to Secretary of State [MOD], 3 June 2003, ‘Visit to Basra and Baghdad’.

<sup>185</sup> Minute UND [junior official] to MOD(Sec Iraq), 9 June 2003, ‘Iraq: Policing Strategy’.

<sup>186</sup> Email UND [junior official] to Lowe [MOD], 9 June 2003, ‘Policing Meeting – Tuesday 10 June’.

<sup>187</sup> Minutes, 12 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

**240.** The MOD deployed OPTAG to train US military trainers and “pass on UK expertise in peace support operations” in June.<sup>188</sup>

**241.** Mr Andy Bearpark became the CPA Director of Operations and Director of Operations and Infrastructure in June 2003. He told the Inquiry:

“The training of the new Iraqi police force was perceived of as an entirely civilian lead, even though military resources might be required.”<sup>189</sup>

**242.** Mr Straw met Ambassador Bremer in Iraq on 2 July.<sup>190</sup> The record of the meeting stated that Mr Kerik had made a request for “experienced police officers to help with training and mentoring”.

**243.** The nature of this request was clarified in the record of the IPU’s visit to Iraq in early July, which stated:

“... a specific request for 100 UK Police Officers in a mentoring/tutoring role for the next 18 months operating in Iraq was raised by Kerik.”<sup>191</sup>

**244.** Police secondees were expected to contribute in a range of areas including training and mentoring, with some officers being expected to “have executive powers” (that is, to be operational police officers).

**245.** Acting DCC Brand deployed to Iraq on 4 July.<sup>192</sup>

**246.** Before his deployment, the evidence seen by the Inquiry indicates that there was no clear understanding of what his role would be. There had “been a hint that the role will be to head up the international policing effort”, but it was decided that he should accompany the FCO’s SSR team on a visit to Baghdad and that “if there is a substantial role for him it is intended that he will stay on”.<sup>193</sup>

**247.** Former DCC Brand told the Inquiry that he had been “told that I should seek to negotiate my way in with Bernard Kerik, but if that failed to return to the UK”.<sup>194</sup>

**248.** Once DCC Brand was in Iraq, agreement was reached that he would serve as Mr Kerik’s chief adviser on policing.<sup>195</sup> Shortly after arriving in Baghdad, DCC Brand

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<sup>188</sup> [Letter Williams to Rycroft, 1 July 2003, ‘Iraq: Security and Troop Levels’](#); [Letter Sinclair to Sheinwald, 17 October 2003, ‘Iraq Security and Policing’](#).

<sup>189</sup> Public hearing, 6 July 2010, page 78.

<sup>190</sup> Telegram 24 FCO London to IraqRep, 3 July 2003, ‘Iraq: Foreign Secretary’s Meeting with the Administrator of the Coalition Provisional Authority in Iraq, 2 July’.

<sup>191</sup> [Report Lowe \[MOD\], 9 July 2003, ‘Visit Report – IPU Security Sector Reform Team Visit to Baghdad 4-7 July’](#).

<sup>192</sup> Statement Brand, 18 June 2010, page 1.

<sup>193</sup> Minutes, 26 June 2003, ‘Minutes of a Meeting to Discuss Security Sector Reform in Iraq Held at the IPU on Thursday 26 June 03’.

<sup>194</sup> Statement, 18 June 2010, page 1.

<sup>195</sup> [Minute Brand, 16 July 2003, ‘Report from Iraq – Douglas Brand’](#).

requested “immediate augmentation of three staff” to support his work in Baghdad and drafted himself some more detailed Terms of Reference. Those included responsibility for:

- policing Baghdad (under Mr Kerik’s policy direction) – an operational function;
- developing an implementation strategy for policing in Baghdad, aimed at achieving transition from military primacy to civil police primacy;
- mentoring, coaching and training the Iraqi Chief of Police for Baghdad (once appointed) to a level that would allow the CPA to hand over authority and operational responsibility;
- advising the CPA on international support for policing in Iraq; and
- advising the CPA on the implementation of a strategy for policing in Iraq.

**249.** Former DCC Brand told the Inquiry that the purpose of the last two objectives was to remind Mr Kerik of his “broader responsibility for the rest of Iraq”.<sup>196</sup>

**250.** Former DCC Brand later added that, “with the establishing of the second chief officer to go down there [Basra], I made an early decision, rightly or wrongly, that I wasn’t going to trespass in his [Mr Kerik’s] area, apart from the fact that I had enough to get on with in Baghdad and the rest of Iraq, but also there was a slightly different set-up”.<sup>197</sup>

**251.** After Mr Kerik’s tenure in Iraq ended in early September 2003,<sup>198</sup> DCC Brand effectively acted as senior adviser to the MOI “for a couple of months”<sup>199</sup> until late October when a US replacement, Mr Steve Casteel, was brought in.<sup>200</sup>

**252.** Former DCC Brand told the Inquiry that, during that period:

“... it was a busy time and, of course, what got neglected was the police part.”<sup>201</sup>

### The UK approach to judicial reform

By the end of June 2003, the CPA had completed a review of the Iraqi justice sector.<sup>202</sup>

DFID officials summarised the conclusions and recommendations of the report as follows:

- A holistic upgrade of legal competence was required. To practise under the current system, lawyers needed only to register and attend a one-hour interview.
- The roles of key actors in the court system needed clarification and re-definition: specifically, prosecutors and defence lawyers should be more active and judges should perform a less prosecutorial function.
- Steps needed to be taken to reduce the endemic corruption in the legal system.

<sup>196</sup> Public hearing, 29 June 2010, page 37.

<sup>197</sup> Public hearing, 29 June 2010, page 89.

<sup>198</sup> Statement Brand, 28 June 2010, page 1.

<sup>199</sup> Public hearing, 29 June 2010, page 92.

<sup>200</sup> PBS, 30 December 2005, ‘*Training Iraqi Police Forces*’.

<sup>201</sup> Public hearing, 29 June 2010, page 93.

<sup>202</sup> Annotated Agenda, 26 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

- The legal code should be clarified; choices needed to be made about which statutes were valid and which were not.
- Judges should be screened for Ba'ath Party status.
- Legal associations needed to be strengthened to raise standards of professionalism and self-regulation.
- Discrimination against women in the legal system was overwhelming. They were not allowed to attend the judicial training course that was the basis for selection as judges and prosecutors.<sup>203</sup>

The AHMGIR was briefed that some of the recommendations were already being put into effect.<sup>204</sup> On 17 June, Ambassador Bremer had announced the opening of a new Iraqi Judicial College, the creation of a Judicial Review Committee (responsible for de-Ba'athification of the judiciary) and the establishment of a Central Criminal Court. The CPA also proposed to establish an Office of Human Rights and Transitional Justice, which would operate alongside the Ministry of Justice.

Cabinet Office officials briefed members of the AHMGIR that: "We are generally content with the direction of CPA policy, but believe that the UN and NGOs should be more involved in the next stages."

Ministers discussed the Judicial Review Team's report at the AHMGIR on 26 June and agreed that "subject to closer scrutiny" they should support the report's recommendations "including by providing specialist advice".<sup>205</sup>

A DFID-sponsored mission by the International Legal Assistance Consortium (ILAC) visited Iraq from 13 to 30 August to scope projects for the reconstruction of the judicial system.<sup>206</sup> Four of the projects recommended by the mission formed the basis of the £2.2m DFID-funded ILAC Justice Support Programme (see Box, 'International Legal Assistance Consortium').

On 10 July, the AHMGIR considered a paper on judicial reform.<sup>207</sup>

Lord Goldsmith said that corruption and intimidation had left the Iraqi judicial system in a "worse state than expected" and that it would take a "long term commitment from the international community and particularly the Arab world to rebuild". He highlighted that Iraqi people wanted a system that would deal with current crimes as well as legacy crimes.

Ministers agreed that the UK should:

- encourage qualified and vetted Iraqi legal experts to assist reconstruction of the judicial sector;
- encourage participation of the UN, Arab and international experts;
- second suitable UK personnel where possible; and
- consider holding a conference on judicial issues in Iraq.

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<sup>203</sup> Letter Glentworth to Kossoff, 22 August 2003, 'CPA Judicial Assessment Team ("the Williamson Report")'.

<sup>204</sup> Annotated Agenda, 26 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>205</sup> Minutes, 26 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>206</sup> Paper ILAC, 1 December 2003, 'ILAC Iraq Programme – Submission for DFID'.

<sup>207</sup> Minutes, 10 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

**253.** The AHMGIR next discussed SSR on 17 July for which the IPU – which had been renamed the ‘Iraq Policy Unit’ – provided an update paper.<sup>208</sup> The paper stated that there had been considerable progress in various SSR areas but that there was still no cohesive strategy. That lack of strategy was described as “not necessarily ... a cause for current alarm” as it was a reflection of the rapidly moving situation in Iraq.

**254.** The paper described the splitting of SSR responsibilities as a “set back” and informed Ministers that there were now four senior UK personnel in Baghdad working in each of the main SSR areas (policing, intelligence, army and the MOD). Agreement that DCC Brand would serve as Mr Kerik’s chief adviser was “an important gain”.

**255.** The paper mentioned the requirement for approximately 7,000 international police officers. The US intended to provide 700 and the UK 100.

**256.** At the meeting of the AHMGIR, the IPU described the 7,000 target as “ambitious” although they considered that the Organisation for Security and Co-operation in Europe (OSCE) might provide support.<sup>209</sup> By that stage, a police donors’ conference should have been held and international contributions established according to the original FCO timeline produced on 3 June. The fact that timelines were slipping was not mentioned at the meeting or in the update paper.

**257.** On 1 August, the UND wrote to DCC Brand asking him to push for a policing strategy and stating:

“The UK and other states will be reluctant to engage in the reform of the Iraqi police service unless we are shown that there is a clear strategy ... If the CPA Interior Ministry is genuinely considering the deployment of a significant mentoring mission, it will urgently need to address these issues and make its case to a wider audience. We fully appreciate the constraints of the operating environment, but we are keen to keep up momentum and build on progress made.”<sup>210</sup>

## Training of the Iraqi Police Service begins

**258.** Formal police training began in late June.<sup>211</sup> On 16 July, the first 150 students graduated from the Transition Integration Programme – a three-week course designed for existing police officers and run by the US Military Police in Baghdad.<sup>212</sup>

**259.** The same month, Ambassador Bremer recommended that the training of police be accelerated and that additional international police be deployed to protect critical infrastructure.<sup>213</sup>

<sup>208</sup> Annotated Agenda, 17 July 2003, Ad Hoc Group on Iraq Rehabilitation attaching Paper IPU, 16 July 2003, ‘Security Sector Reform the Next Steps’.

<sup>209</sup> Minutes, 17 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>210</sup> [Minute UND \[junior official\] to Brand, 1 August 2003, ‘Iraq Police Reform: UK Priorities’](#).

<sup>211</sup> [Minute Brand, 16 July 2003, ‘Report from Iraq – Douglas Brand’](#).

<sup>212</sup> The same programme is also sometimes referred to as Training in Post (TIP).

<sup>213</sup> Email Rumsfeld to Feith, 8 July 2003, ‘Police in Iraq’.

**260.** On 8 July, Secretary Rumsfeld issued instructions to work up a plan and develop a list of requirements. He stated: “Prime Minister Blair said he agreed and would get some help.”

**261.** That may be a reference to a video conference held on 3 July in which both Secretary Rumsfeld and Mr Blair participated. Mr Blair was reported to have asked Ambassador Bremer and Mr Sawers to draw up a list of their requirements, and said that the UK would “do our level best to meet any demand for additional resources”.<sup>214</sup> That discussion is described in more detail in Section 9.2.

**262.** In early August, Mr Kerik briefed Ambassador Bremer on the requirement for police in Iraq.<sup>215</sup> He estimated that Iraq needed 65,000-75,000 police officers and said that it would take approximately six years to develop that size of force. Ambassador Bremer responded that it needed to be done in two years and allocated a US\$120m budget from Iraqi Government funds.

**263.** On 10 August, DCC Brand reported that the CPA leadership had acknowledged that it would not be possible to attract the 6,600-strong International Police Training Force originally envisaged in the CPA’s May assessment and that the aspiration was now “1,500 to 2,000”.<sup>216</sup>

**264.** *Hard Lessons* stated that the US NSC rejected the original recommendation for 6,000 international police officers:

“... viewing them as too ambitious and too expensive. Ultimately, Ambassador Bremer requested IRRF 2 [Iraq Relief and Reconstruction Fund] funding for 1,500 police advisors – of whom 1,000 would be American.”<sup>217</sup>

### Police training academies

One of the practical challenges facing those delivering the police training was where it should be carried out. Concerns about security within Iraq had led the CPA to consider the possibility of conducting the majority of the training in Hungary, though this plan failed to materialise.<sup>218</sup>

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<sup>214</sup> Letter Cannon to McDonald, 3 July 2003, ‘Iraq: Prime Minister’s Video-Conference with President Bush, 3 July’.

<sup>215</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>216</sup> Minute Brand, 10 August 2003, ‘Report from Iraq – Douglas Brand’.

<sup>217</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>218</sup> Minute, 7 September 2003, ‘Report from Iraq – Douglas Brand’.

The next proposal, in September, was for a training college in Jordan which the CPA considered could be made ready by November 2003.<sup>219</sup> That facility would provide training for 35,000 Iraqi police recruits in a series of eight-week training courses, each taking 1,500 students.

Training of new recruits began in Jordan on 29 November with 36 UK police officers (a third of the training staff).<sup>220</sup> A further 40 UK officers were “on standby to join the ... project as it expands”. It was highlighted that: “Construction is behind schedule and conditions poor.”

The first recruits to pass through the Jordan facility were existing recruits who had been going through police training at the point of the invasion.<sup>221</sup> Former DCC Brand described the course as “very, very basic”.

Plans also progressed for police training inside Iraq. As mentioned in the CPA’s May assessment of policing in Iraq, there were plans to open academies in Basra, Baghdad and the North of the country.

Plans for an academy near Basra were initiated by the military and then taken on by DCC Stephen White, Senior Police Adviser and Director of Law and Order for CPA(South). The academy was to be known as the Regional Police Training Academy (RPTA) and located at az-Zubayr, near Basra.

The Baghdad facility was run by a UK Chief Inspector and staffed by US military police.<sup>222</sup>

## New Iraqi security structures

**265.** On 23 June, Mr Slocombe announced the formation of the New Iraqi Army (NIA).<sup>223</sup> The plans for the NIA included:

- To have a full division equivalent of 12,000 soldiers, who would be trained and operational in one year. By two years to have three divisions of 40,000 soldiers.
- To deploy battalions as they are trained, under the command of Iraqi officers.
- The military missions of the units will include protecting the nation’s borders, provide military level security for certain routes and installations, help clear mines and UXO [unexploded ordnance].”

**266.** On 18 August, Ambassador Bremer signed CPA Order No.22, which set out the mission and role of the NIA.<sup>224</sup> It was to be responsible for:

“... the military defense of the nation, including defense of the national territory and the military protection of the security of critical installations, facilities, infrastructure, lines of communication and supply, and population.”

<sup>219</sup> Annotated Agenda, 18 September 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>220</sup> [Letter Owen to Rycroft, 18 December 2003, ‘UK Contribution to Iraqi Police Training’.](#)

<sup>221</sup> Public hearing Brand, 29 June 2010, pages 62-65.

<sup>222</sup> [Letter Sinclair to Sheinwald, 17 October 2003, ‘Iraq: Security and Policing’;](#) [Letter Owen to Rycroft, 18 December 2003, ‘UK Contribution to Iraqi Police Training’.](#)

<sup>223</sup> Coalition Provisional Authority Press Release No. 006, 23 June 2003, *Good news for Iraqi soldiers.*

<sup>224</sup> Coalition Provisional Authority Order Number 22: Creation of a New Iraqi Army.

**267.** Although the NIA would have a role in internal disaster relief operations, the Order was explicit that:

“The New Iraqi Army shall not have or exercise, domestic law enforcement functions, nor intervene in the domestic political affairs of the nation.”

**268.** Ambassador Bremer was established as Commander in Chief, pending transfer of the role to an “internationally recognised, representative government, established by the people of Iraq”.

**269.** Suitability for employment in the NIA would be judged on a number of criteria, including:

- “the absence of evidence of human rights violations or war crimes”;
- “the absence of affiliation with the security and political control organs of the former regime”; and
- “the absence of association with Extremist Organisations or other groups that use or advocate the use of violence for political purposes whether internal or international”.

**270.** In early August, the first 1,000 Iraqi Army recruits were sent by the CPA for basic training in Kirkush (north east of Baghdad) by CMATT.<sup>225</sup>

**271.** On 5 September, Secretary Rumsfeld ordered an acceleration of the programme to train the Iraqi Army, stating that the three planned Divisions must be ready by September 2004.<sup>226</sup> The budget to achieve this was increased from US\$173m to US\$2.2bn.

**272.** *Hard Lessons* records that Secretary Rumsfeld made the decision to halve training time to one year during a visit to Iraq in August 2003, as security was worsening.<sup>227</sup>

### The Governing Council

The Governing Council (GC) was an Iraqi group with powers set out in Authorities of the Governing Council, agreed between international forces and members of the GC. It met for the first time on 13 July 2003 and is explained in more detail in Section 9.2.<sup>228</sup>

The agreement enabled the GC to make policy in all areas, including “the rebuilding and/or reform of Iraq’s armed forces, police and justice sector ... [and] ensuring that Iraq’s police and military are depoliticised”.<sup>229</sup>

<sup>225</sup> Wright Dr DP & Reese Col TR. *On Point II: Transition to the New Campaign – The United States Army in Operation IRAQI FREEDOM May 2003 – January 2005*. Combined Studies Institute Press, June 2008.

<sup>226</sup> Wright Dr DP & Reese Col TR. *On Point II: Transition to the New Campaign – The United States Army in Operation IRAQI FREEDOM May 2003 – January 2005*. Combined Studies Institute Press, June 2008.

<sup>227</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>228</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>229</sup> Telegram 81 IraqRep to FCO London, 13 July 2003, ‘Iraq: Governing Council: Authorities’.

The GC is sometimes referred to as the Iraq Governing Council (IGC). The two titles refer to the same body. The Inquiry has chosen to refer to the GC, for consistency, except where quoting others who have used IGC.

**273.** In July 2003, a new temporary Iraqi security force was established by US military commanders in order to help fight the growing insurgency – the Iraqi Civil Defence Corps (ICDC).<sup>230</sup> The concept was to:

- give Coalition operations an Iraqi face;
- keep unemployed young men out of the insurgency; and
- increase the number of security forces available.<sup>231</sup>

**274.** ICDC personnel were locally recruited and expected to live at home.

**275.** By August 2003, there were 23,000 ICDC personnel serving as linguists, security personnel, drivers and humanitarian relief providers. They also participated in patrols, convoys, cordons and checkpoints.<sup>232</sup>

**276.** The ICDC was formally established by CPA Order No.28, signed by Ambassador Bremer on 3 September 2003.<sup>233</sup> The Order explained that the ICDC was intended to be:

“... a security and emergency service agency for Iraq ... composed of Iraqis who will complement operations conducted by Coalition military forces in Iraq to counter organized groups and individuals employing violence against the people of Iraq and their national infrastructure.”

**277.** The Order authorised the ICDC to perform “constabulary duties” including:

- patrolling urban and rural areas;
- conducting operations to search for and seize illegal weapons and other contraband;
- providing fixed site, check point, area, route and convoy security;
- providing crowd and riot control;
- disaster response services;
- search and rescue services;
- providing support to humanitarian missions and disaster recovery operations including transportation services;

<sup>230</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>231</sup> Wright Dr DP & Reese Col TR. *On Point II: Transition to the New Campaign – The United States Army in Operation IRAQI FREEDOM May 2003 – January 2005*. Combined Studies Institute Press, June 2008.

<sup>232</sup> Wright Dr DP & Reese Col TR. *On Point II: Transition to the New Campaign – The United States Army in Operation IRAQI FREEDOM May 2003 – January 2005*. Combined Studies Institute Press, June 2008.

<sup>233</sup> Coalition Provisional Authority Order Number 28 – Establishment of the Iraqi Civil Defense Corps, 3 September 2003.

- conducting joint patrols with Coalition Forces; and
- participating in other activities designed to build positive relationships between the Iraqi people and Coalition authorities including serving as community liaisons.”

**278.** The ICDC operated under the authority of the Administrator of the CPA but was subject to the supervision of Coalition Forces. *Hard Lessons* stated:

“... Because the ICDC was not part of the original CPA security sector plan, it posed significant co-ordination problems from its inception ... There was little coordination with the Iraqi police or army and no accountability to any Iraqi ministry or the CPA.

“Some in CMATT feared the ICDC could become a parallel security structure, competing with the police in local affairs and diluting the Iraqi Army’s authority at the national level. But Coalition commanders valued the ICDC as a way to enable Iraqis to provide security for their own country, while supplementing CJTF-7’s [Combined Joint Task Force 7] overstretched forces.”<sup>234</sup>

**279.** However, Major General Andrew Stewart, General Officer Commanding (GOC) Multi-National Division South-East (MND(SE))<sup>235</sup> from December 2003 to July 2004, told the Inquiry that he believed the ICDC “was a success”.<sup>236</sup> He described a visit by Lieutenant General David Petraeus, Commanding General, Office of Security Co-operation (the creation of the OSC is described later in this Section):

“He [Gen Petraeus] was responsible for the security sector, came down, saw the ICDC in Basra in particular and went away pretty impressed about it, and said ‘I haven’t seen anything approaching this’.”

### An Iraqi intelligence service

In September 2003, Mr David Richmond, the Prime Minister’s Special Representative on Iraq,<sup>237</sup> reported that the US was preparing to set up an internal Iraqi intelligence service linked to the police and the MOI. The interim Minister of the Interior told Mr Richmond that he was keen to have UK advice on setting up an investigative branch and a counter-terrorism branch.<sup>238</sup>

DCC Brand told the Inquiry:

“... an opportunity arose for us to influence the direction in which the development of the Iraqi Intelligence Service ... was going to go ... I argued over a series of meetings ... that, if we had a sort of special branch system ... where the intelligence

<sup>234</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>235</sup> Multi-National Division South-East is described in Box, ‘Multi-National Division (South-East)’, later in this Section.

<sup>236</sup> Public hearing, 9 December 2009, pages 74-75.

<sup>237</sup> Mr David Richmond was temporarily the Prime Minister’s Special Representative on Iraq. In September 2003 (on the arrival of Sir Jeremy Greenstock), Mr Richmond became the Deputy.

<sup>238</sup> Telegram 150 IraqRep to FCO London, 4 September 2003, ‘Iraq: Briefing for Prime Minister’.

service does the intelligence work and the arresting and locking-up is done by a police agency, that gives a useful balance, allows people to actually focus on their main area of expertise and doesn't cause the problems of the intelligence people having the power to arrest and detain and do whatever else they need to do to get information. Eventually ... Ambassador Bremer was persuaded ... and made that as a decision. I could not get a special branch manager or somebody retired who had that skill of being able to take the concept into reality, and so we lost the opportunity and that disappeared.”<sup>239</sup>

In April 2004, the Iraqi National Intelligence Service (INIS) was established. Its operational officers and support staff had been trained and vetted and were based in Baghdad, with a planned outstation in Basra.<sup>240</sup> It included some former intelligence officers.

INIS was initially headed by former Major General Mohammed al-Shehwani, who had been forced into exile by Saddam Hussein in 1984.<sup>241</sup>

In a paper by the MOD dated 6 June 2006, intelligence was one of the areas described as “immature”, having been “placed deliberately at the back of the force generation process”.<sup>242</sup>

Later, in spring 2008, a new intelligence structure was developed in Basra.<sup>243</sup> Lieutenant General Barney White-Spunner, GOC MND(SE) from February to August 2008, described that structure to the Inquiry:

“... at the end of the Charge of the Knights, General Mohammed and I put together, I hope, quite a sophisticated counter-terrorist structure in Basra with a co-ordination committee which brought all the Iraqi Security Forces together. We fused them into various intelligence agencies ... We were able to combine police and army posts across the city.”

**280.** Two other security forces were created under the jurisdiction of the MOI in autumn 2003:

- CPA Order No.26, signed on 24 August 2003, created the Department of Border Enforcement (DBE).<sup>244</sup> Previous immigration officials were prevented from employment because of their connection to Saddam Hussein's secret police.<sup>245</sup>
- CPA Order No.27, signed on 4 September 2003, created the Facilities Protection Service (FPS).<sup>246</sup> The FPS was designed to provide site security for ministry

<sup>239</sup> Public hearing, 29 June 2010, pages 45-46.

<sup>240</sup> [Minute Dodd to Quarrey, 30 April 2004, 'Iraqi Security Force Capabilities'](#).

<sup>241</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>242</sup> [Minute DJC/Iraq to Cabinet Office \[junior official\], 7 June 2006, 'Iraq: Strategy Group Workstrands' attaching Paper, 'Update on Progress of the Iraqi Security Forces \(ISF\)'](#).

<sup>243</sup> Public hearing, 7 January 2010, page 43.

<sup>244</sup> Coalition Provisional Authority Order Number 26 – Establishment of the Department of Border Enforcement, 24 August 2003.

<sup>245</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>246</sup> Coalition Provisional Authority Order Number 27 – Establishment of the Facilities Protection Service, 4 September 2003.

facilities and provincial government buildings. Each ministry or governorate administration could have its own unit. FPS training was a very basic three-day course.

## Global Conflict Prevention Pool Strategy

**281.** On 1 August, Ministers from the FCO, DFID and the MOD were asked to agree a joint FCO/DFID/MOD Iraq Strategy for the Global Conflict Prevention Pool (GCPP).<sup>247</sup> The Strategy aimed to provide a coherent framework for UK activities aimed at preventing conflict in Iraq. It defined its “initial focus of activity” as SSR. Work on that element of the Strategy was the most well developed, and Ministers were invited to agree that expenditure on SSR activities could start immediately while work continued to define the other elements of the Strategy.

### Global Conflict Prevention Pool

The Global Conflict Prevention Pool (GCPP) was a UK Government fund bringing together the work of the FCO, the MOD and DFID in conflict prevention.<sup>248</sup> The aim was a more strategic and cost-effective approach to conflict prevention and reduction. Activities included conflict assessments, supporting peace initiatives and DDR programmes.

**282.** The “second element” of the Strategy was assistance to “Iraqi governorates and local administrations within the British AO as they develop to ensure that policy decisions are made strategically and with an understanding of conflict prevention issues.”<sup>249</sup> That included assistance to improve access to justice, encourage the involvement of women in local administrations, and develop a fair and equitable prison service. The third element was further studies and analyses to assist in the development of UK conflict prevention strategies. The geographical spread of the programmes had not yet been determined, although there were “good arguments” in favour of focusing in the South to deliver an “exemplar southern model”.

**283.** The estimated cost of the Strategy was £7.5m per year for the UK financial years 2003/04 and 2004/05. Of the £15m total, £9.5m was allocated for SSR, £4m for local governance and £1.5m for further studies and analyses. The implementation plan for the Strategy listed a number of SSR activities, including:

- support for the police;
- support for customs reform including the deployment of nine HM Customs and Excise personnel starting on 18 August;

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<sup>247</sup> Minute, 1 August 2003, ‘Global Conflict Prevention Pool – Iraq Strategy’.

<sup>248</sup> Paper DFID, FCO and MOD, 2003, ‘The Global Conflict Prevention Pool: A Joint UK Government Approach to Reducing Conflict’.

<sup>249</sup> Minute, 1 August 2003, ‘Global Conflict Prevention Pool – Iraq Strategy’.

- support to develop a comprehensive Borders, Customs and Immigration Policy by 2005, and for the deployment of a senior immigration representative on 18 August;
- support to develop the Iraqi armed forces, to be defined by 6 August; and
- support for intelligence reform and development, to be defined by 15 August.

**284.** In the last week of September, an official from UND estimated that UK spend to date on policing Iraq was almost £127,000.<sup>250</sup> Of that amount, around £25,000 had been spent on pre-deployment training; approximately £44,000 on equipment, travel and subsistence; around £43,000 on travel and difficult post allowances; and around £15,000 on officers' salaries.

**285.** An annex to the UND paper described the cost of deploying an officer to Iraq, by rank, as:

- Constable: £68,670;
- Sergeant: £71,670;
- Inspector: £79,670;
- Chief Inspector: £81,670;
- Superintendent: £86,670; and
- Chief Constable: £141,670.<sup>251</sup>

### The departure of the UN

On 19 August 2003, a bomb exploded outside the UN headquarters at the Canal Hotel, Baghdad. It killed 22 UN staff and visitors, including Mr Sérgio Vieira de Mello, the UN Special Representative in Iraq.<sup>252</sup> A second bomb attack on the UN followed on 22 September. Sir John Sawers told the Inquiry that the attacks were subsequently attributed to Al Qaida (AQ).<sup>253</sup>

Tension in central Iraq increased after the UN bombing.<sup>254</sup> By 29 August, the World Bank and International Monetary Fund (IMF) missions had been withdrawn, a number of NGOs were withdrawing their international staff, and the UN had withdrawn some staff temporarily while reviewing its options.<sup>255</sup>

<sup>250</sup> Minute Khundker to Chatterton Dickson, 25 September 2003, 'Iraq Policing Costs'.

<sup>251</sup> The following ranks were omitted: Chief Superintendent, Assistant Chief Constable and Deputy Chief Constable.

<sup>252</sup> Report of the Independent Panel on the Safety and Security of UN Personnel in Iraq, 20 October 2003.

<sup>253</sup> Public hearing, 16 December 2009, page 36.

<sup>254</sup> Brief Cabinet Office, 20 August 2003, 'Iraq: Update for Ministers, 21 August 2003'.

<sup>255</sup> [Minute Sheinwald to Prime Minister, 29 August 2003, 'Iraq' attaching Note Cabinet Office, 'Iraq: Update 29 August 2003'](#).

Sir David Richmond told the Inquiry:

“... the decision by the UN to withdraw from Iraq which they took around about the middle of September after a security review, I think ... was regrettable, and it meant for several months they were not really playing any sort of role in Iraq. It also meant when Lakhdar Brahimi [the UN's Special Envoy to Iraq] arrived, initially in the end of January 2004 and then again in April 2004, he was really working on his own.”<sup>256</sup>

## Policing strategy: Iraqisation

**286.** By early September 2003, the concept of “Iraqisation” had started being used in Whitehall (see Section 9.2). The term “Iraqisation” did not have a common or precise definition, but was generally used to mean the ability of the ISF to maintain security independently, rather than under the leadership of the international forces.

**287.** On 2 September, Mr Blair held a meeting of Ministers and senior personnel.<sup>257</sup> They included Mr Straw, Mr Hoon, Mr Hilary Benn (the International Development Secretary), Gen Walker, Sir Richard Dearlove (Chief of the Secret Intelligence Service), Mr John Scarlett (Chairman, Joint Intelligence Committee), Sir Jeremy Greenstock (the Prime Minister's Special Representative on Iraq from September), Mr Sawers (from August the FCO Director General for Political Affairs) and No.10 officials.

**288.** The account of the meeting stated that “the Prime Minister wanted action on Iraq taken forward with a heightened sense of urgency” ahead of a planned telephone conversation with President Bush to review progress. In relation to internal security, the record stated:

“The Prime Minister believes that the key to the security situation in Iraq is the rapid mobilisation of an effective Iraqi police force. This should include:

- Police manpower up to 70,000 within three months, as a stage towards a full force;
- Adequate trainers and secure training facilities;
- Flexible handling of de-Ba'athification in order not to exclude recruits unnecessarily;
- Establishment of an internal intelligence service;
- Mobilisation of the Protection Force and Civil Defence Force to protect key installations.”

**289.** The IPU was asked to provide a paper setting out further advice after consulting DFID, the MOD, the FCO and the Home Office, which it did on 3 September.<sup>258</sup>

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<sup>256</sup> Public hearing, 26 January 2011, page 43.

<sup>257</sup> [Letter Cannon to Adams, 2 September 2003, 'Iraq: Briefing for the Prime Minister'](#).

<sup>258</sup> [Paper IPU, 3 September 2003, 'Iraq Security Plan'](#).

**290.** The paper reiterated that the existing strategy was to have 70,000 Iraqi police in place by mid-2004 and a 40,000-strong Iraqi Army in place within a year. It stated that the UK's target was to have deployed 100 police trainers by the end of 2003, out of a planned CPA total of 600.

**291.** The paper reiterated that the “training of the police should be accelerated and given a proper strategy (without which potential international contributors will not come forward)” but did not give details of how this might happen. The IPU considered that the key principles for what could be achieved were:

- The Coalition should work through existing local leadership and customs and Iraqis must take increasing security responsibility.
- Intelligence on the threats should be improved.
- De-Ba'athification principles should be applied flexibly.
- Key programmes should be accelerated and made more effective, including by bringing police and army reform under a single head and providing more resources.
- Coalition Forces should be released for counter-terrorism tasks by giving basic security tasks to Iraqi forces.

**292.** In conclusion, the paper stated:

“While we develop Iraqi capability and broaden the international security presence, we must keep threats under control. This means more Coalition Forces are needed in the short term ...”

**293.** There was no proposal for where this resource should come from, nor was there an assessment of whether it was realistic to train 70,000 police officers within a three-month period as suggested by Mr Blair.

**294.** Another briefing paper, produced by Mr David Richmond,<sup>259</sup> stated that although Ambassador Bremer agreed with the importance of accelerating recruitment he did not:

“... think that a target of 70,000 within the next three months is achievable. The cost would be huge and, however successful we were in speeding up training, the overwhelming majority of new recruits would end up with no training at all. This would be counter-productive.”<sup>260</sup>

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<sup>259</sup> Mr David Richmond was temporarily the Prime Minister's Special Representative on Iraq. In September 2003 (on the arrival of Sir Jeremy Greenstock), Mr Richmond became the Deputy.

<sup>260</sup> Telegram 150 IraqRep to FCO London, 4 September 2003, 'Iraq: Briefing for Prime Minister'.

**295.** The IPU paper was considered by the AHMGIR on 4 September.<sup>261</sup> The minutes recorded that the IPU stated:

“The US had elaborate plans for Security Sector Reform, but faster action was needed. We should give priority to the rapid expansion of the Civil Defence Corps and the Facilities Protection Service ... We should consider encouraging neighbourhood security schemes and working with tribal leaders in rural areas.”

**296.** Sir Jeremy Greenstock was recorded as warning that the proposals “were not enough to bring the impact required in the short term”.

**297.** Ministers agreed that ideas in the paper were “useful but required further work which should be taken forward urgently”.

**298.** Ahead of a video conference with President Bush on 5 September (see Section 6.2), Mr Blair sent the President a Note which stated:

“Iraq has 37,000 police. We need to double that. Given the number of trainers and their facilities, that will take a year. We cannot wait that long. So: if we need to treble or quadruple the trainers and expand the numbers of Iraqi police even beyond that contemplated, we should do it. Some of the Governing Council believe that in certain areas, they should decide how far to take de-Ba’athification in order to speed up the process. There may be good constraints/reasons why these things should not happen or take time, but we have to be very clear that the priority is to get movement fast. There must also be a top quality intelligence capability given to the Iraqis to act on the threat. This is essential.”<sup>262</sup>

**299.** The record of the video conference between Mr Blair and President Bush stated that Mr Blair said a “big push” was required in boosting numbers and speeding up training of Iraqi Security Forces.<sup>263</sup>

**300.** The IPU provided a more detailed paper entitled ‘Security Action Plan’ for the inaugural meeting of the Iraq Senior Officials Group on 9 September (the creation of which is addressed in Section 9.2).<sup>264</sup> The IPU maintained that the focus should be on the ICDC and the police “as the most likely to produce quick results, while continuing to support the longer-term development of the New Iraqi Army”. It did not address Mr Blair’s concept of trebling the trainers available or expanding Iraqi police numbers.

**301.** For ICDC development, the IPU said that more UK Short Term Training Teams were required and that national funding should be used to avoid “procedural delays”.

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<sup>261</sup> Minutes, 4 September 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>262</sup> Letter Sheinwald to Rice, 5 September 2003 attaching ‘Note on Iraq’.

<sup>263</sup> Letter Canon to Adams, 5 September 2003, ‘Iraq: Prime Minister’s Video-Conference with Bush, 5 September’.

<sup>264</sup> [Paper IPU, 8 September 2003, ‘Iraq: Security Action Plan’.](#)

The MOD was also pursuing deployment of 12 non-commissioned officers to assist with training of the Iraqi Army.

**302.** The IPU assessed that “the main problem in developing the Iraqi Police is the slowness with which CPA is developing its strategy, concept and timelines for reform” and that “in the absence of a central strategy, we are pursuing regional options”.

**303.** In the meeting, most of the actions in the paper were agreed although the minutes make no mention of the use of national resources to progress SSR.<sup>265</sup> It was also suggested that DCC Brand could potentially produce a policing strategy and that Sir Jeremy Greenstock should lobby Ambassador Bremer on the “necessity of having a strategy”.

**304.** On 14 September, Sir Jeremy Greenstock sent a teletype to Sir Nigel Sheinwald (Prime Minister’s Foreign Policy Adviser and Head of OD Sec), Mr Sawers, Mr Geoffrey Adams (Mr Straw’s Principal Private Secretary), Mr John Buck (Mr Straw’s Private Secretary) and Sir Hilary Synnott (Head of CPA(South)).<sup>266</sup> It stated:

“Security will colour everything. The right way forward is Iraqisation, particularly in the police. Bremer and his advisers are clear on the principle. But there is as yet no central plan for police training, and no CPA focal point for driving it forward. I am going to have to expend ammunition on this soon. Meanwhile London (and Washington) should be maximising the input of resources into the police area, not just training but also the provision of cars, equipment, radios etc. All this should be prepared now, even if Ministers only sign it off when they see the planned requirement set out. It is truly urgent.”

**305.** The Annotated Agenda for the meeting of the AHMGIR on 18 September re-affirmed the requirement for a “coherent overall policing strategy”.<sup>267</sup> Cabinet Office officials reported that the UK was lobbying Ambassador Bremer and Washington to expedite creation of a strategy and operational plan, and was offering the services of DCC Brand to write them. The paper did not reflect Mr Blair’s desire to treble the number of police trainers.

**306.** Ministers discussed policing at the AHMGIR on 18 September and “endorsed the plans for police training outlined in the Annotated Agenda and agreed that they should be implemented as swiftly as possible with whatever UK help was necessary”.<sup>268</sup>

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<sup>265</sup> Letter Dodd to Sheinwald, 10 September 2003, [untitled].

<sup>266</sup> Teletype Greenstock to Sheinwald, 14 September 2003, ‘Iraq/CPA: Early impressions’.

<sup>267</sup> Annotated Agenda, 18 September 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>268</sup> Minutes, 18 September 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

### **A co-ordinated UK Government policy on SSR – but no mention of Iraq**

In September 2003, a Whitehall policy seminar was held to look at best practice on SSR.<sup>269</sup> To coincide with that, officials within the FCO, the MOD and DFID had planned to publish a report on SSR best practice. The MOD minute to Ministers stated that “SSR is an area that necessitates high levels of co-operation and co-ordination between all three Departments” and that the Departments had, in the Global Conflict Prevention Pool SSR Strategy, a “common objective of helping governments of developing and transitional countries fulfil their legitimate security functions through reforms that will make the delivery of security more democratically accountable, as well as more effective and efficient”. However, there was “currently no joint policy brief to guide practitioners” beyond a 1999 DFID statement on the link between poverty and security, which had become out of date. There was no mention of Iraq in the SSR report or the Ministerial foreword.<sup>270</sup>

**307.** On 19 September, DCC Brand produced an “Info Memo” for Ambassador Bremer containing a plan for Iraqi police training and development.<sup>271</sup> DCC Brand wrote that the goal was to establish a 65,000-70,000 member Iraqi police force over 18 months to two years with an estimated annual cost of US\$970m. That would require 600 international trainers and 1,500 international police advisers and mentors with executive authority.

**308.** DCC Brand broke the plan down into four strands:

- Police recruitment and selection (US\$5m) – to identify and initially screen at least 33,000 qualified candidates with a team of 25 police and 150 MOI staff.
- Police training (US\$150m) – to be run in Iraq and Jordan. Existing police officers would receive a three-week Transitional Integration Programme and new recruits would receive an eight-week basic police skills recruit course.
- Police institutional reform and development (US\$800m) – to create a “uniformed 1,500 member International Coalition Police Force (ICPF) which will have executive authority and authorised to be armed, and will implement new organisational structures, standard operating procedures, training and equipment guidelines for police throughout Iraq under command of a CPA appointed commissioner”.
- Developing police operational capacities (US\$20m) – to focus on developing specialised skills to deal with organised kidnapping, extortion and trafficking.

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<sup>269</sup> Minute MOD [junior official] to PS/Min(AF), 11 September 2003, ‘Security Sector Reform Policy Brief’.

<sup>270</sup> Report [DFID/MOD/FCO], November 2003, ‘Security Sector Reform Policy Brief’.

<sup>271</sup> [Minute Brand to Administrator \[Bremer\], 19 September 2003, ‘Iraqi Police Training and Development – Short Summary Version’.](#)

**309.** The only comment on the plan seen by the Inquiry came from CC Kernaghan who expressed concerns about the ICPF, writing:

“To avoid problems later on, this concept requires thought and staff work now.”<sup>272</sup>

**310.** The Inquiry has not been able to establish what became of that plan: it has not seen any further reference to it in contemporary papers.

**311.** At a video conference with President Bush on 13 October, Mr Blair stressed the importance he attached to Iraqisation of the police and ICDC.<sup>273</sup>

**312.** By mid-October no agreed CPA policing strategy had been produced. Despite that, on 17 October an update from Mr Straw’s office to No.10 stated: “We judge that the Coalition now has a credible and deliverable strategy to train 30,000 Iraqi police over the next year.”<sup>274</sup> By that stage around 40,000 police officers were considered to have been trained.

**313.** Mr Straw told the Inquiry that he considered that judgement to be “reasonable” at the time, but that with hindsight he could see that it was not.<sup>275</sup>

### International contribution to police trainers

Following US/CPA/UK discussions in Amman and London on international police trainers, lobbying efforts were agreed and shared with Sir Jeremy Greenstock and DCC Brand on 3 October.<sup>276</sup> The UK was to act as a “clearing house” for offers of assistance from EU Member States plus Australia, Canada, New Zealand and South Africa. The US would be approaching other members of the international community.

The Police Contributors Conference, originally planned for 30 June, was held on 20 October in London and hosted by the FCO.<sup>277</sup> It was attended by representatives from EU Member and Accession States, the European Council, Canada, Australia, Jordan and Singapore. The focus of the event appears to have been to encourage countries to deploy police trainers to staff the training facility in Jordan (see Box, Police training academies’), rather than into Iraq. “Firm” pledges of support in the form of trainers for the Jordan facility were received from Canada (20), Poland (10) and the Czech Republic (10), with other countries reported to be likely to decide on contributions after the Madrid Donors’ Conference (later that week).

<sup>272</sup> [Email Kernaghan to Home Office \[junior official\], 22 September 2003, ‘Iraq – Recent Developments’.](#)

<sup>273</sup> Letter Cannon to Adams, 13 October 2003, ‘Iraq: Prime Minister’s Video-Conference with President Bush, 13 October’.

<sup>274</sup> [Letter Sinclair to Sheinwald, 17 October 2003, ‘Iraq: Security and Policing’.](#)

<sup>275</sup> Public hearing, 2 February 2011, page 140.

<sup>276</sup> Telegram 90 FCO London to UKRep Iraq, 3 October 2003, ‘Iraq: Iraq Police Training in Jordan’.

<sup>277</sup> Telegram 101 FCO London to UKRep Iraq, 21 October 2003, ‘Iraq: Iraq Police Contributors Conference: 20 October, London’.

By 24 November, further pledges of police trainers had been made by Finland (five), Slovenia (five), Austria (four) and Slovakia (two).<sup>278</sup>

By mid-2005, additional training staff were contributed by Jordan (66), Sweden (10), Singapore (six), Hungary (three), Belgium (two), Australia (two) and Estonia (one).<sup>279</sup>

**314.** On 24 October, Sir Jeremy Greenstock reported that General Ricardo Sanchez, Commander of the Coalition’s military command – Combined Joint Taskforce 7 (CJTF-7), had ordered a “comprehensive internal review of the security sector”.<sup>280</sup> Sir Jeremy reported:

“The up-to-date military assessment is that operations have now lost momentum ... [and that] ... despite plans to accelerate the generation of Iraqi Security Forces, progress may still be too slow ... The emerging view of the military is that this structure is stovepiped, lacks oversight and results in competing roles and responsibilities within the security sector.”

**315.** Sir Jeremy also highlighted that General John Abizaid, Commander US Central Command (CENTCOM), and Ambassador Bremer would attend discussions in Washington covering SSR later in the week.

**316.** On 27 October, CJTF-7 issued an Order entitled “Acceleration of the Iraqi Police Services” which envisaged an enhanced support requirement from CJTF-7 for enlarged and accelerated police training programmes.<sup>281</sup>

**317.** On 6 November, the AHMGIR was briefed that the new approach included:

- accelerating recruitment, training and deployment of Iraqi security forces. The Iraqi Civil Defence Corps is now set to increase to 36 battalions by April 2004. The target for 70,000 police should be reached by August 2004 rather than March 2005. As a result training of the Iraqi Army will be slowed, but the Army will now be allowed to undertake internal as well as external security tasks. Once trained, total Iraqi forces will number 200,000;
- changing tactics to put Iraqi forces in the front-line with Coalition Forces in support; and
- recruiting more expert members of the former regime’s security forces.”<sup>282</sup>

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<sup>278</sup> Minute, 24 November 2003, ‘Update on Iraqi Police Coordination for Donors and Policy Guidance’.

<sup>279</sup> Paper Jordan International Police Training Center, [undated], ‘Welcome to the Jordan International Police Training Center’.

<sup>280</sup> Telegram 230 IraqRep to FCO London, 24 October 2003, ‘Iraq: Security Update’.

<sup>281</sup> Telegram 110 FCO London [on behalf of CPA Basra] to UKRep Iraq, 31 October 2003, ‘Police Training in South Iraq’.

<sup>282</sup> Annotated Agenda, 6 November 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

**318.** Former DCC Brand told the Inquiry:

“Trying to persuade my military colleagues at two-star and three-star level that this was a long-term investment of restructuring the police seemed to work against their sort of short-term mission goals, and I very vividly remember the presentation that was done to the Commanding General which was entitled ‘30,000 in 30 Days’ ... I had to say ‘Okay, in that case then, why don’t you give me the military to train? I have read a few war books, I have seen a few war films, it can’t be as difficult as that, or is that as ridiculous as what you are suggesting, which is we recruit 30,000 in 30 days, call them police, label them police, give them weapons and say ‘You are now in the police’ but actually have no capability to do the things that policemen should do at all?’”<sup>283</sup>

**Concerns about strategy**

**319.** CC Kernaghan visited Iraq for the second time in mid-November 2003.<sup>284</sup> His visit was affected by a “security ‘lockdown’” which meant he was unable to travel into Basra and so met Sir Hilary Synnott in Basra Airport.<sup>285</sup>

**320.** In his report to the Home and Foreign Secretaries, CC Kernaghan commented:

“... the ‘bad luck’ factor has kicked in with a vengeance ... The security situation is not good and will become worse, but the answer to many aspects of the problem is an effective Iraqi security infrastructure ... It is quite clear that the current level of UK police assistance is unsustainable in that it is insufficient to deliver a coherent package of support and I suggest that the UK Government has to decide to either increase our assistance or withdraw our support altogether.”<sup>286</sup>

**321.** CC Kernaghan stated that he “detected the lack of a clear vision” for policing within Iraq and was concerned that a “hybrid US City department/UK police service” was being created. He commented that he was “unclear as to the overall CPA Iraq ‘model’ and whether or not a single tier national service is being created”. CC Kernaghan also reported that senior officials were “reluctant to be definitive as to the CP[A]’s strategic plan” because “meetings in Washington (and London) might well totally change existing plans”.

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<sup>283</sup> Public hearing, 29 June 2010, pages 24-25.

<sup>284</sup> [Report Kernaghan to Straw, 18 November 2003, ‘Report on Second Visit to Iraq by Chief Constable Kernaghan – 11/11/03 – 14/11/03’.](#)

<sup>285</sup> Public hearing Synnott, Lamb and Stewart, 9 December 2009, page 21.

<sup>286</sup> [Report Kernaghan to Straw, 18 November 2003, ‘Report on Second Visit to Iraq by Chief Constable Kernaghan – 11/11/03 – 14/11/03’.](#)

**322.** A Cabinet Office Ministerial update on 19 November stated:

“The CPA has no current plans to draw up a formal policing strategy. Their view is that command, control and administrative arrangements for the police will depend heavily on unsettled constitutional issues and thus must await further political progress ... Partly in this context, Jim Daniel, a senior ex-HO [Home Office] adviser, sent by us to help generate a policing strategy has decided to resign.”<sup>287</sup>

**323.** The update did not state the UK’s view of the CPA position but said:

“In response, we are following up a new request from DCC Brand ... for additional UK officers to support him in implementing the existing training plan.”

**324.** As early as May 2003, Sir David Manning and Ambassador Bremer recognised that:

“De-Ba’athification and the dissolution of security ministries would create a new reservoir of angry men. So there was a need to step up patrols and tighten up security.”<sup>288</sup>

**325.** At the end of 2003, as security worsened, the debate around the extent to which de-Ba’athification should be applied to the Iraqi Security Forces was ongoing.

**326.** Between October and December, the issue of re-employing Ba’athist security personnel was mentioned three times in communications between Mr Blair and President Bush.

**327.** On 7 October, in a video conference with President Bush Mr Blair “urged sensitive handling of demobilised ex-Iraqi Army soldiers”.<sup>289</sup>

**328.** In a video conference on 27 October, Mr Blair highlighted the possibility of re-mobilising “former Ba’athist intelligence officers”.<sup>290</sup>

**329.** Before President Bush’s visit to the UK in November 2003, Mr Rycroft gave Mr Blair a copy of a paper entitled ‘Iraq: Security’, for discussion with President Bush.<sup>291</sup> The document was described as “Jeremy’s paper” and the Inquiry assumes that it was written by Sir Jeremy Greenstock. Under the heading “Iraqisation” it said:

*“Must accept previously Ba’athist elements in the security forces, provided not linked with former repression. Militias ... need to be brought in in an inclusive transparent way ... plans for this should be drawn up immediately with IGC.”*

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<sup>287</sup> Letter Dodd to Owen, 19 November 2003, ‘Iraq: Update for Ministers’.

<sup>288</sup> [Letter Cannon to Owen, 23 May 2003, ‘Iraq: Meeting with Gerry Bremer’.](#)

<sup>289</sup> Minute Cannon to Adams, 7 October 2003, ‘Iraq: Prime Minister’s Video-Conference with President Bush, 7 October’.

<sup>290</sup> Letter Cannon to Adams, 27 October 2003, ‘Iraq: Prime Minister’s Video-Conference with President Bush, 27 October’.

<sup>291</sup> Minute Rycroft to Prime Minister, 18 November 2003, ‘Bush Visit – Private Talks’.

**330.** Mr Blair gave President Bush a slightly revised version of Sir Jeremy’s paper, in which this text had not been altered.<sup>292</sup>

**331.** Mr Richmond visited Ramadi, the capital of Anbar province, in mid-November.<sup>293</sup> The dominant theme of his discussions was local concerns about unemployment as a result of the dismantling of Iraqi military structures.

**332.** Mr Richmond reported:

“Unemployment had forced many to do illegal acts, including attacks on the Coalition. They wanted to help the Coalition and could do much to improve the security situation if they could be given back their jobs; they were also keen to serve their country. They complained about de-Ba’athification which made it impossible for most of them to be employed by the State. The governor said that 50 percent had joined the Ba’ath Party not out of conviction but because it was a condition of employment; 40 percent for material gain; and only some 10 percent because they supported Ba’athist ideology ...

“Jerry Thompson (CPA advisor for security affairs) explained the acceleration of recruitment to the ICDC, police and the New Iraqi Army [NIA], but he pointed out the different nature of the NIA and the fact that it would be much smaller than the old army. Recruiting in Ramadi would start in January. He encouraged them to participate.”

**333.** In a video conference with President Bush on 4 December, Mr Blair was recorded to have underlined the importance of Iraqisation, including involving the Sunni community and ex-Ba’athists.<sup>294</sup>

**334.** In mid-November a new political timetable for Iraq was announced, which brought forward the assumption of power by the Iraqi Transitional Government (ITG) to June 2004.<sup>295</sup>

**335.** Former DCC Brand told the Inquiry that the change of timetable critically changed everyone’s outlook: “all the focus was on ‘Let’s get this over to the Iraqis’, and so our longer-term intentions were almost squashed from there on.”<sup>296</sup>

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<sup>292</sup> [Paper Greenstock, 20 November 2003, ‘Iraq: Security’.](#)

<sup>293</sup> Teleletter Richmond to FCO London, 23 November 2003, ‘Iraq: Sunni Outreach: Visit to Ar Ramadi’.

<sup>294</sup> Letter Cannon to Adams, ‘Iraq: Prime Minister’s Video Conference with President Bush, 4 December’.

<sup>295</sup> Minute Cannon to Prime Minister, 18 November 2003, ‘Iraq: Political Timetable’.

<sup>296</sup> Public hearing, 29 June 2010, page 67.

**336.** Also in November, Secretary Rumsfeld ordered Major General Karl Eikenberry, former US Security Co-ordinator and Chief of the Office of Military Co-operation in Afghanistan, to assess what reforms were necessary to produce enough capable Iraqi forces to take over security responsibilities.<sup>297</sup> His report, published in February 2004, is described later in this Section.

**337.** In December 2003, the CPA produced a plan to achieve the accelerated timetable for transfer of authority by the end of June 2004.<sup>298</sup>

**338.** The plan included a section on security which stated that to meet the accelerated timeline, the following changes were required:

- an accelerated stand-up of the IMOD and the National Command Authority;
- accelerated development of internal security capabilities in the MOI (Anti-Terrorist Branch, criminal intelligence);
- a focus on anti-corruption capacity-building; and
- accelerated recruitment, training and deployment of Iraqi Security Forces.

**339.** The plan also described two key security policy decisions that were required, as identified by CPA staff:

“First, the development of a holistic approach to the Iraqi security sector, including clarification of ICDC missions and interface with other security elements. Second, decisions on the integration of former militias into security forces and on militia demobilization.”

**340.** On 4 December, the CPA Office of Policy Planning and Analysis produced a paper entitled ‘Iraq: Integrated Security Sector Development’.<sup>299</sup> It was an assessment of the current situation and plans, the desired position and a consideration of what thinking and action was required by the CPA and CJTF-7 to achieve the desired position.

**341.** It is the first assessment the Inquiry has seen that attempted to articulate all SSR plans in one paper and consider how they interacted. The executive summary explained that the paper benefited from detailed input by security sector experts in both CPA and CJTF-7.

**342.** The paper described the CPA-defined end state for security in Iraq as:

- “• there is a secure environment for people and property that enables citizens to participate fully in political and economic life;

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<sup>297</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>298</sup> Coalition Provisional Authority, 2 December 2003, ‘Towards Transition in Iraq: Building Sustainability’.

<sup>299</sup> [Paper CPA, 4 December 2003, ‘Iraq: Integrated Security Sector Development’](#).

- the Iraqi Government has the means, including its own defense and police forces, to assume its responsibility for external and internal security, including policing of its borders;
- ...
- the roles and accountabilities of organizations providing security are clearly defined within a legal framework which governs, *inter alia*, the ownership of weapons.”

**343.** The paper stated that CPA and CJTF-7 activity had “often been driven by the short-term requirement to address pressing security needs” and highlighted weaknesses:

- “• We have not designed our security sector development program based on a thorough conflict assessment;
- There is no overarching security vision for Iraq that joins up short-term current activities with long-term goals;
- We are focusing on building tactical and operational capabilities – the building of Iraqi governance and oversight capacity is proceeding more slowly;
- Local ownership of the Security Sector Reform process and policy is in its infancy;
- We are focusing on ‘hard’ security force development with limited attention being paid to building ‘soft’ Iraqi capacity to prevent or manage conflicts.”

**344.** The paper assessed each element of the security sector before discussing its overall governance and accountability. Although the long-term aim for the NIA was a focus on external security, it was likely that it would be employed on internal security and so a legal framework for that was needed. The ICDC would become an army reserve. The paper also mentioned plans to develop an Iraqi Coastal Defence capability and an aviation element for transportation and medical evacuation by autumn 2004. All that would be organised by a Joint Forces Headquarters which would be established by June 2004.

**345.** The desired end state for the IPS was a “single nation-wide police service that combines centralized standards and policies with local accountability ... Its 85,000 officers will be well-trained through a combination of basic mandate training, mentoring, and specialist and leadership training”. The paper highlighted that the IPS was being developed whilst it was in the front line fighting the insurgency campaign.

**346.** Problems with individual ministerial capacity to manage the FPS were also identified.

**347.** The paper described some activity on intelligence services, including the IPS developing basic criminal intelligence capabilities in Baghdad and MOI plans for a national criminal intelligence unit. There was an absence of a suitable legal framework. The paper stated that oversight mechanisms which balanced effectiveness with accountability were required.

**348.** On criminal justice, the paper stated that courts were “back up and running nationwide, albeit at below their pre-war capacity” and that prisons were being repaired or reconstructed. There were also fundamental revisions to the penal code and procedures. It described justice and policing systems as mutually reinforcing. It identified a number of issues, including the vulnerability of the judiciary to violence and prison capacity, which it recommended should be addressed.

**349.** The paper also contained a section on militias, where it assessed that there were over 30 known militias with between 30,000 and 60,000 personnel. It explained that the Coalition’s original intent for militia personnel had been DDR. However, that had not happened due to the violence it might provoke, the absence of police to “fill the vacuums” and the complexity of the task. The paper stated:

“Since the November 15 Agreement, there has been a tendency amongst the political parties to hold on to their militias to protect their interests ... The creation of an ICDC ‘special battalion’ and CT [counter-terrorism] company from G-5 militias is a departure from the CPA policy of seeking to disband militias but may provide an alternative means of integrating the party militias.”

**350.** The paper recommended that policy on militias should be clarified.

**351.** The governance and accountability section of the paper emphasised the importance of civilian control, noting that the “institutionalisation of CPA/Iraqi civil governance mechanisms is falling behind the development of fielded forces”. On police accountability the paper stated:

“The outstanding issue is the question of the structure of the national police service and the relationships of local police services with Governors and Provincial Councils. The model currently being proposed involves a higher degree of central control than initially envisaged; this has been deemed necessary in the emergency period.”

**352.** The paper described a series of high-level actions required to develop governance further including building oversight mechanisms into the Fundamental Law<sup>300</sup> and creating security architecture to run a counter-insurgency campaign.

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<sup>300</sup> The ‘Fundamental Law’ is the law that determines the constitution of government.

**353.** In summary, the paper stated that the CPA “still lacks an organisational mechanism for delivering joined-up policy direction on the security sector”. It recommended that detailed planning was required to transfer security to Iraqi control.

**354.** It is unclear what became of the paper – there is no mention of it in contemporary papers that the Inquiry has seen.

**355.** Towards the end of 2003, there was awareness in the UK system that assessments given by US commanders were “exaggerated” and there were doubts about Iraqi capacity.<sup>301</sup>

**356.** By the middle of December, the FCO assessed that there were around 45,000 operational police throughout Iraq, all requiring some level of re-training.<sup>302</sup> The US assessment was that there were 63,000 operational police.

**357.** The Annotated Agenda for the 18 December meeting of the AHMGIR stated:

“US military plans for Iraqiisation of security remain highly ambitious. [General] Abizaid foresees Coalition military withdrawal from cities and Iraqi police able to combat terrorists by April 2004. But this handover can only take place if targets for expanding Iraqi units are met.”<sup>303</sup>

**358.** The minutes of the meeting recorded that Ministers “noted the security situation and that Iraqi security capacity was not being built up at a sufficient rate and quality to meet CPA aspirations” and “agreed that they and officials should lobby their US counterparts to improve training of Iraqi Security Forces, particularly the police”.<sup>304</sup>

### International Legal Assistance Consortium

In January 2004, DFID approved £2m (later increased to £2.2m) for the International Legal Assistance Consortium (ILAC) justice support programme,<sup>305</sup> to provide training in international human rights law to Iraqi judges, lawyers and prosecutors.<sup>306</sup> The programme was expected to cover a two-year period.<sup>307</sup>

By February 2005, DFID’s justice support programme had trained 218 Iraqi judges, lawyers and prosecutors in human rights, international humanitarian law and independence of the judiciary.<sup>308</sup>

<sup>301</sup> Minute Dodd to Sheinwald, 10 December 2003, ‘Iraq: Strategy Group’.

<sup>302</sup> [Letter Owen to Rycroft, 18 December 2003, ‘UK Contribution to Iraqi Police Training’](#); Annotated Agenda, 18 December 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>303</sup> Annotated Agenda, 18 December 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>304</sup> Minutes, 18 December 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>305</sup> The “justice support programme” was sometimes referred to as the “justice sector programme”.

<sup>306</sup> Report DFID, 30 June 2006, ‘Iraq International Legal Consortium Justice Sector’.

<sup>307</sup> Paper ILAC, 1 December 2003, ‘ILAC Iraq Programme – Submission to DFID’.

<sup>308</sup> [Letter Benn to Hoon, 23 February 2005.](#)

An internal DFID review of the project in June 2006 concluded that although the training (held in Dubai for security reasons) was generally of a high quality and cost-effective, the project was unlikely to lead to sustainable improvements in professional practice in the absence of any continuing in-country support for the trainees or any links to broader institutional reform processes.<sup>309</sup> An in-country justice adviser had been recruited to mitigate these weaknesses, but she had been withdrawn from Iraq after 10 days for security reasons. The review commented:

“... the project should have been used as an entry point for DFID’s work in this sector, been more flexible in the range of activities it could support, and been more closely linked to efforts at donor co-ordination ... The [review] team acknowledges that the project was put together under pressure rapidly to get programme activities started with some quick-win activities ... The pressure to move fast, however, may well have sown the seeds for the eventual, limited impact.”

**359.** In late January 2004, Acting DCC Brand reported that it had been agreed at a meeting between the CPA and the US NSC to reduce the planned “Civpol police adviser pool” – those officers who would undertake monitoring/mentoring duties – from 1,500 to 500 and to use the savings to finance specialist facilities and trainers.<sup>310</sup> DCC Brand was unable to attend; it is unclear whether there was any other UK representation at the meeting. The advisers were to be provided by Dyncorps,<sup>311</sup> with 50 being earmarked for the South.<sup>312</sup>

**360.** Although training at the Jordan training facility was under way, an FCO update to No.10 on 18 February detailed “infrastructure and contract” problems.<sup>313</sup>

**361.** The response from No.10 stated:

“The Prime Minister was disappointed to read of continuing problems with the police training in Jordan. It is not good enough that the training school is running at only half its capacity and that at the current rate the police training programme will need to extend at least to the end of the year.”<sup>314</sup>

**362.** Mr Blair requested a further update detailing the steps to be taken to “get this vital training programme back on track”.

**363.** Mr Blair raised his concerns over delays in funding the police training camp in Jordan in a video conference with President Bush on 24 February, in which Vice President Cheney and Dr Rice also participated.<sup>315</sup> The White House team told Mr Blair

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<sup>309</sup> Report DFID, 30 June 2006, ‘Iraq International Legal Consortium Justice Sector’.

<sup>310</sup> Minute Brand, 1 February 2004, ‘Report from Iraq – Douglas Brand’.

<sup>311</sup> Dyncorps is a US-based private military contractor.

<sup>312</sup> Minute FCO [junior official] to Buck, 4 February 2004, ‘Visit to Iraq 26-30 Jan’.

<sup>313</sup> [Letter Adams to Rycroft, 18 February 2004, ‘Iraq: Security Sector Reform’](#).

<sup>314</sup> Letter Rycroft to Adams, 23 February 2004, ‘Iraq: Security Sector Reform’.

<sup>315</sup> Letter Cannon to Adams, 24 February 2004, ‘Iraq: Prime Minister’s Video-Conference with President Bush, 24 February’.

that funding was not an issue and that problems with equipment had been overcome. Dr Rice described police training as a “too many cooks” situation that would be improved by the new centralised military command.

**364.** In January 2004, the MOD deployed a Defence Advisory Team (DAT) to scope the requirements for the new Iraqi Ministry of Defence (IMOD).<sup>316</sup> UK military trainers were also working on the creation of the Iraqi Joint Forces HQ, to provide command and control of the Iraqi Armed Forces.

**365.** The DAT reported its findings to Mr Webb on 30 January.<sup>317</sup> It assessed that:

“Sufficient detailed progress has been made towards the achievement of an IMOD with an initial operating capacity available from 1 May 04. Additional UK staffing assistance is warranted in the context of both immediate needs and future mentoring and implementation requirements ... We find that a UK lead for an empowered mentoring implementation project, to deliver the institutional development of a fully functional MOD, would be appropriate.”

**366.** The DAT recommended that the UK provide immediate assistance in the areas of vetting and public affairs, and consider a longer-term role mentoring key positions within the IMOD. The total mentoring requirement was expected to be around 17 staff, of whom five should be MOD UK-based civilians. The project was forecast to last two years at a cost of £1.9m, rising to £3.65m if suitable mentors could not be found from the public service.

## The military take control of police reform

**367.** In February 2004, Maj Gen Eikenberry produced an assessment of what reforms were necessary to deliver enough capable Iraqi Security Forces (ISF) to take over security responsibilities.<sup>318</sup>

**368.** The review team, which travelled to Iraq in January 2004, consisted of 22 members primarily from the US authorities and included a UK colonel.<sup>319</sup>

**369.** The key findings of the review team were:

- the need for unity of command across the security sector (the military were to assume overall command);
- the need to develop the capacity and capability of ISF (military and police) rapidly;

<sup>316</sup> Annotated Agenda, 8 January 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>317</sup> Minute Fuller to PS/Policy Director [MOD], 30 January 2004, ‘UK Support for Establishment of Iraqi Ministry of Defence (IMOD): Defence Advisory Team (DAT) Final Report and Recommendations’.

<sup>318</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>319</sup> Paper Clissitt, 1 February 2004, ‘Iraq Security Force Assessment Team (ISFAT) Initial Findings: Brief for OPCOS’; Annotated Agenda, 7 January 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

- the need for sustained monitoring and mentoring of the ISF beyond 1 July 2004; and
- the endorsement of the CENTCOM Strategic Concept to transfer security responsibilities to Iraqi forces that would permit a reduction in the numbers of Coalition Forces needed to perform internal security tasks. The timelines envisaged were:
  - local transfer by 1 July 2004;
  - regional transfer by 1 September 2004; and
  - national transfer by September 2006.

**370.** The report recommended that:

- The training and equipping programmes for the IPS should be accelerated significantly, the numbers of police increased and the Coalition military given the task of training, equipping, mentoring and certifying them.
- The ICDC should be renamed the Iraqi Civil Guard, be recognised as an enduring organisation (possibly a gendarmerie-type force) under the control of the IMOD, have its strength increased from 36 to 43 battalions and be given professional development.
- The Iraqi Army’s focus should remain on external threats but its training rate could be reduced (to allow more rapid development of other security forces).<sup>320</sup>

**371.** The summary of the report produced for the Chiefs of Staff stated:

“... the UK, through MND(SE), is regarded as the leader in ‘best practice’; in particular the objective monitoring, mentoring and certification of Iraqi security forces. As such we will be asked to assist in developing this programme throughout Iraq.”<sup>321</sup>

**372.** The Eikenberry Review was discussed by the Iraq Senior Officials Group on 3 February.<sup>322</sup> The minutes described Maj Gen Eikenberry’s recommendations for security structures as “acceptable” but said that proposals that IMOD and SSR structures should sit under the new Multi National Force (MNF) command were “less to our liking”.

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<sup>320</sup> Paper Clissitt, 1 February 2004, ‘Iraq Security Force Assessment Team (ISFAT) Initial Findings: Brief for OPCOS’.

<sup>321</sup> Paper Clissitt, 1 February 2004, ‘Iraq Security Force Assessment Team (ISFAT) Initial Findings: Brief for OPCOS’.

<sup>322</sup> Minute Dodd to Buck, 5 February 2004, ‘Iraq: Senior Officials Group’.

**373.** Sir Nigel Sheinwald chaired a meeting of the Iraq Strategy Group on 13 February.<sup>323</sup> A record of the meeting by Mr Tom Dodd, OD Sec, stated that “Baghdad and Washington were still divided over the future of the ICDC”: General Abizaid and Ambassador Bremer “preferred it becoming an army reserve” as opposed to Maj Gen Eikenberry’s proposed gendarmerie.

**374.** According to the RAND assessment of the Occupation of Iraq, Ambassador Bremer welcomed the proposal to put training of the Iraqi military under Coalition military control.<sup>324</sup> However, he was resistant to the proposal that police training should transfer to military responsibility, arguing strongly that policing was a civilian, not a military, profession.

**375.** The briefing for the AHMGIR on 1 March stated that the Eikenberry Review had identified “significant shortcomings, particularly with the police”.<sup>325</sup> Delays with deploying mentors (“1,500 international civilian police mentors have not deployed as planned”) and problems with the Jordan training school (which was running at half capacity) were assessed to be due to US funding issues. The UK contribution was described as “disproportionate” and the brief recorded that:

“MND(SE)’s approach to SSR is considered a model. The British Army is active in training ICDC battalions and the New Iraqi Army. We provide the largest contingent of police trainers in Jordan (72); the UK-run az-Zubayr police academy is now training 300 police every three weeks; and a group of PSNI [Police Service of Northern Ireland] superintendents are about to deploy to the South to mentor provincial police chiefs. We are also considering contracting around 40 police advisers as monitors, expanding the training programme at az-Zubayr, and offering police leadership training in the UK. The UK will also play a leading role in the formation of the new Iraqi MOD.”

**376.** At the meeting Ministers “noted the Coalition’s work in standing up Iraqi security forces and the UK’s disproportionate contribution to it”.<sup>326</sup>

**377.** Secretary Rumsfeld accepted Maj Gen Eikenberry’s recommendation that the US military should manage the training of Iraq’s army and police.<sup>327</sup>

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<sup>323</sup> Minute Dodd to Sheinwald, 16 February 2004, ‘Iraq: Strategy Group’.

<sup>324</sup> Dobbins J, Jones SG, Runkle B & Mohandas S. *Occupying Iraq: A History of the Coalition Provisional Authority*. RAND Corporation, 2009.

<sup>325</sup> Annotated Agenda, 1 March 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>326</sup> Minutes, 1 March 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>327</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

**378.** On 8 March, DCC Brand’s weekly report described the creation of a new “umbrella structure”, the Office of Security Co-operation (OSC), commanded by Major General Paul Eaton, the former commander of CMATT.<sup>328</sup> CMATT and the newly named policing equivalent – the Coalition Police Assistance Training Team (CPATT) – would report to the OSC. A diagram of “Command and Control Relationships” showed the OSC reporting to CJTF-7.

**379.** The creation of OSC resulted in a complex structure for police reform: CPATT became responsible for recruiting, training, equipping and mentoring the police but the CPA/MOI retained the operational and institution-building element of police reform.

**380.** CMATT and CPATT were both led by UK officers: Brigadier Nigel Aylwin-Foster and Brigadier Andrew MacKay respectively.<sup>329</sup>

**381.** Former DCC Brand told the Inquiry that the creation of OSC was:

“... quite a shock to both myself and the American director [Mr Casteel] because, overnight, the Secretary of Defense in the United States had basically taken away all responsibility for policing, including the training, equipping and recruiting, and given it to the military, and that included a budget that was US\$950m. We had had no indication of this and neither he nor I actually knew where it left us. So we went to see Ambassador Bremer to say, ‘Can you give us some direction as to what our responsibilities will be?’ and I don’t think he was too clear either on what the impact of this was. The military were very clear that it was just theirs and this would tidy things up ... it was rather draconian in terms of its mood, and the consequences ... one was that, whilst they could do the volume stuff, they still didn’t have the skill sets for basic training, and then the one thing they didn’t have, which was just so essential, and which the military training side had, is that policy advice back in Washington on policing. They had none. So they were making it up, in that sense, from theatre, rather than back at the policy headquarters.”<sup>330</sup>

**382.** On 2 April, the Cabinet Office sent an update for Ministers, in between two meetings of the AHMGIR, stating that police training was to be accelerated under the new structures with a target of completing in-service training of 43,000 officers by January 2005.<sup>331</sup> There were plans to expand the capacity of the Baghdad and Mosul training academies. The update also highlighted a “critical shortfall” in equipment for the police, the border police and the army. That was put down to issues with US contracting and funding.

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<sup>328</sup> [Minute Brand, 8 March 2004, ‘Report from Iraq – Douglas Brand’.](#)

<sup>329</sup> *BBC News*, 11 January 2006, *UK officer slams US Iraq tactics*; *Associated Press*, 10 June 2004, *Iraq Police Training A Flop*.

<sup>330</sup> Public hearing, 29 June 2010, pages 94-95.

<sup>331</sup> Letter Dodd to Owen, 2 April 2004, ‘Iraq: Update’.

## Security worsens and Iraqi Security Force weaknesses are exposed

**383.** On 25 March, the FCO's Weekly Update on Iraq for No.10 stated that a CENTCOM review had concluded that transition to local control across Iraq was "likely to be delayed by up to eight months from their original over optimistic target of May 2004".<sup>332</sup> That was due to delays in MOI programmes. The paper stated that that was "not a surprise":

"The Iraqi Security Forces do not just have to be hired; they must be vetted, trained, equipped, mentored and certified ie capability, not numbers, is the key ... Bremer has been pushing for quality for months, without the support in Washington, where the emphasis has been on numbers. On the positive side, a lesson has now been learned."

**384.** In March, Lt Gen Sanchez announced that once the ISF proved capable and credible enough to maintain local security, Coalition Forces would redeploy to bases outside major cities.<sup>333</sup> From there they would co-ordinate with the Iraqis and provide Quick Reaction Forces, but the ISF would have daily policing and patrolling duties.

**385.** Maj Gen Stewart in his evidence to the Inquiry reflected on the growing violence by February/March.<sup>334</sup> He said:

"... because we had made Security Sector Reform our main effort ... because it is our ticket out of there eventually – we have seen a fight against what we are starting to achieve in terms of Security Sector Reform.

"So there are people who are clearly unhappy at the police becoming even relatively effective, because they never became anything close to being effective."

**386.** In April, the security situation declined dramatically, with uprisings in Fallujah and Najaf, described in Section 9.2. Maj Gen Stewart told the Inquiry how "it was like a switch had been flicked" on 6 April, when there were "35 shooting incidents and attacks in Basra before 7.30 in the morning".<sup>335</sup>

**387.** Maj Gen Stewart described another incident on 21 April in which five simultaneous car bombs were detonated in Basra and az-Zubayr, killing around 70 people and injuring around 250. He said this was "all aimed at the Iraqi police because our SSR was working".

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<sup>332</sup> Minute Owen to Cannon, 25 March 2004, 'Iraq: Weekly Update' attaching paper FCO 'Iraq: No 10 Weekly Update'.

<sup>333</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>334</sup> Public hearing, 9 December 2009, page 67.

<sup>335</sup> Public hearing, 9 December 2009, pages 67-68.

**388.** Maj Gen Stewart explained that 50 percent of his force was assisting with SSR during that time. He said that SSR continued in April (although it reduced to 25 percent of his force's time) but that "one or two of the major incidents we had was people ... actually moving from location to location to try and help the SSR".

**389.** *Hard Lessons* summarised ISF performance during the violence of April 2004:

"Many elements of the newly deployed Iraqi Security Forces proved unwilling or unable to fight. Some abandoned their posts and aided the insurgency. Others mutinied when they came under fire. Iraqi police units collapsed in Fallujah, Najaf, Karbala, and Kut, and the number of Iraqi police dropped by nearly 3,000 in one week in April 2004. The Iraq Civil Defense Corps fared worst of all. From April 2 to April 16, up to 12,000 ICDC members deserted; the rates reached up to 30 percent in northeastern Iraq, 49 percent in Baghdad, 30 percent in the South-Central region, and 82 percent in Western Iraq."<sup>336</sup>

**390.** A summary produced for No.10 by the Cabinet Office in late April stated that the Iraqi police were fully recruited against a target of 75,000 but that ICDC numbers, having risen to 35,000 in early April, had subsequently fallen to 25,000.<sup>337</sup>

**391.** On 13 April, Mr Richmond reported that:

"The weaknesses in the new Iraqi Security Forces have been exposed by the events of the last week. Bremer and Sanchez are keen on the [Iraqi] Defence Minister's idea of establishing a 10,000 man task force which would draw on some of the 'non-tainted' elements of the former regime's special forces, the newly trained counter terrorism company and Iraqi Army and ICDC battalions. They also want to bring former military officers back into the security structures to create an Iraqi chain of command."<sup>338</sup>

**392.** Mr Blair met President Bush on 16 April.<sup>339</sup> At the meeting Mr Blair stated that he was concerned by progress on recruiting, equipping and training the ICDC and the police.

**393.** In April 2004, Dominic Asquith, FCO Director Iraq, reported that consideration was being given to re-engaging dismissed military officers.<sup>340</sup>

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<sup>336</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>337</sup> [Minute Dodd to Quarrey, 30 April 2004, 'Iraqi Security Force Capabilities'](#).

<sup>338</sup> Telegram 153 IraqRep to FCO London, 13 April 2004, 'Iraq: Four day Easter Roundup'.

<sup>339</sup> Letter Rycroft to Adams, 'Iraq: Prime Minister's Meeting with Bush'.

<sup>340</sup> Telegram 181 IraqRep to FCO London, 21 April 2004, 'Iraq: Sunni Politics'.

**394.** On 23 April, Ambassador Bremer made a speech in Baghdad addressed to the Iraqi people.<sup>341</sup> He said:

“... many Iraqis have complained to me that de-Ba’athification policy has been applied unevenly and unjustly. I have looked into these complaints and they are legitimate. The de-Ba’athification policy was and is sound. It does not need to be changed. It is the right policy for Iraq. But it has been poorly implemented.”

**395.** On 26 April, Mr Blair sent a Note to President Bush.<sup>342</sup> In it he suggested a number of ways of improving the situation in Iraq. The first suggestion was:

“Do whatever it takes to get the Civil Defence and police in shape. The Coalition should hire who we need; pay what it takes; create an officer class that can lead and knows that it has a huge vested interest in success. Bremer’s speech on de-Ba’athification etc was well received. But I’m not sure we really have our entire system focused on this; and it needs to be ...”

**396.** Mr Blair also suggested a focus on courts. He wrote:

“... very few cases can be tried at present; judges are subject to real intimidation. We need to ensure that trials of criminals and sentencing begins again. An independent judiciary will be a big step forward.”

**397.** Those points were reiterated in a video conference on 27 April.<sup>343</sup>

**398.** In early May, following a request from Mr Blair to “look again at progress with Iraqiisation, particularly training and equipment, and how it might be accelerated”, the Cabinet Office produced a paper entitled ‘Enhancing Iraqi Security Forces’.<sup>344</sup> The Cabinet Office gave a detailed assessment of the current situation and highlighted the following elements as the main points:

- There were benefits in taking risks in handing over local control to Iraqi citizens.
- More ex-Ba’athist army officers might be required (beyond the 4,000-5,000 there were already plans to recruit).
- The Iraqi police were fully recruited, the focus now needed to shift to specialist and leadership training.
- “10,000 Iraqi police” were “duds” and needed to be pensioned out of the service.
- More police mentors were required; “we could consider lobbying internationally for more”.

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<sup>341</sup> Speech L. Paul Bremer III, 23 April 2004, ‘Turning the Page’.

<sup>342</sup> Letter Sheinwald to Rice, 26 April 2004 attaching [Note from PM for President Bush](#).

<sup>343</sup> Letter Quarrey to Owen, 27 April 2004, ‘Prime Minister’s VTC with Bush, 27 April: Iraq’.

<sup>344</sup> [Minute Dodd to Rycroft, 7 May 2004, ‘Enhancing Iraqi Security Forces’](#).

- The disbursement of new equipment should be accelerated.
- There was a need to “get a wholesale grip of prisons policy and prisons management”.

**399.** The paper also stated that in the lead-up to the transfer of sovereignty, Coalition control over the shape and form of the ISF would reduce. On incorporating militias, the paper said: “This process needs to be taken forward carefully and systematically with a view to the long-term cohesiveness of Iraq’s security forces rather than on an ad hoc basis.”

**400.** Mr Blair raised Iraqiisation again in a video conference with President Bush on 11 May.<sup>345</sup> He questioned the current capability of the ISF, and concluded that a rolling programme for Iraqiisation concentrating not just on numbers but on how to train, equip and command the Iraqi police and ICDC, with the Iraqi Army behind them, was required.

**401.** In a Note to President Bush on 18 May, Mr Blair described work on developing the ISF as “urgent” and said that nothing should stand in its way.<sup>346</sup> He provided a paper from the MOD and highlighted the need:

- for more international police advisers, stating that the current number was only 50 percent of that required;
- for rapid recruitment of more army battalions;
- to “fix pay, equipment and IT problems of the police and civil defence”; and
- to bring in “proper officers” even if they had a Ba’athist connection.

**402.** From 20 to 23 May, a team led by Major General Nicholas Houghton, Assistant Chief of Defence Staff (Operations), and accompanied by CC Kernaghan, visited Iraq.<sup>347</sup> The visit followed a request from Mr Blair for a UK team to visit Iraq and provide a report on what further action was required to accelerate Iraqiisation.<sup>348</sup>

**403.** Maj Gen Houghton’s subsequent report noted the lack of strategy, “bureaucratic complexity” hindering access to funds and resources, “initiative overload” and a short-term focus.<sup>349</sup> However, he assessed that those mistakes were known in Iraq and action had been taken to address them. He further stated:

“The last thing the theatre needs at the moment is novel thinking imposed from outside. The concept of ‘acceleration’ is misplaced. ‘Sustained Effort’, with some change in emphasis, will produce the desired capability.”

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<sup>345</sup> Letter Sheinwald to Adams, 11 May 2004, ‘Iraq: Prime Minister’s Video Conference with President Bush, 11 May’.

<sup>346</sup> Letter Sheinwald to Rice, 18 May 2004, [untitled] attaching Note [Blair to Bush], [undated], ‘Note on Iraq’.

<sup>347</sup> Letter Naworynsky to Rycroft, 13 May 2004, ‘Enhancing Iraqi Security Forces’; Minute ACDS(Ops) to Rycroft, 25 May 2004, ‘How Best to Progress the Iraqiisation of the Security Sector’.

<sup>348</sup> Letter Rycroft to Baker, 11 May 2004, ‘Enhancing Iraqi Security Forces’.

<sup>349</sup> [Minute ACDS\(Ops\) to Rycroft, 25 May 2004, ‘How Best to Progress the Iraqiisation of the Security Sector’](#).

**404.** Maj Gen Houghton also highlighted the need for “honest acceptance” of the likely timescales, stating:

“The Iraqiisation of the Security Sector is not a deliverable on 01 July. It is a possibility that a largely Iraqiised Security Sector could deliver security for elections in Jan 05.”

**405.** Maj Gen Houghton assessed:

“The biggest single thing that will move the creation of capability forward is the increased use of military and police assets in mentoring roles. This should involve, for example, widening the concept of embedding troops within Iraqi Civil Defence Corps (ICDC) Units. Given available assets this will mean taking risk on maintaining security.”

**406.** On developing a strategy, Maj Gen Houghton stated that it must be “authored, owned and executed” in Iraq, not in London. It should also deal with policy on militias and define an end-state as there was no agreement on the constitutional, legal and judicial framework within which the security sector should operate. He also highlighted the difficulties that the transfer of sovereignty and the associated drawdown of the CPA would have in terms of loss of control and discontinuity of personnel.

**407.** In a “follow-up piece” to the paper, Maj Gen Houghton provided more detail on how a strategy should be developed.<sup>350</sup> The strategy should include a “vision”, such as: “A secure and stable Iraq maintained by credible, self-confident and capable security structures under Iraqi governance”.

**408.** Derived from that vision should be an outline of the security sector architecture. Maj Gen Houghton highlighted some “key policy decisions” that would need to be made in each area:

“(1) Iraqi Police Service (IPS). There needs to be agreement on the principle of Police Primacy (or not) in International Security (IS) issues. Will the Police Service be controlled nationally or regionally? ... Will it have a special weapons and tactics capability; if so how much and under whose control? ...

“(2) Iraqi Civil Defence Corps (ICDC). Is the ICDC a temporary or a permanent creation? ...

“(3) Iraqi Army. What is the role of the Iraqi Army in IS? ...”

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<sup>350</sup> Minute ACDS(Ops) to Rycroft, June 2004, ‘How Best to Progress the Iraqiisation of the Security Sector’.

**409.** A series of “transition plans” would be required “to get us from where we are now to where we want to be”. Those would include:

“(1) Capacity-building. Capacity-building plans for the elements of the Security Sector are well advanced but they need greater refinement to reflect the need for capability rather than just quantity ...

...

“(3) Militias. There are assessed to be 52 militias ranging in size from 12 to 31,000. They have represented useful short-term expedients, and some may need to feature as part of the longer term accepted Security Architecture. A policy for militias is starting to emerge.

...

“(6) Information Operations/Strategic Communications ... extant plans have: focused too much on 30 Jun as a watershed; ... have dealt too much in promises and have not focused enough on achievements and tangible successes.”

**410.** Maj Gen Houghton judged that: “The time has already passed when a strategy could have been imposed on the Iraqis and there is a danger that we may now be trying to develop one too late.”

**411.** On the most effective method of training, Maj Gen Houghton advised that:

“Evidence from within theatre indicates that the best way to grow genuine capability within the ISF is to embed coalition troops and International Police Advisors (IPA) inside Iraqi units.”

**412.** Maj Gen Houghton provided some suggested points to stress in public statements, including:

“(1) Significant progress already made in capability/capacity-building within ISF.

“(2) ISF already achieving local control in some areas ...

“(3) Need to maintain a sensible balance of risk in progressing Iraqisation with the operation realities of the security situation. The relevant timescale is spring 06 for us to assume strategic stand-off.”

**413.** In an annex, Maj Gen Houghton described the status of SSR in Iraq as of 25 May:

- Over 80,000 police officers were operational with approximately 20,000 having received training. An accelerated training programme was now being put in place by CPATT.
- The DBE had been “successfully ... reconstituted” (see Box, ‘The Iraqi border police’, later in this Section).

- On the FPS, the “manpower ceiling” of 73,992 had been achieved.
- The Ministry of Justice had come under full Iraqi control on 30 May. The Higher Judicial Council had been established in Baghdad and was processing up to 3,000 cases a week. The courts were functioning “reasonably well”.
- The Iraqi Correctional Service employed 3,269 officers and was operating 18 prison facilities, with a capacity of 5,500.
- The ICDC had 32,484 personnel, against a target of 40,680. Specialist training had been hampered by a lack of equipment, such as communications equipment.
- The Iraqi Armed Forces had originally been established for external security only. Four battalions had been trained for the Army, with additional personnel in the Air Force and Coastal Defence Force.

**414.** On resourcing, Maj Gen Houghton commented:

“The SSR process to date has been stifled by bureaucratic rules of the release of funds. If we are to be serious about sustaining the process of Iraqiisation of the Security Sector we need to take a pragmatic and flexible approach to the allocation of a combined UK source of some £37 million.”

**415.** Mr Blair held a meeting on 3 June at which a paper from the MOD was discussed.<sup>351</sup> It is not clear from the record which MOD paper was considered. Mr Blair agreed that a UK team should deploy to Iraq to act “in effect as the embryonic secretariat of the MCNS [Ministerial Committee for National Security, described later in this Section] and draft the equivalent of a white paper<sup>352</sup> on defence and security”.

**416.** Mr Blair asked to be informed of “any obstacles or log jams” which he might need to raise with President Bush and commissioned a round-up on Iraqiisation every two weeks. Increased mentoring was not mentioned in the record of the discussion.

**417.** Mr Blair also commissioned an update “illustrating what is actually happening in MND(SE) in terms of handing over responsibility for security to the Iraqis”. The response from the MOD is discussed later in this Section.

**418.** Two weeks later Mr Blair again discussed Iraqiisation and again requested to be informed of any issues automatically rather than having to ask.<sup>353</sup>

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<sup>351</sup> [Letter Rycroft to Baker, 3 June 2004, ‘Iraq: Prime Minister’s Meeting, 3 June’.](#)

<sup>352</sup> A ‘white paper’ is an authoritative report that informs readers concisely about a complex issue and sets out proposals for future action.

<sup>353</sup> [Letter Rycroft to Baker, 15 June 2004, ‘Iraq: Prime Minister’s meeting, 15 June’.](#)

**419.** In five meetings and conversations with President Bush in May and June, Mr Blair raised Iraqisation; emphasising the importance he attached to the approach and his hope that Lt Gen Petraeus, now Commanding General, Multi-National Force – Iraq (MNF-I subsumed OSC in June 2004), and Prime Minister Designate Ayad Allawi could agree a joint plan for publication.<sup>354</sup>

**420.** On 16 June, Sir Nigel Sheinwald sent Dr Rice a Note written by Mr Blair for President Bush.<sup>355</sup> Mr Blair envisaged that the timetable and strategy in relation to Iraq would include the Iraqi Interim Government publishing an “action plan on Iraqisation of Iraq’s security” in the week before handover and an international conference in early September. Mr Blair wrote that the problem on Iraqisation was “obvious”:

“The numbers in the police are there. But not the quality or equipment, e.g. only 7,000 of the 80,000 police are Academy trained: 62,000 have no training; only nine percent have proper body armour; only 30 percent of the required vehicles are in place. Apparently the logjam on resources and equipment is now broken. But it will take time. And the Iraqi Army isn’t really started yet.

“All of this is now urgent.”

**421.** According to *Hard Lessons*, at the end of June 2004 only half of Iraq’s army and two-thirds of its police forces had received any training at all, and the quality of that training “varied wildly”.<sup>356</sup>

### Reintegrating militias

In May 2004, Mr Richmond reported that the CPA had begun to implement a “pragmatic” strategy to reintegrate the militias into Iraqi society.<sup>357</sup> The plan was to recruit militia personnel into the ISF, to retire them with a pension or to reintegrate them through a training and job placement scheme.

The largest militia groups were the two Kurdish Peshmerga (the Kurdistan Democratic Party had an estimated strength of 41,000 and the Patriotic Union of Kurdistan 31,000) and the Badr Corps (16,000). Other smaller militia, such as the Dawa, the Iraqi National Accord and the Iraqi National Congress, tended to consist largely of security personnel protecting their respective political leaders.

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<sup>354</sup> Letter Quarrey to Owen, 20 May 2004, ‘Prime Minister’s VTC with Bush, 20 May: Iraq’; Letter Quarrey to Owen, 26 May 2004, ‘Iraq: Prime Minister’s VTC with Bush, 26 May’; Letter Rycroft to Adams, 30 May 2004, ‘Prime Minister’s Conversation with Bush, 30 May’; Letter Rycroft to Adams, 9 June 2004, ‘Prime Minister’s Meeting with President Bush 9 June 2004: Iraq and European Issues’; Letter Quarrey to Owen, 22 June 2004, ‘Prime Minister’s VTC with Bush, 22 June: Iraq’.

<sup>355</sup> Letter Sheinwald to Rice, 16 June 2004, [untitled] attaching [Note Blair \[to Bush\], \[undated\], ‘Note’](#).

<sup>356</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>357</sup> Telegram 263 IraqRep to FCO London, 27 May 2004, ‘Iraq: Militia Strategy’.

There were also “unofficial” militias which were meant to be dismantled. Jaysh al-Mahdi (JAM) was judged to be “the most dangerous” of those. Mr Richmond commented that dismantling militias was “Not an easy task as we have discovered”. He concluded his report to London:

“It is easy to be sceptical about how quickly and effectively the militias will be dismantled. There is an element of re-badging in the agreed approach but it is probably the only realistic way forward. A system which brings militia members within the ambit of the state, if only nominally, is better than leaving the problem unresolved. It is also an important confidence building measure. Ultimately, militias will only disappear when the economy is strong enough to offer people higher paid jobs elsewhere and the political system is sufficiently stable to remove their *raison d’être*.”

On 7 June, Ambassador Bremer signed CPA Order No.91, entitled “Regulation of Armed Forces and Militias within Iraq”.<sup>358</sup> It prohibited the existence of armed forces and militias other than those created by the CPA. Existing militia could remain only if they had a “Transition and Reintegration” plan which included timescales for their disbandment and a full list of members. Article 27 of the Transitional Administrative Law (TAL) and subsequently Article 9 of the Iraqi Constitution prohibited armed forces or militias that were not part of the Iraqi Armed Forces.<sup>359</sup>

An update to No.10 from the MOD in August 2004 stated: “The success of this initiative will not only help generate stability in Iraq, but may serve as an example of de-militarisation in future conflicts.”<sup>360</sup>

## Restructuring in advance of transfer of sovereignty

**422.** CPA Order No.68, in early April 2004, established the Ministerial Committee for National Security (MCNS) and the position of National Security Adviser.<sup>361</sup>

**423.** The role of the MCNS was to facilitate and co-ordinate national security policy among the ministries and agencies of the Iraqi Government tasked with national security decisions. It was to be the primary forum for ministerial-level decision-making on national security issues and would comprise:

- Ambassador Bremer (Chair) until transfer of sovereignty, after which the Chair would be the Prime Minister;
- Minister of Defence;
- Minister of the Interior;
- Minister for Foreign Affairs;
- Minister of Justice;

<sup>358</sup> Coalition Provisional Authority Order 91, 7 June 2004, ‘Regulation of Armed Forces and Militias within Iraq’.

<sup>359</sup> Report to Congress, 13 October 2005, *Measuring Stability and Security in Iraq*.

<sup>360</sup> Minute Naworynsky to Phillipson, 20 August 2004, ‘Report from Lt Gen Petraeus, Multi-National Security Transition Command – Iraq (MNSTC-I) on developing the Iraqi Security Forces’.

<sup>361</sup> Coalition Provisional Authority Order 68, 4 April 2004, ‘Ministerial Committee for National Security’.

- Minister of Finance;
- National Security Adviser (in an advisory capacity);
- Director of the Iraqi National Intelligence Service (in an advisory capacity);
- Senior Military Adviser (in an advisory capacity);
- MNF Commander or his representative (by invitation); and
- other appropriate individuals (by invitation).

**424.** The first meeting of the MCNS took place on 21 March under the chairmanship of Ambassador Bremer.<sup>362</sup> He later described the committee as “effectively an Iraqi version of our [the US] National Security Council”.<sup>363</sup>

**425.** The MCNS met regularly from this point onwards and its meetings were often attended by the British Ambassador and the Senior British Military Representative in Iraq.

**426.** The role of National Security Adviser was to act as the primary adviser on national security matters and to manage the National Security Advisory Staff. Dr Mowaffak al-Rubaie was appointed to that role in April 2004 and served until April 2009.

**427.** A briefing from the MOD for No.10 in May described the following structures beneath the MCNS:

- A Commander’s Council and a Contact Group.
- Provincial and local structures, such as provincial security committees to discuss “security issues in the broadest sense” (these became known as Provincial Joint Co-ordination Centres – PJCCs) and local co-ordination structures known as Joint Operating Centres.
- The Iraqi Army and the ICDC would be under the command and control of the IMOD through the Joint Headquarters. However, in the short term they would need to be under the operational command and control of the MNF.
- There was uncertainty around police command and control but it was thought that they would report through local police chiefs to the MOI. Ideally the police force should be the lead for all internal security but this might not be possible straight away.
- That transition to local control would occur at different speeds in different areas. The CJTF-7 target for local control across Iraq had slipped from June to December – “a target which not only will be met but which will be bettered by the four provinces of MND(SE)”.<sup>364</sup>

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<sup>362</sup> Telegram No 102 IraqRep to FCO, 22 March 2004, ‘Iraq: First Meeting of the National Security Committee’.

<sup>363</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>364</sup> [Minute Naworynsky to Quarrey, 11 May 2004, ‘Iraq: Security Structures After 30 June’](#).

**428.** On 22 April, CPA Order No.73 put the ICDC under the control of the IMOD.<sup>365</sup> The ICDC was renamed the Iraqi National Guard (ING) on 20 June 2004.

**429.** In response to the violence in Fallujah, Najaf and other locations in April, a number of different “elite” forces were created in an attempt to raise the capability of some of the ISF above that of the insurgents. Table 2 provides a summary of those.<sup>366</sup>

**Table 2: Iraqi Security Institutions**

<b>Name</b>	<b>Department</b>	<b>Date created</b>	<b>Detail</b>
Emergency Response Units	MOI	CPA era	A small, elite, national unit trained for high-risk search, arrest, hostage rescue, crisis response, and explosive ordnance disposal (EOD) missions. <sup>367</sup>  By July 2004 only 40 officers were operational; the target was 750 officers by November 2005.
Iraqi Intervention Force	IMOD	June 2004	6,000 strong, announced by Prime Minister Allawi before he took office. <sup>368</sup>
Iraqi Special Operations Force:  – Commando Battalion  – Iraqi Counter-Terrorism Force	IMOD	July 2004	An elite force which operated outside the Iraqi Armed Forces chain of command. Trained by US Special Forces.
Civil Intervention Force – Special Police Commandos	MOI (all MOI forces here were collectively known as Special Police Forces)	September 2004	An elite paramilitary force for counter-insurgency support created by Mr Bayan Jabr, Minister of the Interior.  The Commandos received no traditional police training. <sup>369</sup>
Civil Intervention Force – Mechanised Police	MOI	November 2004	Conducted vehicle-mounted operations to secure high-value routes, such as Route Irish (the route from the airport to the Green Zone in Baghdad).

<sup>365</sup> Coalition Provisional Authority Order Number 28 – Establishment of the Iraqi Civil Defense Corps, 3 September 2003; Wright Dr DP & Reese Col TR. On Point II: Transition to the New Campaign. The United States Army in Operation IRAQI FREEDOM May 2003 – January 2005, Combined Studies Institute Press, June 2008.

<sup>366</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>367</sup> Report to Congress, 13 October 2005, *Measuring Stability and Security in Iraq*.

<sup>368</sup> Letter Cabinet Office [junior official] to Sheinwald, 29 June 2004, ‘Iraq: Strategy Group’.

<sup>369</sup> Report to Congress, July 2005, *Measuring Stability and Security in Iraq*.

Public Order Battalions	MOI	September 2004	<p>A lighter force which conducted counter-insurgency operations but primarily performed a traditional police function in very hostile environments.</p> <p>The Public Order Battalions were recruited almost entirely from Shia neighbourhoods around Baghdad and locations in southern Iraq and were not under Multi-National Security Transition Command – Iraq (MNSTC-I) supervision. They were later regarded by Sunnis as evidence of Shia abuse of their power as head of the MOI.<sup>370</sup></p>
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**430.** The creation of “elite” forces within the MOI led to two types of police – national (although not formally badged as the “National Police” until April 2006; see Box, ‘The National Police’, later in this Section) and local. The national-type police forces (elite forces) reported directly to the Minister of Interior, while the local forces reported through a Provincial Director of Police to a Deputy Minister in the MOI responsible for policing.

**431.** Coalition military structures were also re-organised in preparation for the transfer of sovereignty. Part of that re-organisation subsumed the Office of Security Co-operation (OSC) into the Multi-National Security Transition Command – Iraq (MNSTC-I).<sup>371</sup>

### Multi-National Security Transition Command – Iraq

The Multi-National Security Transition Command – Iraq (MNSTC-I) came into existence on 6 June 2004 and was led by Lt Gen Petraeus.<sup>372</sup>

MNSTC-I was organised into three training teams:

- the Coalition Military Assistance Training Team (CMATT) – to organise, train and equip the Iraqi Army;
- the Joint Headquarters Advisory Support Team (JHQ-ST) – to assist the Iraqi Army command and control system; and
- the Civilian Police Assistance Training Team (CPATT) – to organise, train and equip the Iraqi Police.

The UK also provided a training team of approximately 10 personnel to MNSTC-I to carry out Basic Officer Training.<sup>373</sup> The UK training team became part of the NATO mission in 2005.

<sup>370</sup> Wright DP & Reese TR. *On Point II: Transition to the New Campaign – The United States Army in Operation IRAQI FREEDOM May 2003 – January 2005*. Combined Studies Institute Press, June 2008.

<sup>371</sup> Wright Dr DP & Reese Col TR. *On Point II: Transition to the New Campaign – The United States Army in Operation IRAQI FREEDOM May 2003 – January 2005*. Combined Studies Institute Press, June 2008.

<sup>372</sup> Wright Dr DP & Reese Col TR. *On Point II: Transition to the New Campaign – The United States Army in Operation IRAQI FREEDOM May 2003 – January 2005*. Combined Studies Institute Press, June 2008.

<sup>373</sup> Minute Vincent to Naworynsky, 21 February 2005, ‘The NATO Training Mission Iraq (NTM-I)”; Minute Naworynsky to Vincent, 22 February 2005, ‘The NATO Training Mission Iraq (NTM-I)’.

## SSR in the South: after the invasion

### Multi-National Division (South-East)

Multi-National Division (South-East) (MND(SE)) was established on 12 July.<sup>374</sup> That formalised the UK's responsibility for maintaining security in the provinces of Basra, Muthanna, Dhi Qar and Maysan, initially as an Occupying Power and, from June 2004, in support of the Iraqi Government. That area of Iraq is often referred to as 'the South'.

**432.** On 14 April, Mr Blair told the House of Commons that the South of Iraq was "largely under British control".<sup>375</sup> In Basra:

"About 200 policemen have reported for work. Joint patrols started on 13 April. In surrounding towns, looting has either ceased or is declining, local patrols are being re-established and co-operation with city councils is going well."

**433.** In response to a question from Mr Iain Duncan Smith, the Leader of the Opposition, Mr Blair told Members of Parliament (MPs):

"Of course the British forces will stay until there is proper security in the country, although obviously we hope to ensure that some of the policing is done by local people as soon as possible. That is why it is encouraging that joint patrols are already taking place. Although people may find this strange, much of the problem for Iraqi citizens came from the special security forces, not the ordinary civil police, if I may put it like that. Many of those people could perform an adequate and good task for the future of Iraq. Other countries are already offering help in relation to policing and security."<sup>376</sup>

**434.** Responding to a proposal by Mr Jeffrey M Donaldson that the UK should draw on the experience of retired Royal Ulster Constabulary (RUC) officers to police Iraq, Mr Blair said:

"We should look at using retired RUC officers. Indeed, the Defence Secretary tells me that representatives of our UK police have gone out to Iraq to see what assistance we can give."<sup>377</sup>

**435.** Pressed by Mr Nicholas Soames to "take seriously" Mr Donaldson's point, Mr Blair added that deploying former officers was "a priority for us, because the better we can maintain order, the better it is for the people of Iraq and the less is the pressure on our soldiers".<sup>378</sup>

<sup>374</sup> Report Lamb, 30 January 2004, 'Post Operational Tour Report – Version 1 Operation Telic 2/3 11 July to 28 December 2003'.

<sup>375</sup> House of Commons, *Official Report*, 14 April 2003, columns 615-616.

<sup>376</sup> House of Commons, *Official Report*, 14 April 2003, column 619.

<sup>377</sup> House of Commons, *Official Report*, 14 April 2003, column 625.

<sup>378</sup> House of Commons, *Official Report*, 14 April 2003, columns 628-629.

**436.** From early April, policing functions in MND(SE) were undertaken by the military, under a Royal Military Police (RMP) lead.<sup>379</sup> Following his visit to Iraq in May, CC Kernaghan observed that “local volunteers had been recruited as auxiliaries and that they, together with elements of the Saddam Hussein era police, were being trained by the RMP in the basics of police work”. Plans were in place to refurbish police stations, courts and prisons; to provide basic training to officers who had reported back or had been recruited since the invasion; to select and issue new uniforms; and to re-establish a viable local criminal justice system.

**437.** CC Kernaghan judged that “the British effort was focused on providing a visible police presence on the streets to reassure the wider population”.

**438.** By early July, the military had appointed a Chief of Police and outlined plans to develop a training academy in az-Zubayr, near Basra.<sup>380</sup>

**439.** The Dutch Marechaussee (Royal Military Constabulary) and Italian Carabinieri (National Military Police) were also deployed in Muthanna and Dhi Qar provinces respectively. They undertook basic training and mentoring of Iraqi police in their areas. Maj Gen Stewart told the Inquiry that the Carabinieri were “just the right sort of troops to help train [the Iraqis]”.<sup>381</sup>

**440.** A record of a meeting on 25 June between the FCO, ACPO and the Home Office stated:

“The Prime Minister was authoritatively quoted as wishing to see the southern AO ... develop as an exemplar for the whole of Iraq. The Iraq Policy Unit (IPU) made it clear that HMG [Her Majesty’s Government] recognised the need to make progress in advance of any agreed CPA strategy [on SSR]. Specifically, in respect of the Iraqi Armed Forces and the police.”<sup>382</sup>

### The Basra River Service

By June, British commanders had instigated the creation of the “Basra River Service” to employ ex-naval personnel. Major General Adrian Bradshaw, Commander 7 Armoured Brigade in 2003, told the Inquiry:

“In the weeks after our arrival, we became very aware that the ex-naval and military personnel in the province, of whom there were 10,000 or 12,000, had also not been paid for several months and were facing a desperate situation and ... they came to us asking for us to do something about their people ...

<sup>379</sup> [Letter Kernaghan to Blunkett, 23 May 2003, ‘Iraq – Visit by Chief Constable P R Kernaghan’ attaching Report Kernaghan, 10 May 2003, ‘Report on Visit to Iraq by Chief Constable Kernaghan \[13-20 May 2003\]’.](#)

<sup>380</sup> Statement White, 20 June 2010, pages 19-20.

<sup>381</sup> Public hearing, 9 December 2009, page 75.

<sup>382</sup> Minute Kernaghan to UND [junior official], 26 June 2003, ‘Iraq and the UK Police Service – meeting 25/6/03’.

“It was clear to me that what was at that stage developing into quite a sort of robust peaceful protest had the potential to go a lot further ... So I proposed ... that we should effectively demobilise these people with a demobilisation payment and then take them on ... as 10,000 more on the 180,000 civil sector workers with a marker against their name to be part of the future security structure and almost immediately then we started employing them in a force that we created called the Basra River Service which was designed to promote security on the waterway, along which a vast amount of looted copper and brass ingots were being spirited away into a sort of open black market in the Gulf and tons of steel from cables and all manner of material.”<sup>383</sup>

**441.** July saw a substantial reduction of military personnel within South-East Iraq, including a reduction in RMP platoons from eight to two (approximately 800 to 200 personnel).<sup>384</sup>

### Problems deploying police officers

**442.** Following the agreement for the UK to provide a Chief Constable to be the senior policing adviser to the CPA within the MOI, officials in the FCO continued to recommend the deployment of around 20 MOD police officers.<sup>385</sup>

**443.** It appears that that deployment was first mentioned to CPA(South) on 7 June when an email was sent from the UND to a junior official who was seconded to CPA(South).<sup>386</sup> The official’s response was that it would not be feasible for the MOD police officers to come under CPA(South) as they had no authority to manage the responsibility, and no ability to provide security.

**444.** The IPU was concerned that that might prove a stumbling block: they were keen to ensure that the MOD police officers had some responsibility to the CPA’s policing team in Baghdad.<sup>387</sup>

**445.** As a result, they began to consider providing CPA(South) with “a secondee with specific responsibility for policing/SSR”.<sup>388</sup> That idea was strongly welcomed by CPA(South).

**446.** In June, the FCO agreed to appoint ACC Douglas Brand from the South Yorkshire Constabulary to the post of Senior Police Adviser to the CPA in Baghdad (as described

<sup>383</sup> Private hearing, 2 June 2010, pages 9-10.

<sup>384</sup> Minute FCO [junior official] to PS/Foreign Secretary, 8 July 2003, ‘Iraq: Police Reform’.

<sup>385</sup> Minute UND [junior official] to MOD(Sec Iraq), 9 June 2003, ‘Iraq: Policing Strategy’.

<sup>386</sup> Email MOD [junior official] to FCO [junior official], 7 June 2003, ‘Basra Police Training Team: Possible Deployment’.

<sup>387</sup> Email Lowe [MOD] to FCO [junior official], 9 June 2003, ‘Basra Police Training Team: Possible Deployment’.

<sup>388</sup> Email Home Office [junior official] to FCO [junior official], 10 June 2003, ‘Basra Police Training Team: Possible Deployment’.

earlier in this Section), and ACC Stephen White from the Police Service of Northern Ireland (PSNI) to what became the post of Senior Police Adviser and Director of Law and Order for CPA(South).<sup>389</sup> Both individuals deployed as Acting Deputy Chief Constables.<sup>390</sup>

**447.** The Annotated Agenda for the AHMGIR stated that the UK was “pursuing plans to send MOD Police to begin basic training for police in Basra”, adding “this ... will subsequently be subsumed into an international policing team working in accordance with an agreed coalition policing strategy”. It highlighted that the UK had offered two Assistant Chief Constables to help develop the policing strategy, one in Baghdad, the other in Basra.<sup>391</sup>

**448.** The AHMGIR met on 12 June and Ministers agreed that the MOD police contingent should deploy to Basra as soon as practicable.<sup>392</sup>

**449.** The UND asked the MOD’s Iraq Secretariat to action this, stating that it would be for the RMP’s Provost Marshal<sup>393</sup> to judge the capacity of the military to accommodate that contingent of police officers, who would be “reliant on military support for board, accommodation, transport and security”.<sup>394</sup>

**450.** The FCO convened a meeting to discuss arrangements on 25 June. The only record of the meeting identified by the Government was taken by CC Kernaghan.<sup>395</sup> In the meeting it was agreed that, instead of deploying the full contingent of 21 MOD officers, DCC White would deploy with three or four MOD police/PSNI officers and conduct a training needs analysis.

**451.** CC Kernaghan stated that the only request for UK civilian police secondees that had been relayed to ACPO at that time was for the two ACCs (ACC White and ACC Brand). He highlighted the pressures on the domestic police service and the limitations on its ability to provide large numbers of armed officers, noting that “any request would require clear political approval and endorsement” before ACPO could consider it, but added that ACPO “would seek to respond positively to UK Government requests and had specialist capabilities, which might play a constructive role in police reform generally”.

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<sup>389</sup> Email Kernaghan to Fox, 20 June 2003, ‘Assistant Chief Constables Selected by FCO for Secondment to Iraq’.

<sup>390</sup> Minute FCO [junior official] to Kernaghan, 2 July 2003, ‘ACPO Secondments to Iraq: Initial Terms of Reference’.

<sup>391</sup> Annotated Agenda, 12 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>392</sup> Minutes, 12 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>393</sup> Provost Marshal is the title given to a person in charge of a group of military police.

<sup>394</sup> Minute FCO [junior official] to MOD [junior official], 13 June 2003, ‘Iraq Police Reform – MDP Trainers for Basra’.

<sup>395</sup> Minute Kernaghan to FCO [junior official], 26 June 2003, ‘Iraq and the UK Police Service – Meeting 25/6/03’.

**452.** On 8 July, officials in the FCO advised Mr Straw that he should write to Mr Blunkett to seek nominations of up to 200 police officers for firearms training with a view to drawing on this pool for future deployments to Iraq when conditions were judged by DCCs White and Brand to be right.<sup>396</sup>

**453.** On 18 July, Mr Straw wrote to Mr Blunkett requesting the nomination of a pool of officers for firearms training in Iraq to meet the request from the CPA.<sup>397</sup> The letter made clear that a further assessment would be needed, prior to deployment, of the security situation in Iraq and the appropriateness of deploying UK police officers.

**454.** The original minute to the Foreign Secretary did not propose that he should write to Ministers in the Scottish Government or to the Northern Ireland Secretary, responsible respectively for police forces in Scotland and Northern Ireland.<sup>398</sup> ACPO Scotland was instead approached at official level.<sup>399</sup>

**455.** ACPO issued a letter to police forces in England and Wales on 31 July informing them of a trawl notice to be issued by the FCO seeking volunteers to form a pool of officers for potential deployment to Iraq.<sup>400</sup>

**456.** By September 2003, 260 police officers had applied to the pool.<sup>401</sup>

**457.** On 10 August, DCC Brand asked for the deployment of four police officers – ideally with a background in intelligence and operational planning – to staff a Joint Command Centre (JCC) in Baghdad designed to prevent friendly fire incidents.<sup>402</sup>

**458.** Former DCC Brand told the Inquiry how his request for support staff had eventually been met:

“[Lt] General Viggers [the Senior British Military Representative – Iraq] ... loaned me a captain ... so that I had somebody who could answer my phone and make appointments whilst I was in other meetings. It wasn't until the end of September that I had an administrative assistant, and then, sometime in October, when the Ministry of Defence police contingent came out and I was able to take somebody as a sort of ... staff officer.

“It was ... quite challenging to ... operate at a two-star level, engage at the highest level diplomatically and militarily – when one is answering one's own phone and trying to do all of the administration that supports that type of activity.”<sup>403</sup>

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<sup>396</sup> Minute FCO [junior official] to Private Secretary [FCO], 8 July 2003, 'Iraq: Police Reform'.

<sup>397</sup> Letter Straw to Blunkett, 18 July 2003, 'Iraq: Police Reform'.

<sup>398</sup> Minute FCO [junior official] to Private Secretary [FCO], 8 July 2003, 'Iraq: Police Reform'.

<sup>399</sup> Minute UND [junior official] to Buck, 18 September 2003, 'Iraq Police Reform: UK Contribution'.

<sup>400</sup> Letter Kernaghan to President of ACPO, 31 July 2003, 'Creation of a Pool of Police Officers for Possible Service in Iraq'.

<sup>401</sup> Annotated Agenda, 18 September 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>402</sup> Minute Brand, 10 August 2003, 'Report from Iraq – Douglas Brand'.

<sup>403</sup> Public hearing, 29 June 2010, pages 40-41.

**459.** An IPU update for Mr Blair on 3 September stated:

“In addition to the senior UK police officers already in Iraq, 15 UK trainers can be deployed within two weeks and another 60 by the end of October. Our target is 100 UK trainers deployed by end 2003 (of a planned CPA total of 600).”<sup>404</sup>

**460.** CC Kernaghan stated in an email to the Home Office that neither ACPO nor the Chief Constable of the MOD police had been approached to deploy the 15 “trainers” mentioned.<sup>405</sup> He also stated that the FCO had not – at that point – conducted the risk assessment it had promised nor agreed with ACPO that conditions were right to permit UK police officers to be deployed in Iraq.

**461.** In his evidence to the Inquiry, Lieutenant General Sir Graeme Lamb, GOC MND(SE) from July 2003 to December 2003, described needing “about 90 policemen” in July, but six months later he had only two.<sup>406</sup> He stated that “... people talked a lot, they promised a great deal ... in fact delivery was always the problem”.

**462.** Lt Gen Lamb said that his “sense was there was no shortage of individuals who were prepared to volunteer” but Chief Constables were “reluctant” and “did not allow them to come forward” because they felt it would be a breach of their duty of care given the difficult security situation.

**463.** Sir Hilary Synnott agreed that he perceived a “tremendous reluctance” from ACPO to supply police officers.<sup>407</sup>

**464.** In late September 2003, both DCC Brand and DCC White expressed their frustration about the lack of additional UK police officers in Iraq.<sup>408</sup> On 21 September, in response to being informed that the FCO was considering asking the PSNI to provide the four staff he requested in August, DCC Brand wrote:

“... I don’t mind where they come from as long as they get here ASAP. The JCC [Joint Command Centre] is now being seen by the military as the only current solution to the problem of soldiers shooting Iraqi police officers because of a lack of awareness of deployments ... They [the military] have everything in place ... I made my original request ... **6 weeks ago** ... If we are only just thinking about approaching PSNI it may be weeks or months before the officers are able to travel and we would lose all credibility with the American military ... To remind you, **this was our idea** ... I urge you to act swiftly and not delay any longer.”<sup>409</sup>

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<sup>404</sup> [Paper IPU, 3 September 2003, ‘Iraq Security Plan’.](#)

<sup>405</sup> Email Kernaghan to Home Office [junior official], 4 September 2003, ‘Iraq – Iraq Rehabilitation Group Briefing Papers – 4/9/03’.

<sup>406</sup> Public hearing, 9 December 2009, pages 19-20.

<sup>407</sup> Public hearing, 9 December 2009, page 21.

<sup>408</sup> [Email Brand to FCO \[junior official\], 21 September 2003, ‘Re: Police Training plan’](#); Email White to UND [junior official], 21 September 2003, ‘Re: Police Training plan’.

<sup>409</sup> [Email Brand to FCO \[junior official\], 21 September 2003, ‘Re: Police Training plan’.](#)

**465.** The following day, DCC White wrote to a junior official in the FCO's Iraq Security Sector Unit, to summarise his understanding of the position in MND(SE) ahead of a briefing with Sir Jeremy Greenstock and Sir Hilary Synnott:

"... I would like to be able to tell them that I have been updated by FCO in relation to: my resource bids other than training staff (I am assuming they are not being addressed); MDP [MOD police] deployments to Basra (I am assuming they are not being deployed); training staff requests for mid October (I am certain they are not being met); and training staff requests for Nov/Dec (it appears they are not likely to be met)."<sup>410</sup>

**466.** He summed up by saying:

"Those of us on the ground are finding it difficult to fully understand what the main issues of the debate are regarding the deployment or otherwise of UK civpol."

**467.** Upon receiving those emails, CC Kernaghan wrote to the Home Office to clarify the ACPO position.<sup>411</sup> He made clear that there were "no outstanding requests with ACPO, nor have any been refused to date". He stated that current delays were due to a lack of firearms training and that deployment without such training would require a "clear statement from the Home Office that such a move was seen as desirable". He also said that he had "no doubt" that the FCO's International Policing Unit could expedite selection and training if directed. He concluded by saying:

"In essence, the FCO, with the support of allied departments and agencies, needs to provide quicker and more authoritative feedback to DB & SW [DCCs Brand and White]."

**468.** On 4 October, Ms Clwyd asked Mr Straw in a House of Commons debate when he intended to "strengthen the number of British advisers and support staff". Mr Straw responded, saying that he intended to investigate the matter and that it was his understanding that "from this week, DCC White will be supported in his role by six Ministry of Defence police officers".<sup>412</sup>

**469.** Six MOD police officers were deployed to Baghdad in October.<sup>413</sup>

**470.** The potential availability of PSNI officers for deployment was discussed in a meeting between DCC White and Mr Bill Rammell, FCO Parliamentary Under-Secretary of State, based upon informal discussions between DCC White and Mr Hugh Orde, Chief Constable of the PSNI.<sup>414</sup> The Iraq Security Sector Unit (ISSU) note stated that their decision not to approach the Northern Ireland Office had been based on a letter

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<sup>410</sup> Email White to UND [junior official], 21 September 2003, 'Re: Police Training plan'.

<sup>411</sup> [Email Kernaghan to Home Office \[junior official\], 22 September 2003, 'Iraq – Recent Developments'](#).

<sup>412</sup> House of Commons, *Official Report*, 4 October 2003, column 9.

<sup>413</sup> Letter Lee to Clarke, 18 February 2004, 'Deployment of MDP Officers to Iraq'.

<sup>414</sup> [Minute FCO \[junior official\] to PS/SofS \[FCO\], 4 November 2003, 'Iraq Policing'](#).

from 2002. The letter said that for domestic reasons the PSNI would no longer be in a position to contribute to overseas police missions.

**471.** On 6 November, Ms Jane Kennedy, Minister of State for Northern Ireland, wrote to Mr Straw stating that Mr Orde had agreed to identify at least six and up to 10 “PSNI officers of Inspector to Superintendent ranks with operational experience in working with the military willing to undertake a secondment to Basra”.<sup>415</sup> Ms Kennedy stated that Mr Orde had also indicated that he would consider further deployments under the “auspices of ACPO”.

**472.** In a visit report dated 18 November (described earlier in this Section), CC Kernaghan recommended an increase in UK police officers deployed to both Baghdad and Basra.<sup>416</sup> He highlighted that only 27 of the 43 police forces in England and Wales – and six of the eight in Scotland – had nominated officers to serve in Iraq. He welcomed the willingness of the Northern Ireland Office/PSNI to deploy police officers to Iraq but cautioned that the PSNI should not be seen as a separate entity. In particular he was concerned that they should not be expected to take greater risks than other UK police officers.

**473.** The development of police training across Iraq is discussed in Box, ‘Police training academies’, earlier in this Section.

**474.** Plans for the Jordan academy were discussed at the Iraq Senior Officials Group on 9 September.<sup>417</sup> The IPU briefing for the meeting stated that the 21 UK officers could be deployed by the end of December and that other troop-contributing nations should be encouraged to send trainers.<sup>418</sup>

**475.** The minutes of the meeting stated:

“The Home Secretary and ACPO were content in principle with the deployment of UK police trainers ... This could happen ... before the end of October. However ... [they] would need to see a plan for the school including a security assessment, and a more defined strategy for policing than existed at present.”<sup>419</sup>

**476.** At that stage, deployment of UK police officers for the facility was being delayed by lack of firearms training or adequate security provisions for them to deploy without such training.<sup>420</sup>

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<sup>415</sup> [Letter Kennedy to Straw, 6 November 2003, ‘UK Policing Assistance – Iraq’.](#)

<sup>416</sup> [Report Kernaghan to Straw, 18 November 2003, ‘Report on Second Visit to Iraq by Chief Constable Kernaghan – 11/11/03-14/11/03’.](#)

<sup>417</sup> Letter Dodd to Sheinwald, 10 September 2003, [untitled].

<sup>418</sup> [Paper IPU, 8 September 2003, ‘Iraq: Security Action Plan’.](#)

<sup>419</sup> Letter Dodd to Sheinwald, 10 September 2003, [untitled].

<sup>420</sup> [Minute FCO, 18 September 2003, ‘Iraq: Police Training: Update: 18 September’;](#) Email White to UND [junior official], 21 September 2003, ‘Re: Police Training plan’.

**477.** The Iraq Senior Officials Group met on 23 September and stated that the FCO was sifting applications and hoped to supply 80 trainers for the Jordan school and 20 for training in az-Zubayr; no timelines for deployment were provided.<sup>421</sup>

**478.** At an Iraq Policing Meeting on 24 October, it was agreed that FCO officials should advise Mr Straw to ask Mr Blunkett to authorise the deployment of police to Iraq.<sup>422</sup>

**479.** By 18 November, CC Kernaghan noted that the deployment to Basra had still “not yet been formally requested” and was “subject to an appropriate security assessment”.<sup>423</sup>

**480.** Mr Straw visited Iraq in late November and met DCC White. In his statement to the Inquiry, Former ACC White said:

“I was shocked when he [Mr Straw] told me that he was being told that; there were no delays in getting police out to Basra (in fact none had arrived since my advance party came to the place in July, despite requests and reports); that there was no sleeping accommodation for UK police in CPA South (as there were many Portakabins available such as the one I lived in); and that the police academy was not ready (as it had been open and functioning since mid October and all I needed were some more police to help us open and use the many other empty classrooms). This final point was frustrating to hear, because to my memory only one person (a military officer attached to an FCO Iraq unit) had visited it and, in what was a classic ‘Catch 22’ situation, it appeared that (in UK) some were saying it was not open to justify not deploying trainers – yet the reason why it was not open was because no trainers were deployed to it.”<sup>424</sup>

**481.** Following his visit, Mr Straw wrote to Mr John Sawers, Political Director in the FCO, the next day saying:

“I would be grateful if you would personally grip this issue and ensure that the key action points arising from CC Kernaghan’s report of his Iraq trip are dealt with as soon as possible. A combination of the Byzantine bureaucracy of ACPO and a lack of understanding in the FCO about police issues and practice ... threaten further delays and a sub-optimal delivery in an area where the UK has a serious contribution to make.”<sup>425</sup>

**482.** On the same day, Mr Straw told the AHMGIR that the “UK contribution to policing was inadequate” and that he would be writing to Mr Blunkett to encourage more police forces to release personnel.<sup>426</sup>

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<sup>421</sup> Minute, 25 September 2003, ‘Iraq Senior Officials Group meeting [23 September]’.

<sup>422</sup> Minutes Hayward, 24 October 2003, ‘Iraq Policing Meeting – 24 Oct 03’.

<sup>423</sup> [Report Kernaghan to Straw, 18 November 2003, ‘Report on Second Visit to Iraq by Chief Constable Kernaghan – 11/11/03-14/11/03’.](#)

<sup>424</sup> Statement, 20 June 2010, page 35.

<sup>425</sup> Minute Straw to Sawers, 27 November 2003, ‘UK Police Assistance to Iraq’.

<sup>426</sup> Minutes, 27 November 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

**483.** On 28 November, more than two months after applications were sifted, Mr Straw wrote to Mr Blunkett formally requesting the deployment of 24 officers to work at the az-Zubayr training academy, noting that ACPO was content with the risk assessment.<sup>427</sup>

**484.** Mr Blunkett agreed to that request on 3 December.<sup>428</sup>

**485.** In a letter to No.10 in mid-December, Mr Straw's Private Secretary reported that the 24 additional British officers would arrive at az-Zubayr that week.<sup>429</sup> He also reported that 36 officers had deployed to Jordan and a further 40 were on standby to join once capacity had been increased. In addition:

“The UK's senior input to Iraq policing remains strong. DCC Douglas Brand, senior police adviser in the CPA is responsible for overall policing strategy and implementation, and will be in place for a further 6 months. In the South, ACC Stephen White will be replaced from end January. Both officers' teams are currently being strengthened.”

**486.** The UK police trainers arrived and training began on 27 December.<sup>430</sup> The military also supplied two lieutenant colonels as members of the project team and 20 trainers (10 Royal Military Police (RMP) and 10 Carabinieri). Following discussions with the military and the senior adviser to MOI, Mr Casteel, it was agreed that the military and UK police officers would share responsibility for training at the az-Zubayr facility.

**487.** By March 2004 there were over 100 UK police officers working on SSR:

- two senior police advisers (DCC Brand in Baghdad and Acting ACC Philip Read in Basra);
- their support staff of 11, including staff manning the Baghdad joint civil-military co-ordination cell;
- 73 officers in Jordan (eight of whom were retired officers);
- 24 officers at the az-Zubayr facility;
- the commander of the Baghdad police academy; and
- five PSNI officers in the South.<sup>431</sup>

**488.** Acting Commander Kevin Hurley took over from Acting ACC Read in June 2004 as senior police adviser in Basra and served a seven-month tour.<sup>432</sup> He described the UK police contingent as “tiny” – about 20 constables and sergeants “conducting very rudimentary recruit training ... in a derelict old barracks near az-Zubayr” and, based at

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<sup>427</sup> Letter Straw to Blunkett, 28 November 2003, ‘Iraq: Police Reform: Deployment of UK Police Officers’.

<sup>428</sup> Letter Blunkett to Straw, 3 December 2003, ‘Iraqi Police Reform: Deployment of UK Police Officers’.

<sup>429</sup> [Letter Owen to Rycroft, 18 December 2003, ‘UK Contribution to Iraqi Police Training’.](#)

<sup>430</sup> Statement White, 20 June 2010, page 35.

<sup>431</sup> Minute FCO [junior official] to Buck, PS/Foreign Secretary, 3 March 2004, ‘Iraq – Contracting of Police Monitors’.

<sup>432</sup> Statement, 17 June 2010, pages 3-4.

Basra Palace, six officers (at Inspector to Chief Superintendent rank) whose role it was to mentor the police commanders in Maysan province, Nasiriyah and Basra. There were further police officers in Baghdad working on future planning for the police service in Iraq but “they had been all but marginalised by our US allies and were effectively ignored”. He likened the arrangements for SSR in Iraq to “being in a rowing boat being towed behind a massive troop ship going somewhere, the trouble was we had most of the charts and plans in the police rowing boat”.

## THE DEPLOYMENT OF DCC WHITE

**489.** DCC White had deployed to Basra on 14 July 2003. He described the security situation upon arrival as:

“... bad and ... getting worse. There had been tragedies ... there was no accurate data of how many people were being killed, but there were many people being killed. Old scores were being settled. Bodies were being found in the Shatt-Al-Arab River and in the parks and so on. So within the community, there was a lot of violence. In terms of the threat against the Coalition Forces, it was also rising ... but, having come from working in Northern Ireland for 30 years, it was not, in my opinion, any worse.”<sup>433</sup>

**490.** DCC White was accompanied by two MOD Police officers who would be his only UK police resources for most of the next five months.<sup>434</sup> He also worked with Danish police officers, initially a contingent of three which grew to a maximum of 15 by the end of 2003.<sup>435</sup> He told the Inquiry that:

“... you had the ridiculous situation where, as a very senior chief police officer, I was flying on my own to the scene of murders ... If you have only got one British police officer and two Ministry of Defence police officers, for five months, what does that say about the priority being given to the situation? Despite the fact – the rhetoric was: the South must not fail, the South must be a success.”<sup>436</sup>

**491.** DCC White’s lines of reporting were multiple – to Mr Kerik in Baghdad, to Sir Hilary Synnott in Basra and to a junior official in the FCO’s UND.

**492.** Despite DCC White initially being offered an operational role, he was subsequently briefed in London that his role was to be “primarily as policing adviser” but eventually he might become police commander before handing over to the Iraqi police.<sup>437</sup> His first task was to conduct a training needs analysis for MND(SE).

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<sup>433</sup> Public hearing, 21 July 2010, pages 17-18.

<sup>434</sup> Statement White, 20 June 2010, page 11.

<sup>435</sup> Public hearing, 21 July 2010, page 24.

<sup>436</sup> Public hearing, 21 July 2010, pages 32-33.

<sup>437</sup> Statement, 20 June 2010, page 5.

**493.** DCC White's role changed again on arrival in Basra where he found himself expected to assume the role of CPA Director of Security (Law and Order), encompassing not just security and policing but all other aspects of criminal justice. That was a much broader role than anticipated. He had one lawyer to support the work on judicial reform.<sup>438</sup>

**494.** Describing how he was briefed by the military on their future plans, Former ACC White told the Inquiry:

“[I] was impressed with the comprehensiveness of the plan but somewhat surprised that [I] had not been told of it back in the UK.”<sup>439</sup>

**495.** Former ACC White told the Inquiry that he was viewed by the military in MND(SE) as “their relief – from all law and order reform duties – not just police reform. This expectation was ... the cause of much tension throughout my tour of duty”.

**496.** Former ACC White explained: “The army were trying to move away from policing duties. They wanted us [police secondees] to move in and we weren't there.”<sup>440</sup>

**497.** Former ACC White described a confused strategic picture:

“I was being told that a strategy was still being written and therefore not promulgated. However, I was also told there were advanced plans – e.g. for training in Hungary with agreed curricula. Later in Baghdad I saw a Bosnia police training curricula with the word Bosnia struck out and Iraq written on it. I was being told at one time the IPTF [International Police Training Force] for which I had been recruited as commander would be unlikely, yet the man in charge of MOI and policing in Iraq was telling me directly I would have 1,500 officers, with executive authority, to command in the South.”<sup>441</sup>

**498.** In August, DCC White produced a ‘Strategic Report on the Police Reform Programme in Southern Iraq’ in which he assessed that 91 international police officers would be required to support the policing mission within MND(SE), of whom 70 would work with the Iraqi police and 21 would operate within the training school.<sup>442</sup> In addition to those, following the UK military decision to withdraw the four RMP personnel who had been working as part of DCC White's team and providing force protection for the UK police, he estimated that a team of 48 would be required to provide force protection.

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<sup>438</sup> Public hearing, 21 July 2010, page 16.

<sup>439</sup> Statement, 20 June 2010, page 11.

<sup>440</sup> Public hearing, 21 July 2010, page 23.

<sup>441</sup> Statement, 20 June 2010, page 16.

<sup>442</sup> Report Elder for White to MacIntosh, 26 August 2003, ‘Report on-UK CIVPOL Support to CPA South’; Statement White, 20 June 2010, pages 44-46.

**499.** Former ACC White told the Inquiry that that report and request caused some controversy when they were briefed to CPA and IPU staff in Baghdad, as they were considered to be inconsistent with the new ‘MOI 60/90 day Strategic Plan’ of which DCC White had had no sight.<sup>443</sup> The request for 91 police officers was subsequently withdrawn pending further direction from CPA Baghdad.

**500.** On 4 September, DCC White submitted a reduced bid for 43 UK police officers to support his work in MND(SE).

**501.** The Iraq Security Action Plan, produced by the IPU for the Iraq Senior Officials Group in September 2003, recorded that “in the absence of a central [policing] strategy, we are pursuing regional options”.<sup>444</sup>

**502.** DCC White had submitted a proposal to re-establish the Regional Police Training Academy (RPTA) at az-Zubayr to the south of Basra, to be staffed by 21 international staff (see Box, ‘Police training academies’, earlier in this Section). Plans to train Iraqi officers in Hungary had fallen through, but three potential training sites had been identified in Jordan, with facilities for up to 3,000 recruits.

**503.** The IPU recommended that DCC Brand should clear the UK’s concept for the RPTA with the CPA and MOI; that it should be funded; and that its timetable should be accelerated. Twenty-one UK officers were expected to be deployed to the Academy by the end of December. The IPU was confident that it could offer 100 officers to work in a training facility in a third country by the end of October, but needed to lobby the Jordanians for access to such facilities.

**504.** Ministers discussed policing at the AHMGIR on 18 September.<sup>445</sup> The Annotated Agenda for the meeting described plans to develop the RPTA, stating that “a separate deployment of 20 UK police trainers, who will require firearms training, will be required”. That deployment would require the formal approval of ACPO and the Home Office.<sup>446</sup>

**505.** Ministers “endorsed the plans for police training outlined in the Annotated Agenda and agreed that they should be implemented as swiftly as possible with whatever UK help was necessary”.<sup>447</sup>

**506.** In September, a cross-Whitehall project team was created to oversee the development of the Basra and Jordan training academies.<sup>448</sup> The Iraq Police Training Project Team was based in the FCO and was led by Mr Neil Crompton, Head of the IPU.

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<sup>443</sup> Statement, 20 June 2010, pages 22-24.

<sup>444</sup> [Paper IPU, 8 September 2003, ‘Iraq: Security Action Plan’](#).

<sup>445</sup> Minutes, 18 September 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>446</sup> Annotated Agenda, 18 September 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>447</sup> Minutes, 18 September 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>448</sup> Minute FCO, 12 September 2003, ‘Iraq: Third Country Training Plan’; [Minute FCO, 18 September 2003, ‘Iraq: Police Training: Update: 18 September’](#).

The team, which included seconded police officers as well as officials from the Home Office and MOD, was set up to co-ordinate the work of a virtual team of advisers from ACPO, the Home Office, the MOD police and Bramshill College of Policing. It reported to the Iraq Senior Officials Group.

**507.** A briefing by the Iraq Police Training Project Team on 18 September stated that the first course at az-Zubayr was due to begin on 15 October, with specialised training courses being carried out by Danish police officers.<sup>449</sup> At the same time, the facility was being expanded so that it could accommodate larger courses and begin three-week 'Transition Integration Programme' training. The expansion was due to be completed in December.

### Training the ICDC in MND(SE)

In July 2003, military commanders from each of the areas in Iraq were instructed to stand up ICDC battalions. In response to that, in early September an MOD force level review concluded that a further two UK battalions should be sent to Iraq, one of which would begin training of the ICDC in MND(SE) alongside force protection and intelligence-gathering/surveillance duties.<sup>450</sup> The review did not make clear what proportion of the battalion (around 600 strong in total) would be involved in training the ICDC.

The UK ICDC training team arrived in theatre in late September with the aim of training 1,200 troops by mid-October, and 5,000 in total, for deployment in MND(SE).<sup>451</sup>

In the Security Action Plan written in September 2003, the IPU recorded that UK forces were training 160 members of the ICDC, and that would increase to 1,700 by early November.<sup>452</sup> ICDC battalions would be "fully operational" by the end of the year in all four provinces of MND(SE), carrying out basic guarding and infantry tasks.

The IPU identified four actions required:

- provision of additional UK Short Term Training Teams;
- allocation of a delegated budget to MND(SE) to support the training;
- provision of CJTF and CPA central support; and
- agreement that ICDC development costs should be underwritten nationally in order to avoid "procedural delays in CPA".

**508.** In October, Sir Hilary Synnott reported that CJTF-7 had issued an unexpected instruction entitled 'Acceleration of the Iraqi Police Services' which gave the military a greater role in accelerated police training programmes. That is described earlier in this Section.<sup>453</sup>

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<sup>449</sup> [Minute FCO, 18 September 2003, 'Iraq: Police Training: Update: 18 September'](#); Email White to UND [junior official], 21 September 2003, 'Re: Police Training Plan'.

<sup>450</sup> [Letter Williams to Rycroft, 4 September 2003, 'Iraq: UK Forces and Resources Review'](#).

<sup>451</sup> Paper MOD, 9 December 2009, 'Iraq Security Sector Reform'.

<sup>452</sup> [Paper IPU, 8 September 2003, 'Iraq: Security Action Plan'](#).

<sup>453</sup> Telegram 110 FCO London [on behalf of CPA Basra] to UKRep Iraq, 31 October 2003, 'Police Training in South Iraq'.

**509.** Sir Hilary wrote:

“In the South, this has considerable implications for military resources to be devoted to police training; for our current plans, including the recently inaugurated Basra Regional Police Academy; and for the significant Danish effort at present and in future. We had no warning of this from CPA Baghdad (beyond a slight reference to such a possibility), no subsequent information from them and no consultation.”

**510.** Sir Hilary explained that he had come up with an action plan to adapt the approach being taken in the South in such a way as to be consistent with the instruction, cautioning:

“It will require an acceleration of the current building programme for the Police Academy and enhanced and extended engagement by the RMP. It will not negate the need for UK civil police involvement and, to enhance the civil nature of policing, it would be desirable to extend this further as soon as practicable. But the nature of the training programmes envisaged for the Academy will have to be adapted.”

### SSR progress by October 2003

**511.** At the Chiefs of Staff meeting on 1 October, Lt Gen Reith was asked to provide an out-of-committee brief on SSR, which he did the same day.<sup>454</sup>

**512.** Lt Gen Reith described the purpose of his paper as “to summarise SSR progress to date, against CPA/CJTF-7 targets for MND(SE), and estimate the potential development in ISF over time”.<sup>455</sup> He informed readers that:

“The CPA and CJTF-7 tightly control SSR policy, although currently medium to long term plans lack definition, an overarching SSR strategy, resources and funding.”

**513.** Lt Gen Reith described eight separate Iraqi security organisations, including the NIA and the IPS. He summarised the situation in MND(SE) as:

- 8,367 police officers had been recruited, out of a total of 11,800 planned by December 2005.
- 400 members of the NIA had been recruited, out of a total of 7,855 planned by the end of 2005.
- 840 members of the ICDC had been recruited, out of a total of 6,720 planned by April 2004.
- 2,500 FPS (for critical infrastructure) had been recruited, out of a planned total of 4,200 by February 2004.
- All 4,000 planned members of local militia, to perform a “Neighbourhood Watch” role, had been recruited.

<sup>454</sup> Minutes, 1 October 2003, Chiefs of Staff meeting.

<sup>455</sup> Minute Reith, 1 October 2003, ‘Iraqi Security Sector Reform – MND(SE)’.

- 282 Border Police and Customs officials had been recruited, out of a total of 1,500 planned by February 2004.
- 180 members of the Iraqi Riverine Patrol Service (IRPS), out of the 380 planned by February 2004, had been recruited.
- Recruitment for the 392-strong Iraqi Coastal Defence Force, which would be responsible for security in Iraqi territorial waters and anti-smuggling activity, would begin in two weeks.

**514.** Lt Gen Reith wrote that over the following 12 months only four elements of the ISF would relieve Coalition Forces of tasks: the IPS, ICDC, IRPS and FPS. It was “too early to judge the effectiveness or quality of these units, but the ‘Iraqisation factor’ alone is expected to gain popular support”. Although other elements of the ISF would help to improve the security situation, Lt Gen Reith felt there was “little likelihood that their partial or full operational capability will permit any meaningful reduction in troop numbers”.

**515.** On 14 October, a documentary entitled ‘Basra Beat’ which followed DCC White’s deployment in Iraq was broadcast by BBC Northern Ireland’s *Spotlight* programme.<sup>456</sup> The programme exposed DCC White’s concerns about the SSR programme in Iraq, and the UK’s resourcing of it.

**516.** In his statement to the Inquiry, Former ACC White explained that, in particular, a remark he made about his frustration with the delays in deploying officers caused controversy back in the UK.<sup>457</sup> He told the Inquiry that as a result many “negative opinions were offered” about him and that he was left “feeling unsupported and isolated” but for the support of Sir Hilary Synnott and Ms Kennedy.

**517.** An update from Mr Straw’s Private Secretary to Sir Nigel Sheinwald on 17 October did not refer to the issues raised by DCC White’s documentary.<sup>458</sup> The Private Secretary reported that “good progress” was being made in developing the Iraqi police and that there was a “credible and deliverable strategy to train 30,000 Iraqi police over the next year”.

**518.** Mr Straw’s Private Secretary reported that efforts in Basra were focused on developing the Regional Police Training Academy (RPTA) and that an “initial retraining programme for serving Iraqi police officers began on 12 October under UK management”. He reported that 24 UK police officers were about to start pre-deployment training and would deploy as soon as the RPTA facilities were ready to receive them. That would bring the total deployment of UK officers in Basra and Jordan to 100.

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<sup>456</sup> *BBC News*, 14 October 2003, *UK ‘failing to police Basra’*.

<sup>457</sup> Statement, 20 June 2010, pages 30-31.

<sup>458</sup> [Minute Sinclair to Sheinwald, 17 October 2003. ‘Iraq: Security and Policing’](#).

**519.** DCC White met Mr Rammell, Mr Adam Ingram, Minister for the Armed Forces, and Ms Kennedy on 3 November.<sup>459</sup> In the meeting, DCC White stated that his alleged criticisms of government strategy were taken out of context but he expressed concerns about lack of progress, the lack of UK police officers on the ground (due in part he felt to Chief Constables blocking deployment for security reasons), differences between the UK and the US approach and the absence of a delegated budget. Mr Rammell stated:

“My view, having listened to him, is that he raises serious concerns which are at odds with our statements as to how the situation is improving.”

**520.** The Home Office record of the Iraq Senior Officials Group of 4 November recorded that Mr Straw’s initial reaction to DCC White’s documentary was to call a “special meeting of Ministers to discuss what more could be done” but FCO officials had advised that that was not necessary.<sup>460</sup>

**521.** An update produced for Mr Straw by the Iraq Security Sector Unit (ISSU) on 5 November acknowledged that “there had been delays in late summer” but said that these had now been resolved.<sup>461</sup> On the specific issues about which DCC White had expressed concern, the ISSU observed:

- risk assessments – “ACPO require very strict assurances”;
- budget – that was “a matter for CPA South and Baghdad”; and
- the new accelerated programme for training – “this is far from ideal ... the risks that flow from putting large numbers of insufficiently trained police on the streets are clear”.

### Security incidents involving UK SSR staff

UK personnel involved in SSR were the subject of a number of security incidents between May 2003 and June 2004:

- On 24 June 2003, six members of the RMP<sup>462</sup> who had been engaged in the training of local Iraqi police forces were killed at Majarr al Kabir, near Basra (see Sections 9.2 and 16.3).<sup>463</sup> An MOD Board of Inquiry later concluded that that had been “a surprise attack, which could not reasonably have been predicted”.<sup>464</sup>

<sup>459</sup> [Letter Rammell to Symons, 4 November 2003, ‘Iraq – Stephen White’.](#)

<sup>460</sup> Minute Storr to Acton, 5 November 2003, ‘Iraq: Senior Officials Meeting on 4 November’.

<sup>461</sup> Minute ISSU [junior official], to PS/SofS [FCO], 4 November 2003, ‘Iraq Policing’.

<sup>462</sup> Sergeant Simon Hamilton-Jewell, Corporal Russell Aston, Corporal Paul Long, Corporal Simon Miller, Lance Corporal Benjamin Hyde and Lance Corporal Thomas Keys.

<sup>463</sup> House of Commons, *Official Report*, 24 June 2003, column 996.

<sup>464</sup> House of Commons, *Official Report*, 17 November 2004, columns 90-91WS.

- On 23 August, three members of the RMP were killed<sup>465</sup> and another seriously injured in an attack in central Basra (see Section 9.2).<sup>466</sup> Up to five Iraqis were also understood to have been killed or seriously injured.
- On 19 November, DCC White's convoy was subject to an Improvised Explosive Device (IED) attack outside the Basra courthouse.<sup>467</sup> One of his protection officers was seriously injured.
- On 22 April 2004, the police training academy at az-Zubayr was attacked by suicide bombers.<sup>468</sup> Although no UK police were injured in the attack, it led to a review of security at the facility. A subsequent Cabinet Office paper described the site as "isolated and exposed" but said that a more permanent and secure site would take time to construct, and would cost between £5m and £10m, for which there was no provision.<sup>469</sup>

The facility at az-Zubayr remained and in June 2004 Mr Hoon stated:

"The attack on the facility in April had strengthened the determination of the Iraqi recruits (and their instructors) to deliver an effective police force. An impressive set up."<sup>470</sup>

## Prison reform

**522.** The FCO identified the development of the Iraqi prison service as a "Priority One" area for UK support to ORHA in April 2003.<sup>471</sup>

**523.** Mr Martin Narey, the Home Office Commissioner for Correctional Services, wrote to Sir Michael Jay, the Permanent Under Secretary to the FCO, on 24 April advising that he was seeking potential secondees from the Prison Service to support the UK effort.<sup>472</sup>

**524.** Prison reform was also included in the Annotated Agenda for the AHMGIR on 17 July.<sup>473</sup> The Agenda described the Government's "continued support to the Iraq prison reform programme" and stated that the IPU considered it "likely ... that UK support [would] be requested specifically in training and general prison management".

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<sup>465</sup> Major Matthew Titchener, Company Sergeant Major Colin Wall and Corporal Dewi Pritchard.

<sup>466</sup> Ministry of Defence, 23 August 2003, 'Major Matthew Titchener, Sergeant Major Colin Wall and Corporal Dewi Pritchard Killed in Iraq'.

<sup>467</sup> Statement White, 20 June 2010, pages 33-34.

<sup>468</sup> Note ISSU, 23 April 2004, 'Security Sector Reform Meeting – Thursday 22 April 2004'.

<sup>469</sup> [Minute Dodd to Rycroft, 7 May 2004, 'Enhancing Iraqi Security Forces'](#).

<sup>470</sup> Letter Naworynsky to Owen, 15 June 2004, 'Secretary of State for Defence Visit to Iraq – 14 June 2004'.

<sup>471</sup> [Letter Jay to Turnbull, 22 April 2003, 'Iraq: UK Support for the Office for Reconstruction and Humanitarian Assistance \(ORHA\)'](#).

<sup>472</sup> Letter Narey to Jay, 24 April 2003, 'Iraq: UK Support for the Office for Reconstruction and Humanitarian Assistance (ORHA)'.

<sup>473</sup> Annotated Agenda, 17 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

**525.** The minutes of the Security Sector Reform Meeting<sup>474</sup> of 4 December recorded that “not much work had been done in this area” and that “there still did not appear to be a definitive US policy position”.<sup>475</sup>

**526.** On 25 February 2004, minutes of the Security Sector Reform Meeting recorded that Mr Gareth Davies, Senior Prisons Adviser to CPA(South), was arranging training for Iraqi Correctional Service officers.<sup>476</sup> Canada had also “hinted” that it might support training. Two prisons in MND(SE) were being “refurbished/rebuilt”.

**527.** Canada’s offer to deliver training was confirmed at the Security Sector Reform Meeting on 5 April.<sup>477</sup>

**528.** For the same meeting, Mr Davies had prepared a paper (dated 29 March) on the progress of the Prisons Project in CPA(South). He noted that:

- The “clear separation of function” between the police, courts and prisons had been “more difficult practically than envisaged” but was now “largely complete”.
- Of the five facilities within the UK’s AOR, one was functioning (al-Maqil) and the other four (al-Minah, Basra Central, al-Amarah and Nasiriyah) were under development or construction.
- The recruitment and training of managers and staff for the increase in establishments should not be difficult, but funding “Pay Running Costs” remained a problem.
- On safeguards for the treatment of prisoners there was “little or no National Correctional Policy emanating from Baghdad”, resulting in “serious” policy gaps, such as disciplinary codes for both prisoners and staff.

**529.** Mr Davies described al-Maqil as being “in a very poor state of repair” and “close to collapse”. Problems with sewage had been exacerbated by severe overcrowding: in January the prison’s population reached 478 against a capacity of 230. Part of the reason for that rise had been a “weakness in the due process” where prisoners were kept on remand without judicial review. A system of referral to judges had helped alleviate the problem.

**530.** Mr Davies submitted a report in April 2004 with recommendations for staffing levels after 30 June.<sup>478</sup> A joint bid from the FCO and DFID to the Global Conflict Prevention Pool (GCPP) fund for nine prison officers to be both monitors and advisers was planned. The Government has been unable to supply a copy of Mr Davies’ report.

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<sup>474</sup> The Security Sector Reform Meeting was a regular meeting of policy officers that discussed a range of SSR matters, including police training, military reform, prisons and the judiciary. It was chaired by the FCO and attended by the MOD, DFID, the Home Office and (occasionally) HM Customs and Excise.

<sup>475</sup> Minutes, 4 December 2003, Security Sector Reform Meeting.

<sup>476</sup> Minutes, 25 February 2004, Security Sector Reform Meeting.

<sup>477</sup> Minutes, 5 April 2004, Security Sector Reform Meeting attaching Report Davies, 29 March 2004, ‘A Summary Against Scope of Progress in the Prisons Project in CPA(S)’.

<sup>478</sup> Minutes, 22 April 2004, Security Sector Reform meeting.

**531.** A funding bid for £5.53m for a project to support the prison service in Southern Iraq from summer 2004 onwards stated that prisons strategy in MND(SE) was overseen by the Director of Law and Order, who had been seconded from the UK Prison Service.<sup>479</sup> He was supported by a Senior Prisons Adviser and an administrator. Prison monitoring was undertaken by three members of the Military Prison Service plus two members of the Territorial Army who were UK prison officers in their civilian careers. The bid sought to increase staffing numbers to 15. All other staff working in the Correctional Service were Iraqi locals.

**532.** The bid stated that there were approximately 800 prisoners in MND(SE). Three new prisons were in development, with a total capacity of 1,650 places. All prisons within the CPA(South) boundary run by the Iraqi Prison Service were overseen and maintained by the UK.

**533.** A letter dated 2 July confirmed that £1.7m had been agreed for that project by the Iraqi GCPP Strategy Committee.<sup>480</sup>

### **The position in the South leading up to the transfer of sovereignty**

**534.** A record of the Iraq Senior Officials Group on 12 December 2003 stated that the MOD intended to deploy an additional infantry battalion to assist ICDC training and more RMP to assist police training and mentoring.<sup>481</sup> The record stated: “The importance of close co-ordination between departments on police initiatives was stressed”.

**535.** On 19 December, Mr Lee wrote to Mr Bowen, stating there had been “some surprise” expressed at the forthcoming deployment of additional RMP to MND(SE) and “concern about MOD’s alleged lack of consultation over this deployment”.<sup>482</sup>

**536.** Mr Lee wrote:

“For months now the MOD has been assured by the FCO, and MND(SE) has been assured by the CPA, that civil police were in the pipeline to provide training and mentoring ... All accepted the crucial importance of standing up the IPS as rapidly as possible and thus the importance of providing proper civil police trainers to train civil police. HMG [Her Majesty’s Government] and the CPA have not ... delivered ... we have repeatedly stressed that we see police training as important and that it is best delivered by civil police.”

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<sup>479</sup> Paper Global Conflict Prevention Pool Project Bid Form, [undated, early 2004], ‘Prison Service Support in Southern Iraq’.

<sup>480</sup> Letter Carlin to Hayward, 2 July 2004, ‘Iraq Global Conflict Prevention Pool’.

<sup>481</sup> Minute Cabinet Office [junior official] to Sheinwald, 15 December 2003, ‘Iraq: Senior Officials Group [12 December]’.

<sup>482</sup> [Letter Lee to Bowen, 19 December 2003, ‘Iraq: Police Support for MND\(SE\)’](#).

**537.** In his response, Mr Bowen welcomed the deployment but said:

“... I find it odd that when we have discussed police training and the like at meetings of officials and had been reassured that all is on track, this has not been challenged at the time. It is not just the MOD who see the importance of police training, so do we all. We must ensure that the information flow between departments is such that messages we need to send to Washington or the CPA (or each other) are registered before we reach crisis point ... there is a clear role for senior officials to intervene if programmes are going off the rails.”<sup>483</sup>

**538.** A further MOD force level review at the end of January 2004 considered SSR to be “on track in MND(SE)”, although it did register problems with resourcing police training and mentoring.<sup>484</sup> It concluded that “given the right conditions” there would be no need to replace the SSR battalion who were conducting ICDC training in July 2004 and added that “assuming the security situation continues to stabilise” further reductions in force levels might be possible by November 2004. Those recommendations were based on assumptions that “consent of the population” would be “maintained” and that SSR would continue “to deliver evermore capable and credible ISF”.

**539.** In early 2004, the focus in policing shifted from training to providing officers to act as monitors/mentors, terms that appear to have been used interchangeably at the time. Given the deteriorating security situation and the need for mentors to be out on the ground, deploying police officers was problematic.<sup>485</sup> As a consequence, that role had been undertaken by the RMP.

**540.** Following a request from PJHQ to relieve the RMP, the FCO began considering contracting around 40 UK retired officers.<sup>486</sup> At the same time the US was developing plans to recruit around 500 police advisers from Dyncorps to act as monitors/mentors, with 50 being earmarked for the South. The UK’s seemingly unilateral approach was met with some consternation by Mr Casteel, who reportedly said: “This isn’t two countries, you know.”

**541.** Sir Nigel Sheinwald chaired a meeting of the Iraq Strategy Group on 13 February.<sup>487</sup> Mr Dodd’s record of the meeting stated that the recent attacks in Erbil showed that “terrorists felt threatened” by SSR. The US was focused on building the ISF’s capacity, “with [General] Abizaid stressing quality over quantity”. While the US planned to hand over security responsibility to Iraqi forces at a local level in July, US Commanders “were not entirely confident they would have sufficient Iraqi forces ... but five months remained” to meet that deadline.

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<sup>483</sup> [Letter Bowen to Lee, 22 December 2003, ‘Iraq: Police Support for MND\(SE\)’.](#)

<sup>484</sup> Paper CJO to PSO/CDS, 29 January 2004, ‘Op TELIC Force Level Review – Jan 04’.

<sup>485</sup> Minute ISSU [junior official] to Buck and PS/Foreign Secretary, 3 March 2004, ‘Iraq – Contracting of Police Monitors’.

<sup>486</sup> Minute ISSU [junior official] to Buck, 4 February 2004, ‘Visit to Iraq 26-30 Jan’.

<sup>487</sup> Minute Dodd to Sheinwald, 16 February 2004, ‘Iraq: Strategy Group’.

**542.** On 8 March, Mr Straw gave permission for ISSU to proceed with contracting 40 police monitors/mentors.<sup>488</sup> Those officers would work directly to Coalition Forces but would co-ordinate closely with CPA(South).<sup>489</sup> It was estimated that the cost for six months would be around £3-4m. In a minute from ISSU to Mr Straw, the reason given for the unilateral approach was that the numbers of international police advisers had been “slow to build”. There was no mention of the US Dyncorps contract.

**543.** DCC Brand had recommended that some of those officers should be offered to the CPA as part of a Coalition-wide effort. However, the assessment from ISSU was that, in the present security environment, it would be too great a risk to deploy FCO-contracted British personnel to police station monitoring outside the UK AOR.

**544.** The minutes of the working level ‘Security Sector Reform Group’ of 22 April mentioned US plans to deploy Dyncorps contractors to MND(SE) but stated that “it is still unclear as to the exact deployment dates and numbers”.<sup>490</sup> They also referred to finalising the role for the UK contractors and efforts to ensure they “complement, not compete” with the Dyncorps contractors.

**545.** ACC Read told the Inquiry that “it was made quite clear” that the Dyncorps contractors would not answer to him and that “co-ordinating these resources and agreeing a common approach to police reform including the style of policing we wanted to introduce was going to be an issue”.<sup>491</sup>

**546.** The separate UK contract for 40 police monitors/mentors was let to ArmorGroup<sup>492</sup> for £5m for six months, with the intention of deploying them in early June.<sup>493</sup> However, in light of a further decline in security and the assessment that the type of monitoring they would do would be “of little value until the Iraqi police [in MND(SE)] have undergone more specialist skills training”, the deployment was put on hold by the FCO until September 2004.

**547.** On 26 April, Mr Rycroft wrote to Mr Straw’s Private Secretary, copying his letter to DFID, the MOD, the Cabinet Office and UK officials in Iraq and the US (see Section 6.2).<sup>494</sup> He reported that Mr Blair thought improvements to existing activities must be made, including on:

“(a) Iraqiisation. We must do whatever it takes to get the ICDC and Iraqi police in shape ...”

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<sup>488</sup> Minute Owen to ISSU [junior official], 8 March 2004, ‘Iraq: Contracting of Police Monitors’.

<sup>489</sup> Minute ISSU [junior official] to Buck and PS/Foreign Secretary [FCO], 3 March 2004, ‘Iraq – Contracting of Police Monitors’.

<sup>490</sup> Minutes ISSU, 23 April 2004, ‘Security Sector Reform Meeting – Thursday 22 April 2004’.

<sup>491</sup> Statement, 23 June 2010, page 15.

<sup>492</sup> ArmorGroup is a UK-based private security contractor.

<sup>493</sup> Minute ISSU [junior official] to PS/Foreign Secretary, 11 June 2004, ‘Iraq – Deployment of Police Monitors’.

<sup>494</sup> [Letter Rycroft to Owen, 26 April 2004, ‘Iraq: 15 Reports for the Prime Minister’](#).

**548.** On 30 April, the Cabinet Office assessed that in MND(SE) most ICDC battalions and the police should be able to operate without a full-time MNF presence by 30 June, although it conceded that the ISF in MND(SE) had not faced the level of challenge that many others faced in the April violence.<sup>495</sup>

**549.** Similarly, the MOD assessed that following the transfer, “by 1 July, the ISF will have the lead for security and the MNF will be operating in support of them”.<sup>496</sup> The MOD assessed the position in Muthanna, Dhi Qar and Basra provinces positively: in some areas the ISF would “operate without any assistance at all except a standby Quick Reaction Force”. The MOD plan was to minimise its “overt presence” by, for example, relocating from Basra Palace (inside the city) to Basra Airport (outside the city). In Maysan province, the security situation was considered to be more challenging (as described later in this Section).

## SSR across Iraq: summer 2004 to summer 2006

**550.** On 28 June 2004, the Coalition Provisional Authority (CPA) formally handed over to a sovereign Iraqi Government, the Iraqi Interim Government (IIG), and Dr Allawi became the Iraqi Prime Minister. The process of establishing the IIG is described in Section 9.2.

**551.** On 20 June, Prime Minister Designate Allawi set out his military capacity-building strategy in a televised press statement.<sup>497</sup>

**552.** Dr Allawi’s strategy included a 6,000-strong intervention force with both police and army components, the creation of a Special Forces Organisation and continued ING and army training.<sup>498</sup>

**553.** Mr Falah Haasan al-Naqib was appointed as the Minister of Interior and Mr Hazem Shalan al-Khuzaei was appointed as the Minister for Defence.<sup>499</sup> Dr Rubaie continued to serve as the National Security Adviser. Mr Barham Saleh became Deputy Prime Minister for National Security.

**554.** During the CPA era, the metric used to measure progress with the ISF was the number of personnel on duty.<sup>500</sup> Immediately after the transition, that metric was replaced by “trained and equipped” personnel. The net result was a 75 percent drop in recorded MOI force totals, from 181,297 “on duty” personnel on 15 June 2004, to 47,255 “trained and equipped” personnel on 25 August 2004.

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<sup>495</sup> [Minute Dodd to Quarrey, 30 April 2004, ‘Iraqi Security Force Capabilities’.](#)

<sup>496</sup> Letter Naworinsky to Rycroft, 10 June 2004, ‘MND(SE): Handing over Responsibility for Security to the Iraqis’.

<sup>497</sup> Telegram 337 Iraqrep to FCO London, 20 June 2004, ‘Iraq: Statement of Prime Minister Allawi on Iraqi Security’.

<sup>498</sup> Letter Cabinet Office [junior official] to Sheinwald, 29 June 2004, ‘Iraq: Strategy Group’.

<sup>499</sup> *BBC News*, 1 June 2004, *Interim Iraqi Government*.

<sup>500</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

**555.** When the IIG was constituted, the UK and the US ceased to be Occupying Powers and instead were operating under resolution 1546 (2004) and the annexed letters from Dr Allawi and Mr Powell (see Section 9.2).<sup>501</sup> The points of relevance for SSR were that the Security Council:

- welcomed ongoing efforts by the incoming IIG to develop the ISF, operating under the authority of the IIG and its successors, “which will progressively play a greater role and ultimately assume full responsibility for the maintenance of security and stability in Iraq”;
- recognised that the MNF would assist in building the capability of the ISF, through a programme of recruitment, training, equipping, mentoring and monitoring;
- emphasised the importance of developing effective Iraqi police and border enforcement, under the control of the MOI, and the FPS, under the MOI and other ministries, for the maintenance of law, order and security; it requested Member States and international organisations to assist the IIG in building the capability of those institutions;
- attributed a number of roles to the Special Representative to the Secretary General and the UN Assistance Mission for Iraq including promoting the protection of human rights, reconciliation and judicial and legal reform;
- welcomed the fact that arrangements were being put in place to establish a security partnership between the IIG and MNF;
- noted that appropriate Iraqi Ministers were responsible for the ISF, that the IIG had authority to commit the ISF to the MNF to engage in operations, and that the security structures planned would serve as fora for the IIG and the MNF to reach agreement on security and policy issues, and ensure full partnership between Iraqi security forces and the MNF, through close co-ordination and consultation; and
- called on Member States and international organisations to respond to Iraqi requests to assist Iraqi efforts to integrate Iraqi veterans and former militia members into Iraqi society.

**556.** Dr Allawi’s letter annexed to the resolution asked for the support of the Security Council and the international community in providing security and stability until Iraq was able to provide security for itself.

**557.** Resolution 1546 (2004) expired in November 2005. It was replaced by resolution 1637 (2005),<sup>502</sup> and subsequently resolutions 1723 (2006)<sup>503</sup> and 1790 (2007).<sup>504</sup> Those resolutions extended the authorisation for the MNF in Iraq until the end of 2008.

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<sup>501</sup> United Nations Security Council resolution 1546 (2004).

<sup>502</sup> United Nations Security Council resolution 1637 (2005).

<sup>503</sup> United Nations Security Council resolution 1723 (2006).

<sup>504</sup> United Nations Security Council resolution 1790 (2007).

## UK, US and Iraqi plans for SSR

**558.** On 15 July 2004, the Defence and Overseas Policy Committee (DOP) considered a paper by Mr Straw entitled ‘Iraq: the Next Six Months’.<sup>505</sup> The paper outlined the desired position for Iraq by January 2005. For the ISF, the objective was:

“Significantly increased Iraqi security capacity and capability with Iraqi forces in local control around much of the country and a reduced reliance on MNF-I, paving the way for foreign troop reductions in 2005.”

**559.** The priority was identified as continued support to Iraqisation through training, equipping and mentoring of ISF, with a focus on command and civilian oversight (particularly of the army and the Iraqi National Intelligence Service).

**560.** The priorities identified in Mr Straw’s paper were agreed by DOP.<sup>506</sup>

**561.** On 21 July, the Annotated Agenda for the AHMGIR reported that recruitment to the ISF was “buoyant” and equipment was being delivered.<sup>507</sup> The ISF were:

“... increasingly taking the lead in patrolling and on specific operations. Their credibility with the Iraqi people seems to be increasing ... and local control has been achieved in some areas, particularly MND(SE).”

**562.** The Annotated Agenda noted that “despite the growth of capacity, significant capability gaps remain” and both the Joint Headquarters and proposed National Joint Operations Centre would “require further advice, supervision and equipment before Iraqi command is satisfactory”. ISF units would “require careful command and control training and mentoring once formed”.

**563.** An annex to the Annotated Agenda stated that overall numbers were already close to target (a total of 233,000 ISF personnel against a planned total of “around 260,000” by January 2005). It stated that the IPS had “already hit its full manning levels”, would “be 100 percent equipped by end 04”, and with the completion of current training programmes be “fully operational” by June 2005.

**564.** The IPS was also focused on the need “to slim” the police force “by up to 30,000 men”. The annex stated that “just fewer than 3,000” Iraqi Army personnel had been trained and the rate of recruitment and training was “set to go up to end 2004”.

**565.** Lt Gen Petraeus carried out a “Troops To Task” assessment in July and August 2004 with General George Casey, who replaced Lt Gen Sanchez as Commander of the Coalition’s military command in June 2004.<sup>508</sup> That was to identify what the size

<sup>505</sup> Paper FCO, 13 July 2004, ‘Iraq: the Next Six Months’.

<sup>506</sup> Minutes, 15 July 2004, DOP meeting.

<sup>507</sup> Annotated Agenda, 21 July 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>508</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

and shape of Iraq’s security forces should be. They concluded that Iraqi forces were “not prepared” to combat the violent insurgency and that more forces, both police and military, were urgently required. Their recommendations for increases in the number of police, border patrol officers and Iraqi National Guard (ING) (shown below) brought the proposed total number of ISF to around 271,000, all of whom would receive counter-insurgency training. It would later become known as the “Petraeus Plan”.

Table 3: Summary of “Troops to Task” assessment

	Authorised numbers pre-Aug 2004 <sup>509</sup>	Aug 2004 stated requirement	Percentage increase
<b>Local police</b>	90,000	135,000	50%
<b>Border enforcement (inc. border police, customs police and immigration officers)</b>	16,276	32,000	97%
<b>Iraqi National Guard (ING) (formerly ICDC)</b>	45 battalions 6 brigade HQs	65 battalions 21 brigade HQs 6 division HQs	Approximately 50%

**566.** Mr Mike Naworynsky, Mr Hoon’s Private Secretary, summarised the plan produced by Lt Gen Petraeus in a minute to Mr Antony Phillipson, Private Secretary to Mr Blair, on 20 August.<sup>510</sup> Mr Naworynsky reported that it would take until mid-2006 to achieve the proposed staffing levels for the ISF and that further (financial) resources would be needed. The development of the Iraqi police was identified as the “main effort”.

**567.** Mr Naworynsky wrote:

“The report shows that US thinking in this area remains very similar to our own with the key theme of Iraqisation running through the brief. Timelines given within the briefing are broadly as we would expect across Iraq, and should be bettered in the MND(SE) area.”

**568.** Mr Edward Chaplin, British Ambassador to Iraq from July 2004 to June 2005, reported that a draft National Security Strategy for Iraq was discussed on 24 July by deputies to members of MCNS.<sup>511</sup> The Strategy was described as “a wide-ranging document, which aims to underpin for the next one to five years the development of

<sup>509</sup> Minute Naworynsky to Phillipson, 20 August 2004, ‘Report from Lt Gen Petraeus, Multi-National Security Transition Command – Iraq (MNSTC-I) on Developing the Iraqi Security Forces’.

<sup>510</sup> Minute Naworynsky to Phillipson, 20 August 2004, ‘Report from Lt Gen Petraeus, Multi-National Security Transition Command – Iraq (MNSTC-I) on Developing the Iraqi Security Forces’.

<sup>511</sup> Telegram 61 Baghdad to FCO London, 26 July 2004, ‘Iraq: National Security Strategy’.

Iraq's security structures and policy, diplomatic and international relations, economic policy and investments in infrastructure". It had been drafted by an Iraqi and MNF working group that included UK advisers. Section 9.3 details the political elements of the Strategy.

**569.** The Strategy was approved with minor amendments. It was agreed that it should proceed to a Ministerial discussion on 29 July and to Prime Minister Allawi on 5 August. The intention was that "the Strategy should be published shortly afterwards" but the timetable might slip given Dr Allawi's overseas commitments.

**570.** Mr Chaplin wrote that "detailed work" on the chapter regarding national security institutions was ongoing and, in particular, a "troops to task study" led by MNF had "concluded that a significant increase in the planned number of conventional police, Border Police and National Guard is required". He confirmed that Prime Minister Allawi, Defence Minister Hazem Shalan al-Khuzaei and Interior Minister Falah Haasan al-Naqib had been told about that but he did not know their reaction. Mr Chaplin understood that the revised ISF structure, including the additional numbers of troops and police recommended, would create a US\$2.8bn shortfall and that Lt Gen Petraeus had approached Ambassador John Negroponte (who had replaced Ambassador Bremer as US Ambassador to Iraq) on 25 July to ask that these funds were found.

### US and Iraqi SSR funding

The US funded SSR tasks through two funding streams:

- The Iraq Relief and Reconstruction Fund (IRRF) was the largest source of US reconstruction funding, comprising US\$20.86bn made available through two appropriations, IRRF1 and IRRF2.<sup>512</sup> US\$4.94bn of IRRF2 funds were allocated to security and law enforcement. In addition to that, US\$2.31 billion was allocated to "justice, public safety infrastructure, and civil society".
- The Iraq Security Forces Fund (ISFF) was created in May 2005 and ran until June 2009.<sup>513</sup> It made available US\$18.04bn to "train, equip, and maintain all elements of the Iraqi Security Forces, including the Iraqi Army, Navy, Air Force, Special Operations Forces; Iraqi police forces; special task forces; the Iraqi Intelligence Agency; and border security forces." That fund was administered by the DoD through MNSTC-I.<sup>514</sup> ISFF funding is shown in Table 4.<sup>515</sup>

<sup>512</sup> Office of the Special Inspector General for Iraq Reconstruction, 30 July 2009, 'Report to Congress'.

<sup>513</sup> Letter SIGIR to Commanding General, US Forces-Iraq, 23 April 2010, 'Most Iraq Security Forces Fund Appropriations have been Obligated'.

<sup>514</sup> Office of the Special Inspector General for Iraq Reconstruction, 30 July 2009, 'Report to Congress'.

<sup>515</sup> Letter SIGIR to Commanding General, US Forces-Iraq, 23 April 2010, 'Most Iraq Security Forces Fund Appropriations have been Obligated'.

Table 4: Iraq Security Forces Fund

	Amount allocated (US\$bn)	Amount spent (US\$bn)
IRRF2	4.94	4.89
<b>ISFF Fiscal Year</b>		
<b>2005</b>	5.49	5.34
<b>2006</b>	3.01	2.73
<b>2007</b>	5.54	5.00
<b>2008</b>	3.00	1.92
<b>2009</b>	1.00	0.1 (in year figure)
<b>Total</b>	<b>22.98</b>	<b>19.98</b>

The Iraqi Government funded SSR predominantly through budgetary allocations to the Ministries of Defence and Interior.<sup>516</sup> The annual allocations and spends between 2005 and 2009 are shown in Table 5.

Table 5: Iraqi Government SSR funding

	IMOD		MOI	
	Amount allocated (US\$bn)	Amount spent (US\$bn)	Amount allocated (US\$bn)	Amount spent (US\$bn)
<b>2005</b>	1.3	1.1	1.1	0.9
<b>2006</b>	3.4	1.3	2.0	1.6
<b>2007</b>	4.1	2.3	3.2	3.1
<b>2008</b>	5.3	3.4	5.7	4.2
<b>2009</b>	3.9	3.7	5.5	5.0
<b>Total</b>	<b>18.0</b>	<b>11.8</b>	<b>17.5</b>	<b>14.8</b>
<b>Total allocation across ministries 2005 - 2009</b>			<b>35.5</b>	
<b>Total spend across ministries 2005 - 2009</b>			<b>26.6</b>	

In addition, the Iraqi Government between 2006 and 2009 set aside US\$5.5bn to purchase equipment, training and services through the US' Foreign Military Sales<sup>517</sup> programme.

<sup>516</sup> Report to Congress US Government Accountability Office, September 2010, 'Iraqi-US Cost-Sharing'.

<sup>517</sup> The US Foreign Military Sales programme involved the Iraqi Government identifying what needed to be procured, and transferring appropriate funds to the Federal Reserve Bank. The US would then oversee the spending.

**571.** On 29 July, Mr Chaplin wrote to the FCO in London advising that the UK should resist making substantive changes to the draft Strategy which risked delaying publication and “unravelling what we have achieved so far”.<sup>518</sup> He explained that the Strategy had been through “a laborious drafting process” for the past seven weeks and the “latest version represents a fine balance between the IIG and US/UK representatives”.

**572.** Mr Chaplin explained that some “confusion has crept into the Whitehall debate about different elements of the overall strategy required to deal with the insurgency”. Seeking to clarify matters, he wrote that the Strategy was “a conceptual document describing the Government’s overall approach”. The operational work “falling out” of it included:

- the MNF-I strategic campaign plan to develop a self-reliant ISF by January 2006;
- an operational plan to man, train, equip and assist the ISF, currently being “masterminded by Gen Petraeus”;
- a baseline “troops to task” reassessment; and
- work on the new intelligence architecture.

**573.** By early August, Mr Blair was concerned that neither an Iraqi security strategy nor an MNF internal review of Iraqiisation had yet appeared.<sup>519</sup> The security strategy was particularly important for demonstrating publicly that the IIG had a plan to deal with the security situation. The FCO was instructed to press Prime Minister Allawi on the importance of issuing a public statement soon.

**574.** Mr Dominic Asquith, a Deputy Commissioner in the CPA, reported on 9 August that Dr Allawi understood the need to explain the IIG strategy on security, “but does not think the National Security Strategy document fits the bill”.<sup>520</sup> Dr Allawi had, however, agreed the need to sort out the details quickly with the MNF.

**575.** On 14 August, Mr Asquith reported that the launch of the National Security Strategy had been the subject of a “confused discussion” at the MCNS on 12 August.<sup>521</sup> Dr Allawi had said that the Strategy would need to be revised but it was unclear how that would be done.

**576.** By the time Mr Blair visited Iraq and met Dr Allawi in Baghdad on 21 December, a new plan had been drafted.<sup>522</sup> They discussed Iraqiisation. Mr Blair stated that he had seen a draft of Dr Allawi’s new security plan which he thought was “along the right lines” and that he had agreed to review the Iraqiisation strategy with President Bush in January.

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<sup>518</sup> Telegram 78 Baghdad to FCO London, 29 July 2004, ‘Iraq: National Security Strategy’.

<sup>519</sup> Minute Cabinet Office [junior official] to Sawers, 6 August 2004, ‘Iraq’.

<sup>520</sup> Telegram 107 Baghdad to FCO London, 9 August 2004, ‘Iraq: Security: Prime Minister’s Views’.

<sup>521</sup> Telegram 128 Baghdad to London, 14 August 2004, ‘Iraq: Ministerial Committee on National Security (MCNS), 12 August’.

<sup>522</sup> Letter Quarrey to Adams, 21 December 2004, ‘Prime Minister’s Visit to Baghdad, 21 December: Meeting with Allawi’.

**577.** Dr Allawi suggested that the Petraeus Plan could be accelerated by more training for the ISF command structure and more recruitment of untainted figures from the old army.

**578.** On 23 December, No. 10 reported that Mr Blair was “encouraged that Allawi is now working on a security strategy which he intends to publish”.<sup>523</sup>

**579.** On 3 January 2005, Prime Minister Allawi wrote to Mr Blair, enclosing an updated draft of the security plan.<sup>524</sup> He had also sent the paper to President Bush that day and shared the covering letter with Mr Blair. The letter to President Bush highlighted the mounting security challenges facing Iraq, the lack of resources and the importance of accelerating the recruitment, training and deployment of Iraqi forces.

**580.** The paper was six pages long and briefly outlined the problems with the ISF and potential solutions. The solutions included: merging the ING with the Iraqi Army to fill gaps caused by current depletions; a rapid extension of forces; additional training; and giving the army responsibility for border security. It stated that a request would be made to the IMF and World Bank to cover a “\$1.9bn (or officially \$2.25bn)” shortfall in year one.

**581.** On 6 January, Mr Martin Howard, MOD Director General Operational Policy, sent a draft note about the Strategy to Ms Margaret Aldred, Deputy Head OD Sec, Cabinet Office.<sup>525</sup> Mr Howard wrote that the letter was to go to Mr Nick Beadle, Coalition Senior Adviser to the IMOD, and Mr Charles Heatly, Adviser to Prime Minister Allawi in Baghdad and reflected what he and Ms Aldred had agreed the previous day. The note was broadly supportive of the Strategy but observed that the US could be sensitive to some of the content, including references to the slow pace of army training (“as a criticism of the Petraeus Plan”) and to recruiting members of the former Iraqi armed forces.

**582.** The draft note stated that reference to “coalition embedded troops” should be removed from the Strategy document because it had not yet been endorsed in London and said “it would be better from Allawi’s perspective to minimise any impression that the Iraqi security forces will remain over-dependent on the coalition”.

**583.** The National Security Strategy was eventually issued on 15 January 2005.<sup>526</sup> In it, Dr Allawi was reported to have amended the goal of training 100,000 Iraqi soldiers by July to 150,000 “fully qualified” soldiers by the end of the year.

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<sup>523</sup> Letter Quarrey to Owen, 23 December 2004, ‘Prime Minister’s Visit to Iraq: Follow-up’.

<sup>524</sup> Letter Allawi to Blair, 3 January 2005, [untitled] attaching Paper, ‘Iraqi Security Forces – Revised Recruitment and Training Strategy: 2005’.

<sup>525</sup> Letter Howard to Aldred, 6 January 2005, ‘Iraqi National Security Strategy’.

<sup>526</sup> *New York Times*, 24 February 2005, *Iraqi Army Is About to Add National Guard to Its Ranks*.

## Training the Iraqi Army

Training of individual army recruits followed one of two patterns:

- Recruits with former military experience went into a Direct Recruit Replacement programme. They received three weeks' standardised training delivered by the Major Subordinate Commands at Regional Training Centres.
- Recruits without military experience were sent for training at the Iraqi Training Brigade in Kirkush. All new recruits undertook a five-week programme followed by an additional three to seven weeks of specialist skills training.<sup>527</sup> The five-week programme was increased to 13 weeks in early 2007.<sup>528</sup>

In 2006, a system of six Regional Training Centres was established to develop a non-commissioned officer corps and a year-long Basic Officers Commissioning Course, based on a Sandhurst curriculum, was established at three Military Academies.<sup>529</sup>

By early 2007, a National Defence University had been established and was beginning to run institutions of professional development: Iraqi Staff Colleges, a National Defence College and a Strategic Studies Institute.<sup>530</sup>

In May 2007, the Iraqi Training and Doctrine Command, part of the Joint Headquarters assumed responsibility from MNSTC-I for training and equipping the Iraqi military.<sup>531</sup>

## UK assessments of the Iraqi Security Forces in late 2004

**584.** On 23 September, Lieutenant General John McColl, SBMR-I, sent Lt Gen Fry, Deputy Chief of the Defence Staff (Commitments) from July 2003 to March 2006, a paper on the UK's options for withdrawing or reducing the number of troops in Iraq "up to and beyond January 2006" (see Section 9.3).<sup>532</sup> He stated that the IPS would have manned, trained and equipped "77 percent" of the target 135,000 officers by the end of July 2005 and the ING numbers were also "on course" to be achieved by that date. Lt Gen McColl wrote that "these encouraging projections have, in part, prompted MNF-I's aspiration to establish Iraqi regional ... control across all 18 provinces by 31 July 2005".

**585.** Lt Gen McColl considered the goal "challenging" because of "significant shortfalls in logistics capability" of the ISF. He highlighted a lack of trained staff, a "serious rift" between the MOI and IMOD and "the need for a proper national security headquarters".

<sup>527</sup> Report to Congress, 13 October 2005, *Measuring Stability and Security in Iraq*.

<sup>528</sup> Report to Congress, 2 March 2007, *Measuring Stability and Security in Iraq*.

<sup>529</sup> Report to Congress, 17 February 2006, *Measuring Stability and Security in Iraq*.

<sup>530</sup> Report to Congress, 2 March 2007, *Measuring Stability and Security in Iraq*.

<sup>531</sup> Report to Congress, 14 September 2007, *Measuring Stability and Security in Iraq*.

<sup>532</sup> [Minute McColl to DCDS\(C\), 23 September 2004, Iraq up to and Beyond January 2006 – Defining a UK Position](#).

**586.** On 20 October, Lt Gen McColl sent the Hauldown Report of his tour in Iraq.<sup>533</sup> He wrote:

“Despite their limited numbers and state of training, ISF are even now capable of strategically significant impact. Their deployment has an effect that coalition troops cannot achieve ... They are therefore in great demand and, there is a risk ... that their premature committal to operations, which are still beyond their capacity, could irreparably dent their confidence. The risk is exacerbated by the understandable impatience of the IIG, supported to some extent in both Washington and London ...

“The critical path for the IPS will be meeting the sheer scale of the equipping and training requirement, as well as the continued identification of tough committed police chiefs. There are grounds for optimism, but no police force could operate in the current levels of violence without relying on the support of the Army, including the ING, to provide a secure framework and surge capability ...

“The frustration that the UK has felt at the slow and chequered progress of ISF generation has been understandable. Our contribution outside MND(SE) has, however been limited (aside from helpful training team activity) to advice to US colleagues who are themselves frustrated and doing all they can to translate the \$5 billion they are investing into security capability, whilst reconciling the somewhat turbulent aspirations of the IIG. Within MND(SE) the flow of equipment to ING and IPS from US suppliers has been painfully slow, a problem compounded by the prioritisation of issue based on the prevailing security situation across the country. There has recently been an initiative, which has yet to deliver effect that would allow UK resources to support the equipping of the ISF within the UK area; this is to be welcomed and is perhaps overdue.”

**587.** On putting the right structures in place, Lt Gen McColl referenced the need to put particular emphasis on developing the MOI “staff planning capability”, which remained “the most serious concern”.

**588.** On 27 October, a Joint Intelligence Committee (JIC) Assessment reported that the capability of the ISF was “growing” but that their effectiveness remained “patchy”.<sup>534</sup> It stated:

“The more reliable and better trained elements are in short supply and limit the current ability of the IIG to conduct more than one or two concurrent operations. The ISF will improve slowly up to the elections and their capability is planned to build significantly in the early part of 2005. But we judge that they will not be able to handle significant security responsibilities unaided until the middle of 2005 at the earliest. The nascent Iraqi intelligence service (INIS) is also under severe pressure and continues to suffer from assassinations and penetration.”

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<sup>533</sup> [Report McColl to CDS and CJO, 20 October 2004, ‘SBMR-I Hauldown report – Lt Gen McColl’.](#)

<sup>534</sup> [JIC Assessment, 27 October 2004, ‘Iraq: A Long-Term Insurgency Problem’.](#)

**589.** A JIC Assessment on 11 November reported that the ISF had been attacked by insurgent groups “since their creation” and cited “one of the most serious” attacks on 23 October where a convoy of ING forces was ambushed and 49 unarmed recruits were shot.<sup>535</sup> In describing the risk of infiltration, it stated:

“We judge that all the Iraqi official institutions, including the security forces ... employ individuals who give information to the insurgents, whether willingly or under threat. We estimate that nearly a third of current police officers will in time have to be dismissed due to their unsuitability, many of whom are believed to co-operate with insurgents. In Basra the police chief has been sacked ... Some attacks, such as the murders of high profile officials, suggest insider knowledge. But insurgents are also able to intimidate or attack the security forces simply because they live in and are known among the local community.”

**590.** On 26 November, MOD officials advised Mr Hoon that the ISF had performed well during operations in Fallujah (see Section 9.3) and that the development of the ISF was “on track”.<sup>536</sup> Many ISF elements were “above the predicted capability” for 1 December. Although absenteeism remained a problem, it was being addressed, including through “greater use of posting away from home areas to avoid intimidation”. The minute asked Mr Hoon to note that:

“ISF tasks during [the Fallujah operation] were deliberately selected so as not to be too demanding. That most of Fallujah was virtually deserted made ISF follow up operations easier; and the insurgents made little concerted attempt to disrupt them. It is not surprising therefore that [the Fallujah operation] did not reveal any significant gaps in ISF capability, training or equipment. It was never intended so to do.”

## FURTHER CONCERNS ABOUT IRAQIISATION

**591.** On 20 August 2004, Mr Phillipson wrote to Mr George Fergusson, OD Sec, commissioning a paper that set out the full picture in Iraq.<sup>537</sup> It was to cover how Iraq could progress to successful elections in January 2005, the challenges faced and “initial thoughts” on how those challenges could be addressed.

**592.** The IPU produced the paper, which concluded that the strategy agreed by the DOP in July remained the right one but would need “regular fine tuning”.<sup>538</sup> On SSR, the IPU suggested that timescales for Iraqiisation could “be compressed ... but only with increased resources and at risk to quality”. Equipment supply had started “to flow” but momentum would need to be maintained and in-country distribution improved.

<sup>535</sup> [JIC Assessment, 11 November 2004, ‘Iraq Security – Current Concerns’.](#)

<sup>536</sup> Minute MOD [junior official] to APS/SofS [MOD], 26 November 2004, ‘Post Fallujah – an Assessment of ISF Performance’.

<sup>537</sup> [Letter Phillipson to Fergusson, 20 August 2004, ‘Iraq: Next Steps’.](#)

<sup>538</sup> Minute Crompton to Private Secretary [FCO], 27 August 2004, ‘Iraq: Next Steps’ attaching Paper Iraq Policy Unit, 27 August 2004, ‘Iraq: Next Steps: Action Points’.

The paper also highlighted that the Petraeus Plan would strain budgets and require “sustained high level lobbying” of key allies to extend their deployment as many MNF contributors expected deployment to cease in 2005, earlier than required by the Plan.

**593.** Mr Phillipson, in summarising the paper to Mr Blair, described it as “too vague, and does not tally with loss of control compared to the situation on the ground in early July, not least in Basra”.<sup>539</sup> On Iraqisation, Mr Phillipson suggested:

“The paper says that Iraqisation is on track. We should ask for a more explicit assessment. What were the original timelines and benchmarks? What is our performance against them? How and where can they be tightened up and accelerated? There is a tendency to fear that this will increase costs – we should make clear that this should not be a bar to the necessary policy judgements. On timelines we also need to challenge the assertion that MNF forces will now need to be in Iraq at present levels until 2006 – we should be looking to move as quickly as possible to a shift from offensive MNF forces to a smaller training and advisory deployment.”

**594.** On 29 August, Mr Blair produced a minute in response which expressed that although the rationale behind Iraqisation was “fine”, the “urgency of the situation may overwhelm us and make our timescales ... naive”.<sup>540</sup> Mr Blair stressed the need for immediate action:

“Allawi has to be given, by hook or by crook, immediate strong, well-armed brigades who can move into any trouble-spot and clean up. This has got to take precedence over the General Petraeus plan. But we cannot have a row over equipment. If he needs the stuff, he has got to have it.”

**595.** On 9 September, Sir Nigel Sheinwald and Mr David Quarrey, a Private Secretary in No.10, sent Mr Blair a minute reporting their recent visit to Iraq, for use in Mr Blair’s planned video conference with President Bush.<sup>541</sup> They reported:

“Iraqisation is on a trajectory which will take us well into 2005, and maybe into 2006, before they can stand on their own. The police are doing better than the Army. There are real capacity issues in the key ministries, though throwing more advisers at them might not help. We seriously need to make a UK national contribution to speeding up equipment supply.”

**596.** The minute stated that the US NSC and No.10 would need to “be all over” the issue in coming months to ensure further progress and the need to maintain pressure for delivery on Iraqisation should be one of the key messages for Mr Blair’s conversation with President Bush.

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<sup>539</sup> [Minute Phillipson to Prime Minister, 27 August 2004, ‘Iraq: Next Steps’.](#)

<sup>540</sup> [Minute Prime Minister to Sheinwald, Powell and Phillipson, 29 August 2004, ‘Iraq’.](#)

<sup>541</sup> Minute Sheinwald and Quarrey to Prime Minister, 9 September 2004, ‘Iraq’.

**597.** On 16 September, Mr Blair chaired a meeting of the Ad Hoc Ministerial Group on Iraq (AHMGI – see Section 2), called “to ensure the UK Government approach to Iraq was fully co-ordinated in the period up to Iraqi elections in January 2005”.<sup>542</sup> He intended that the Group should meet regularly.

**598.** Given an insurgency that appeared to be increasingly co-ordinated, Mr Blair told the Group that he was “concerned that the Iraqi Security Forces (ISF) did not have sufficient capability to take on the insurgents.”

**599.** Gen Walker reported that plans were in place for the ISF to be fully equipped and trained by mid-2005, but that their capabilities would remain limited, especially compared with the MNF. There was little scope for accelerating the plans.

**600.** The Group agreed that the MOD would “make recommendations on how ISF capacity will develop and what more we can do to accelerate or refine the delivery to allow the ISF to tackle the current insurgency campaign”.

**601.** General Sir Mike Jackson, Chief of the General Staff, visited Iraq from 12 to 15 September.<sup>543</sup> In his report, he observed:

“... the generation of trained and equipped ISF and IPS is taking considerably more time than expected ... Although General Petraeus was buoyant about the progress in ISF and the recent performance of two of their battalions in Najaf, there is an underlying reservation highlighted by many, including Gen Casey, that improvement is slow – the faster release of allocated funds will help.”

**602.** On 19 September, Mr Blair met Prime Minister Allawi and Iraqi Ministers at No.10.<sup>544</sup> In Mr Quarrey’s note of the meeting to Mr Straw’s Private Secretary, he wrote that Dr Allawi had expressed frustration at the pace of Iraqiisation which had followed “the slow route of General Petraeus” and “had told Bush that he needed security capacity now, not next year”.

**603.** Mr Blair said that it was important that the long-term work continued but that there was also a need rapidly to increase the capacity of Iraqi intelligence and the ISF. Prime Minister Allawi requested a meeting with senior defence and intelligence officials from the US, UK and Iraq “to discuss problems with Iraqiisation”. When Iraqi Ministers suggested a halt to de-Ba’athification, Mr Blair and Dr Allawi agreed that the IIG needed “a practical approach”.

**604.** In a private meeting with Mr Blair afterwards, Dr Allawi said security was his personal focus, but was part of wider work on an overall strategy addressing national reconciliation and Sunni outreach, building the economy and building up the institutions

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<sup>542</sup> Minutes, 16 September 2004, Ad Hoc Ministerial Group on Iraq meeting.

<sup>543</sup> Minute CGS to CDS, 17 September 2004, ‘CGS Visit to OP TELIC 12-15 Sep 04’.

<sup>544</sup> Minute Quarrey to Owen, 19 September 2004, ‘Iraq: Prime Minister’s Lunch with Allawi, 19 September’.

of government and the state.<sup>545</sup> Dr Allawi made clear that tackling the security situation was his top priority, but he lacked effective resources to achieve that. He “needed: the two mechanised divisions, a Rapid Deployment Force,<sup>546</sup> an effective anti-terrorist capability in the police, and a more rapid build up of intelligence capability”. Mr Blair commissioned advice from Lt Gen McColl on how best to meet that requirement.

**605.** On 20 September, Mr Naworynsky provided two papers to No.10: “one on the current status of the ISF, including an analysis of the Petraeus Plan and recommendations for further work”; and a speaking note for Mr Blair’s next conversation with President Bush.<sup>547</sup>

**606.** The first paper listed the current capability of the ISF as 91,000 recruited and trained personnel, comprising:

- 34,500 police;
- 34,200 members of the National Guard;
- 14,300 border officers;
- 4,800 regular army;
- 1,900 Army Intervention Force; and
- 600 Special Forces.

**607.** Those forces were “totally reliant on the Multi-National Force (MNF) for support” and “turning quantity into quality – the key to our withdrawal” would “take time”.

**608.** The Petraeus Plan had forecast that by the end of 2005, total ISF strength would be 234,000 and it would be “able to tackle the majority of threats currently present in Iraq”. The paper noted that that was ambitious but would in time deliver security forces to meet Iraq’s predicted needs. It could be accelerated to deliver more forces with counter-insurgency capability sooner, but only by taking resources from long-term development, and so ultimately extending the length of the programme and the presence of UK forces in Iraq. The paper stated: “This would not be desirable.”

**609.** The paper stated that the UK could complement the Petraeus Plan by: continuing to support the MOI and IMOD; procuring equipment for the ISF in MND(SE); continuing training and mentoring the ISF; supporting NATO training of the middle and senior ranks and “consider whether the ISF require a heavy force”.

**610.** Sir Nigel Sheinwald annotated the covering letter: “This is v. feeble”.<sup>548</sup>

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<sup>545</sup> Letter Sheinwald to Adams, 19 September 2004, ‘Iraq: Prime Minister’s Meeting with Prime Minister Allawi, Sunday 19 September’.

<sup>546</sup> A Rapid Deployment Force is a military formation typically consisting of elite military units and usually trained at a higher intensity than the rest of their country’s military.

<sup>547</sup> Letter Naworynsky to Quarrey, 20 September 2004, ‘Advice for the Prime Minister’s Next VTC with President Bush’.

<sup>548</sup> Manuscript comment Sheinwald on Letter Naworynsky to Quarrey, 20 September 2004, ‘Advice for the Prime Minister’s Next VTC with President Bush’.

**611.** On 21 September, Maj Gen Houghton produced a paper for the Chiefs of Staff on “the prospects for developing capable and effective Iraqi Security Forces”.<sup>549</sup> He described the development of the ISF as “not pretty”. The reasons given for that included de-Ba’athification, the decision to disband the Iraqi armed forces and the absence of a strategy for Iraq’s security sector architecture. The last had now largely been addressed by the National Security Strategy, although it was not “officially signed off”.

**612.** Maj Gen Houghton wrote that there had been “an understandable tendency by some to ‘talk-up’ the timescales” for delivering manpower, equipment and training. Progress had been made but “must be set in the context of significant political frustration at the highest levels of Iraq, US and UK government”. He offered that one conclusion was that:

“... the current political frustration at the lack of progress in ISF development may be mis-directed. It is focusing too much on short-term, physical and – to an extent – symbolic representations of capability; it is not focusing enough on the capabilities which will actually allow Iraq to fight its own campaign. The need to meet this latter requirement may be brought closer in time as a result of the elections in the new year.”

**613.** On 22 September, Mr Hoon wrote to Mr Blair with advice on how the ISF would develop.<sup>550</sup> He stated:

“It is clear that Allawi feels frustrated with progress on Iraqiisation ... Our current assessment is that the Petraeus Plan will deliver ISF scaled to meet Iraq’s needs, including a limited offensive capability in time for the elections in January 2005. Allawi’s concerns are undoubtedly genuine.”

**614.** No.10 “pressed MOD for a full and imaginative response to Allawi’s request”.<sup>551</sup> Mr Hoon was “asked for more detail and a better focus” by No.10 after writing to Mr Blair on 27 September.<sup>552</sup>

**615.** Mr Naworynsky addressed that request in a letter to Mr Quarrey on 30 September after receiving advice from Lt Gen Fry.<sup>553</sup> While the MOD accepted that the pace of progress “could have been more rapid”, its judgement was:

“... that the Petraeus plan will deliver the required capability and does not need a radical overhaul. Indeed, to do so would stall momentum and delay the progress which Allawi desires. Indeed, we run the risk of a ‘new plan’ causing confusion with the existing plan.”

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<sup>549</sup> [Minute ACDS\(Ops\) to COSSEC, 21 September 2004, ‘Developing Capable and Effective Iraqi Security Forces’.](#)

<sup>550</sup> Letter Hoon to Blair, 22 September 2004, ‘Iraq: Petraeus Plan [sic]’.

<sup>551</sup> [Minute Quarrey to Blair, 1 October 2004, ‘Iraqi-isation’.](#)

<sup>552</sup> The Inquiry has not seen the 27 September letter from Mr Hoon to Mr Blair.

<sup>553</sup> [Letter Naworynsky to Quarrey, 30 September 2004, \[untitled\].](#)

**616.** Despite that judgement, Lt Gen Fry had identified that the ING could be provided with more firepower, mobility and logistic support. To do that, Mr Naworynsky listed six proposals at an estimated total cost of US\$107m. He wrote that those proposals would “accelerate the development of capable ISF” but were “costly and unfunded” with no provision for meeting them within the MOD’s budget. He concluded by pointing out that “even if all this is done, the impact on Iraqi capability for high end counter-insurgency operations before elections will remain very limited”. It would, however, “give a highly visible Iraqi face to such operations which would be at least as important in perception terms as the military effect achieved”.

**617.** Mr Quarrey summarised the MOD’s proposals to Mr Blair as “effectively brush[ing] aside Allawi’s demands”.<sup>554</sup> He accepted that there was logic in the proposals but the focus on ING instead of the main counter-insurgency forces would not deliver what Allawi “really wants”. He advised Mr Blair to speak to Mr Hoon, “emphasising the need for him to take a personal interest in the issue”.

**618.** Referring to the MOD’s proposals, Mr Blair responded: “It may be right but it’s definitely not a response to Allawi.”<sup>555</sup>

**619.** On 5 October, Dr Allawi wrote a letter to President Bush and Mr Blair.<sup>556</sup> The Inquiry has not seen this letter.

**620.** On the same day, Mr Blair and President Bush spoke by video conference.<sup>557</sup> Mr Blair’s brief for the conversation suggested that he should ask the President if there had been progress on accelerating Iraqiisation; Secretary Rumsfeld was believed to be resisting such a move.<sup>558</sup>

**621.** In discussion, Mr Blair said that Prime Minister Allawi was pushing ahead with Iraqiisation as fast as he could. Mr Blair suggested that Dr Allawi’s “twin track of political outreach and increased military capability” plus a statement from the US and UK that they were “in this until the job was done”, was “key”.<sup>559</sup>

**622.** Mr Blair and Prime Minister Allawi spoke on 22 October.<sup>560</sup> Mr Quarrey recorded that Dr Allawi said that Iraqiisation was “finally moving” and that “people – even including Rumsfeld – now accepted that Allawi was right about the need to accelerate this”. Dr Allawi was expecting a detailed plan the following week.

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<sup>554</sup> [Minute Quarrey to Blair, 1 October 2004, ‘Iraqi-isation’.](#)

<sup>555</sup> [Manuscript comment Blair on Minute Quarrey to Blair, 1 October 2004, ‘Iraqi-isation’.](#)

<sup>556</sup> Letter Adams to Quarrey, 22 October 2004, ‘Prime Minister Allawi’s Letter on Developing ISF Capability’.

<sup>557</sup> Letter Phillipson to Adams, 5 October 2004, ‘Prime Minister’s VTC with President Bush, 5 October: US Elections, Iraq, Iran, MEPP’.

<sup>558</sup> Minute Phillipson to Prime Minister, 4 October 2004, ‘VTC with President Bush, 5 October’.

<sup>559</sup> Letter Phillipson to Adams, 5 October 2004, ‘Prime Minister’s VTC with President Bush, 5 October: US elections, Iraq, Iran, MEPP’.

<sup>560</sup> Letter Quarrey to Wilson, 22 October 2004, ‘Iraq: Prime Minister’s Conversation with Allawi, 22 October’.

## Global Conflict Prevention Pool strategy update

On 29 September 2004, Mr Stuart Jack, FCO Director Iraq, provided an update on a revised Global Conflict Prevention Pool (GCPP) Strategy to Mr Straw's Private Secretary.<sup>561</sup> The Strategy had three objectives:

- building the capacity of the Iraqi Government and civil society to carry out conflict prevention and resolution;
- preventing further polarisation and reducing underlying tensions between different elements of Iraqi society; and
- building the capacity of the security sector, with special emphasis on the police and prisons.

On funding, Mr Jack wrote that Mr Blair had asked the GCPP to fund up to £2m for a project supporting the MOI. That was in addition to a £2.5m MOD bid approved by AHMGI on 16 September to purchase equipment for the ISF.<sup>562</sup> Both projects were considered to serve "our broader Iraq objectives", although the ISF project only "just about" met published eligibility criteria for the supply of military equipment.

Mr Straw wrote to Mr Hoon and Mr Benn on 4 October with the revised Strategy, recommending that the FCO, the MOD and DFID endorse it.<sup>563</sup> Mr Straw flagged that funding was "over-committed" that financial year and warned that future project proposals for Iraq would need to be carefully considered in that light.

There is no record that Mr Benn or Mr Hoon formally endorsed the Strategy.

## Suggestions for improvements in SSR

**623.** Mr Robert Davies, Chief Police Adviser to the MOI, produced a briefing on the IPS for Mr Straw on 6 October.<sup>564</sup> He wrote:

"The impatient focus on increasing its size (aspiration force of 130K – there are 130K on current payroll but only 90K accounted for!) has led to a large number of police joining the service as a result of General Petraeus' drive for '30K in 30 days', who have not received any training and who are of questionable integrity and quality."

**624.** Mr Davies summarised the IPS as "... brave but subject to intimidation, in part poorly led, weak in structures according to western standards, and in need of further equipment".

**625.** Mr Davies also noted that there was no forensic examination of serious crime, intelligence gathering was weak and "the inability of the IPS to plan operations is causing all sorts of serious problems in combined operations".

<sup>561</sup> [Minute Jack to Private Secretary \[FCO\], 29 September 2004, 'Global Conflict Prevention Pool – Iraq Strategy'](#).

<sup>562</sup> Minutes, 16 September 2004, Ad Hoc Ministerial Group on Iraq meeting.

<sup>563</sup> [Letter Straw to Benn, 4 October 2004, 'Global Conflict Prevention Pool – Iraq Strategy'](#).

<sup>564</sup> Minute Owen to Crompton, 12 October 2004, 'Iraq: Police Service' attaching Email Davies to Owen and Hurley, 6 October 2004, 'The Iraqi Police Service' and Paper, [undated], 'The Iraq Police Service [IPS]'.

**626.** Mr Davies stated that two regiments of police were being formed from soldiers who were “simply changing the colour of their shirts” to form assault brigades. He also said: “The poor quality of leadership is being buttressed by Generals with a military background being transferred to the police.”

**627.** Mr Davies suggested that the UK could offer further assistance through:

- developing a professional facility to deal with kidnapping and hostage taking;
- continued support for “operational planning training”;
- doubling UK advisers to bolster support to senior IPS officers and cover other UK officers’ leave periods; and
- supporting the development of the IPS intelligence strategy.

**628.** Following Mr Davies’ report, Mr Straw requested advice from the IPU.<sup>565</sup> A junior official responded on 5 November, indicating that Mr Davies was in “daily contact” with the IPU on policing in Iraq and that the emphasis was “now on quality not quantity”. The two most significant problems were identified as “the dysfunctional MOI and equipment shortages” and IPU highlighted the two recent GCPP funded initiatives to address those (see Box, ‘Global Conflict Prevention Pool strategy update’, earlier in this Section).

**629.** In November, DCC Brand produced a report highlighting a range of issues from his time in Baghdad and recommendations to address them.<sup>566</sup> Those included that:

- police involvement in pre-conflict planning could have helped to ensure the IPS were better prepared for their new role;
- the FCO providing terms of reference for seconded senior police officers would help to manage expectations for each mission; and
- a “fundamental shift should occur in HMG’s [Her Majesty’s Government’s] policy on the raising of police officers to support international missions” to create a standing reserve of officers that are able to be deployed quickly.

**630.** In his conclusion, DCC Brand observed that many of his suggestions echoed earlier reports (including the Brahimi Report<sup>567</sup>) whose recommendations had been “largely ignored”. He commented that he had “called this report ‘lessons identified’, as only time will tell whether any lessons have been learned”.

**631.** The Inquiry has seen no acknowledgement of or response to DCC Brand’s report by the Government.

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<sup>565</sup> Minute IPU [junior official] to PS [FCO], 5 November 2004, ‘Iraq: Advice to FS Following Robert Davies Paper on IPS’.

<sup>566</sup> [Report Brand, November 2004, ‘Iraq 2003-2004 Domestic Lessons Identified for Police Deployments’](#).

<sup>567</sup> UN Report, 21 August 2000, ‘Report of the Panel on United Nations Peace Operations’.

## NATO training mission – Iraq

On 22 June 2004, NATO received a request from Dr Allawi seeking support to Iraq through “training and other forms of technical assistance”.<sup>568</sup>

On the same day, in a video conference with President Bush, Mr Blair suggested using the NATO conference in Istanbul, scheduled for later in the month, to secure agreement to Dr Allawi’s request for NATO help with training.<sup>569</sup>

The matter was discussed at the Istanbul conference on 28 June and all Heads of State and Government in attendance agreed to offer assistance to the IIG with the training of its security forces.<sup>570</sup> A training mission was deployed in August to conduct training of Iraqi Headquarters personnel.

NATO’s previous role had been limited to logistical support of the multinational division led by the Poles in MND(CS).<sup>571</sup> Personnel from Canada, Hungary, Norway, the Netherlands and Italy were all involved.

On 8 October, the North Atlantic Council agreed a Concept of Operations for enhancing NATO’s assistance to the IIG by taking a role in training of the security forces.<sup>572</sup>

Lt Gen Petraeus was given the additional role of the head of the NATO training mission.

On 21 February 2005, Mr Hoon was briefed that NATO was encountering problems fully manning its training mission in Iraq, with a shortfall of 25 posts (around a quarter of the total). At that stage, the UK had 11 personnel working in the NATO training mission.<sup>573</sup>

To address pressure from NATO for a greater UK role Mr Hoon agreed that the UK could rebadge 11 personnel from MNSTC-I involved in Basic Officer Training as NATO personnel. Mr Hoon agreed with advice from officials that the UK should resist requests to take the lead on the Junior Officer Leadership Training Module.<sup>574</sup>

On 2 June 2005, Mr Roger Cornish, MOD Deputy Director Iraq, recommended the UK take leadership of the Basic Officer training module when it transferred to NATO.<sup>575</sup> That did not take effect until 1 July 2006, and then only after agreeing a Memorandum of Understanding that stipulated the UK would not be expected to make up any personnel or funding shortfalls.<sup>576</sup>

<sup>568</sup> NATO website, ‘NATO in Iraq: the Evolution of NATO’s Training Effort in Iraq’.

<sup>569</sup> Letter Quarrey to Owen, 22 June 2004, ‘Prime Minister’s VTC with Bush, 22 June: Iraq’.

<sup>570</sup> NATO Press Release (2004) 098, 28 June 2004, ‘Statement on Iraq’.

<sup>571</sup> Wright DP & Reese TR. *On Point II: Transition to the New Campaign – The United States Army in Operation IRAQI FREEDOM May 2003 – January 2005*. Combined Studies Institute Press, June 2008; NATO Press Release (2003) 059, 3 June 2003, ‘Final Communiqué: Ministerial Meeting of the North Atlantic Council held in Madrid on 3 June 2003’.

<sup>572</sup> NATO Press Release (224) 134, 8 October 2004, ‘NATO Nations Agree Next Step in Implementing Training in Iraq’.

<sup>573</sup> Minute MOD [junior official] to PS/Secretary of State [MOD], 21 February 2005, ‘The NATO Training Mission Iraq (NTM-I)’.

<sup>574</sup> Minute Naworynsky to MOD [junior official], 22 February 2005, ‘The NATO Training Mission Iraq (NTM-I)’.

<sup>575</sup> Minute Cornish to PS/Secretary of State [MOD], 2 June 2005, ‘Iraq: UK Short-Term Commitment to Bilateral Defence Relations’.

<sup>576</sup> Minute DCDS(C)/Policy Director to PS/SofS [MOD], 2 June 2006, ‘NATO Training Missions – Iraq (NTM-I) Memorandum Of Understanding (MoU) for Basic Officer Training’.

By July 2007, the UK contribution to the NATO training mission had reduced to 18 personnel, and was expected to decrease further to 14.<sup>577</sup>

The UK provided personnel to the NATO training mission until its withdrawal from Iraq on 31 December 2011.<sup>578</sup> The mission's mandate was not extended, as agreement could not be reached on the legal status of NATO troops operating in country. Over the seven-year period, the mission trained over 5,000 military personnel and over 10,000 police personnel at a cost of over €17.5m.

**632.** On 18 August 2004, Mr Hoon wrote to Mr Blunkett about the importance of offering training and mentoring to the IPS.<sup>579</sup> He wrote that the MOI lacked “the ability to conduct even rudimentary operational planning” which restricted both “their ability to plan and execute police operations” and “the ability of the Iraqi police to assume greater responsibility from the Multi-National Force in Iraq”.

**633.** The MOD planned to run a training course “in September/October for some 50-60 senior Iraqi police officers”. Nine UK military personnel would be deployed to work with UK police officers in Iraq “to ensure that a coherent approach is maintained”.

**634.** Mr Hoon wrote that the MOD's experience suggested “that the benefits of such training initiatives will fade quickly unless they are followed up with longer-term support and underpinned by mentoring”. He had asked officials in the MOD to continue working with officials from the Home Office and the FCO to consider who should provide this support and how.

**635.** On 13 September, Mr Chaplin sought the FCO's views about a “high priority” programme of assistance to the MOI.<sup>580</sup> He described the MOI as:

“... highly dysfunctional ... and in need of significant assistance in a range of areas, from operational planning to the basics like recording minutes of meetings and following up action points.”

**636.** Mr Chaplin reported that, while the UK and US had resources allocated to operational advice and supporting the IPS's development, nothing “adequately addresses the need for capacity-building” within the MOI. A meeting with the MOD, DFID and UK Police Advisers had concluded that a programme of assistance was needed to address this gap, and that the GCPP “would be the most appropriate source” of funding. The key elements of the programme were:

- operational planning;
- basic capacity-building – “getting effective structures and working practices in place”;

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<sup>577</sup> Report MOD, 5 July 2007, ‘PJHQ Manning Tables: MNSTC-I, NTM-I and NaTT’.

<sup>578</sup> NATO website, ‘NATO in Iraq: the Evolution of NATO's Training Effort in Iraq’.

<sup>579</sup> Letter Hoon to Blunkett, 18 August 2004, ‘Iraq: Training and Mentoring Senior Iraqi Police Officers’.

<sup>580</sup> Telegram 203 Baghdad to London, 13 September 2004, ‘Iraq: Ideas for Further Help to the Ministry of Interior’.

- communications strategy;
- mentoring; and
- a training needs assessment.

**637.** In mid-October, the UK agreed to provide funds from the GCPP to build the capacity of the MOI, which was described as “a weak link in efforts to make the Iraqi police effective enough to operate without MNF support”.<sup>581</sup>

**638.** At the SSR meeting on 7 October, it was reported that £3.5m of GCPP funding had been agreed for the MOI project over the next 12 to 18 months.<sup>582</sup> The first phase would be a scoping visit. The second phase would include two advisers until January 2005 and then four advisers for a further year. There was potential to use civil servants from the Home Office, such as a senior policy maker.

**639.** On 19 October, a group comprising Defence Advisory Team (DAT) personnel and a consultant were deployed to Iraq to do the initial scoping for the MOI project.<sup>583</sup> It reported that the MOI was “unable to carry out basic management functions”.<sup>584</sup> Basic management information, including the number of police, remained unavailable. Decision-making at the top of the Ministry was improving, helped significantly by US mentors, but it was very difficult to translate decisions into action:

“Iraqi politicians currently find it hard to work with their official colleagues and deputies, who have often been selected to achieve balance as part of a political settlement rather than on merit or because they share a political programme. In an unstable political and security environment, politicians are understandably reluctant to trust people whom they do not know, and prefer to work with trustworthy family and tribal members, regardless of formal structures or job titles.”

**640.** The DAT also reported that the MOI was located outside the Green Zone<sup>585</sup> and that visits were currently limited to three two-hour slots per week.

**641.** The team recommended that UK support should focus on strengthening the capabilities of a small, permanent cadre of Iraqi officials who could provide a policy implementation capacity to any Minister within any overall structure. They also reported that in the absence of an agreed constitution they could not make recommendations to increase political accountability, and that they had been unable to consult civil society on their recommendations due to the security situation and because few representative

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<sup>581</sup> [Minute Jack to Private Secretary \[FCO\], 29 September 2004, ‘Global Conflict Prevention Pool – Iraq Strategy’](#); Minutes, 13 October 2004, ‘Record of Strategy Managers Meeting, 13 October 2004’.

<sup>582</sup> Minutes, 7 October 2004, Security Sector Reform meeting.

<sup>583</sup> [Minute IPU \[junior official\] to PS \[FCO\], 5 November 2004, ‘Iraq: Advice to FS following Robert Davies Paper on IPS’](#).

<sup>584</sup> Report, October 2004, ‘GCPP Proposal, Iraq: Interim Security Sector Reform, Phase One Report’.

<sup>585</sup> The ‘Green Zone’ is also described as the ‘International Zone’ and refers to the centre of the international presence in Baghdad.

bodies yet existed. Capacity would be built through a series of events focused on particular issues facing the Ministry, supplemented by a team of long-term advisers.

**642.** On 14 January 2005, a commercial proposal was submitted to DFID by Crown Agents, the company responsible for delivering the MOI project.<sup>586</sup> That was a revision of two earlier proposals (in December and January), following on from the project design team's visit in October. The project was scheduled to run for 15 months at a cost of £2.3m, "with a provisional start date of January 2005". The proposal stated that two international advisers and two Iraqi advisers seconded from the MOI would be based in the Minister of the Interior's office to ensure continuity and "a link to wider Ministerial, governmental and donor concerns".

**643.** Mr Howard visited Baghdad from 13 to 15 January.<sup>587</sup> He noted that increased UK assistance to the IMOD and the MOI ("by stepping up efforts ... to fill key advisory posts") was important in helping Iraqis achieve effective leadership of their security forces. He encouraged UK support in developing an Iraqi tactical intelligence capability by setting up a "Special Branch" function.<sup>588</sup> He described the relationship between the MOI and the police as "very tenuous".

**644.** The MOD had been providing a team of civilian personnel to advise and assist with the development of the IMOD since January 2004.<sup>589</sup> UK military trainers were also working on the creation of the Iraqi Joint Forces HQ, to provide command and control of the Iraqi Armed Forces.

**645.** On 4 March, Mr Howard wrote to Mr Hoon about future UK support to the IMOD.<sup>590</sup> He stated that there was:

"... definite value in increasing UK efforts in this area by proactively identifying posts where we think we can provide targeted expertise ... and by finding the right people to fill them early on."

**646.** He also reported:

"We are currently looking at the possibility of increasing UK civilian support to the MOI with FCO and DFID ..."

**647.** Minutes from the GCPP Strategy Meeting on 8 March recorded that two consultants had withdrawn from the MOI project.<sup>591</sup> Three new candidates had been identified and a decision would be taken later that week to confirm the appointments.

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<sup>586</sup> Paper Crown Agents, 14 January 2005, 'Interim Iraq Security Sector Support'.

<sup>587</sup> Minute Howard to DCDS(C), 19 January 2005, 'DG Op Pol visit to Baghdad 10-13 January 2005'.

<sup>588</sup> 'Special Branch' is normally used to identify police units responsible for national security.

<sup>589</sup> Annotated Agenda, 8 January 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>590</sup> Minute Howard to Hoon, 4 March 2005, 'UK Support to the Iraqi Ministry of Defence'.

<sup>591</sup> Minutes, 8 March 2005, Iraq GCPP Strategy meeting.

The meeting heard that that could delay the project until early April, but that it could “prove beneficial, as the project will require the new Minister’s backing if it is to be effective”.

**648.** At the next Iraq GCPP Strategy Meeting on 16 March, the meeting was told that two new consultants had been appointed and would be deployed to Iraq mid-April.<sup>592</sup>

**649.** In his May 2005 review of policing priorities and resources, Acting Deputy Chief Constable Colin Smith, Chief Police Adviser Iraq, identified the need for a senior UK civil servant (from the Home Office) with experience in police strategic development and police structure to assist the MOI.<sup>593</sup>

**650.** That request was picked up by Mr Michael Gillespie, Home Office Head of the Public Order and Police Co-Operation Unit.<sup>594</sup> He advised Mr Peter Storr, Home Office International Director, that there were financial implications to the request, as the FCO would not reimburse salary or the additional costs of deployment. Aside from the financial implications, Mr Gillespie raised “the issue of whether this is a good use of Home Office resources”.

**651.** On 27 November 2009, a draft review of the support provided to the MOI and IPS was circulated.<sup>595</sup> It stated that the MOI project had been merged with the FCO-led IPS training programme in 2007 following the last external review, to create “greater co-ordination and a more cross-sectoral approach to Security Sector Reform”. Responsibility for the MOI element was transferred to the US in June 2009.

### Fraud and assassinations in the Iraqi MOD

In his book *The Occupation of Iraq*, Mr Ali A Allawi, former IGC Defence Minister gave details of a major corruption scandal in the Iraqi IMOD (IMOD).<sup>596</sup> He stated that the Ministry of Finance was instructed to appropriate US\$1.7bn in one lump sum, and put it at the disposal of the IMOD. The money was to be used for the formation of two rapid deployment divisions but no justification was given for the amount required and limits on spending were removed.

On 16 May 2005, the Iraqi Bureau of Supreme Audit<sup>597</sup> presented a “damning report” to the incoming Prime Minister. Later in 2005, the Director General of Finance at the IMOD was arrested and helped in exposing the involvement of senior IMOD officials. Two of her colleagues, the Director General of Planning and the Inspector General, were subsequently murdered.

<sup>592</sup> Minutes, 16 March 2005, Iraq GCPP Strategy meeting.

<sup>593</sup> [Report Smith, 15 May 2005, ‘Next Steps on Policing – Review’.](#)

<sup>594</sup> Minute Gillespie to Storr, 26 May 2005, ‘Iraq: Request for a UK Civil Servant (Home Office) to act as Ministry of Interior Civilian Police Adviser: Baghdad’.

<sup>595</sup> Paper Stabilisation Unit [junior official] and Howlett-Bolton, 27 November 2009, ‘Review of the support to the Ministry of Interior and Iraqi Police Service Programme’.

<sup>596</sup> Allawi AA. *The Occupation of Iraq: Winning the War, Losing the Peace*. Yale University Press, 2007.

<sup>597</sup> The Iraqi Bureau of Supreme Audit was responsible for anti-corruption.

## JUSTICE SECTOR CONCERNS

**652.** The Justice Sector Adviser for the International Legal Assistance Consortium (ILAC) and DFID arrived at the British Embassy Baghdad on 22 September.<sup>598</sup> Her report described the positive reception of training programmes, but noted that that was “accompanied by clear statements of need for more”. Reform of the Iraqi Bar Association would continue to be “complex and difficult due to the factional and political in-fighting”; it was seen as a “long-term project”.

**653.** The consultant identified factors which should inform future training and strategy of the justice sector, including the importance of increasing the number of jurists being trained, to involving women and the regions, and for all training sessions to include the basic requirements of a fair trial (civil and criminal). She also recommended establishing a donor co-ordination mechanism under Iraqi leadership which would help to provide a clear picture of all assistance being provided and planned and identify outstanding areas of need.

**654.** At the AHMGIR on 9 December the point was made in discussion that “there was a demand in Iraq for more judicial assistance”.<sup>599</sup> The minutes recorded that Lord Goldsmith was “exploring what more help we could offer”.

**655.** On 15 December, a junior DFID official advised Mr Benn to write to Lord Goldsmith explaining DFID’s work in the justice sector.<sup>600</sup> The official wrote that, following the AHMGIR on 9 December, Lord Goldsmith had “made clear his frustration” to officials that “more was not being done and that he [was] not being kept sufficiently informed”.

**656.** Mr Benn wrote to Lord Goldsmith on 13 January 2005.<sup>601</sup> Mr Benn wrote that “DFID’s bilateral assistance” had focused on the ILAC project and that, to date:

- 93 judges had received training on the independence of the judiciary;
- 263 judges, prosecutors and lawyers had received training by the International Bar Association in International Human Rights Law; and
- 13 trainers had been trained with “cascade training” reported for between 100 and 200 lawyers in Iraq.

**657.** The letter also highlighted two programmes being funded by the GCPP: the Southern Iraq Prison Programme (to ensure accordance with international minimum standards for the treatment of prisoners and monitoring capacity, and the MOI capacity-building programme. Mr Benn wrote that the work was undertaken “against the

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<sup>598</sup> Email Hoddinott to [Consultant], 10 October 2004, ‘Olivia’s Initial Report’ attaching Report Holdsworth, 9 October 2004, ‘Initial Report – Justice Sector Adviser, Baghdad’.

<sup>599</sup> Minutes, 9 December 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>600</sup> Minute DFID [junior official] to Private Secretary [DFID], 15 December 2004, ‘Iraq: Letter to the Attorney General on Work in the Justice Sector’.

<sup>601</sup> [Letter Benn to Goldsmith, 13 January 2005, \[untitled\] attaching Paper, ‘Iraq: Update on Donor Support to the Justice Sector’.](#)

backdrop of the very difficult security environment in Iraq” and that “security concerns have inevitably delayed some of ILAC’s work”.

**658.** An update on donor support to the Iraqi justice sector was attached to Mr Benn’s letter. This identified a number of constraints that were limiting access to justice, including the lack of scrutiny over court procedures, irregular sentencing, and weak integration between the police, courts and prisons. The update stated that “donor activity would benefit from a more co-ordinated and strategic approach, under the guidance of the Iraqi Minister of Justice and Chief Justice”.

**659.** On 12 January, ILAC submitted their annual report on the Justice Sector Support programme to DFID.<sup>602</sup> Security was described as “the major constraint faced by legal professionals” and was listed as a risk to delivery against all programme outputs. ILAC warned that costs would be £182,000 higher than their grant proposal because the assumption had been that in 2005 training would be delivered inside Iraq; the security situation dictated that training would have to continue outside.

**660.** ILAC reported “no substantial progress” with regard to strengthening the admission requirements or disciplinary procedures of the Iraqi Bar Association (IBA). It wrote that “politicking” by the IBA leadership would continue to be a risk to the selection of delegation members. ILAC plans for 2005 included “ways of ameliorating this”. The Judicial Training Institute remained closed with “no immediate plans to reopen”. It was “disappointing” that it had “not been possible to engage that important institution”.

**661.** A draft version of a Strategic Conflict Assessment (SCA) dated 27 December 2004 was circulated amongst officials on 2 March 2005 (it is described in more detail later in this Section).<sup>603</sup> The report recommended “the continuation of training of judiciary and linking aid to independence of judiciary”.

**662.** In the Global Conflict Prevention Pool (GCPP) Strategy meeting on 7 April, it was reported that the SCA recommended “supporting the justice sector”.<sup>604</sup> However, while there were “clear links” to the IMOD, MOI and SSR activities, “it was decided that the GCPP could not fund any sustainable development in the area with funds available”.

## Delays in transferring security

**663.** In Mr Blair’s weekly Iraq update on 9 December 2004, Mr Quarrey reported that an upcoming JIC Assessment on Iraqiisation was likely to conclude that “progress remains slow” and that “we will not hit a key target for handing over ‘provincial control’ to Iraqi security forces across the country by mid-2005”.<sup>605</sup>

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<sup>602</sup> Letter Hoddinott to [Consultant], 12 January 2005, ‘ILAC Iraq Justice Sector Support – Annual Report 2004, Grant AG3737’.

<sup>603</sup> Email DFID [junior official] to DFID [junior official], 2 March 2005, ‘Review of policing work’ attaching Paper ‘Strategic Conflict Assessment – Iraq’.

<sup>604</sup> Minutes, 7 April 2005, Iraq GCPP Strategy meeting.

<sup>605</sup> Minute Quarrey to Blair, 9 December 2004, ‘Iraq Update’.

**664.** The update also included the “latest version” of a paper on handling Iraq in 2005 sent by Ms Kara Owen, Private Secretary to Mr Straw, to Mr Quarrey on 9 December. Mr Quarrey wrote that Mr Blair had seen earlier versions of the paper and that it was “mostly fine, but it remains very much work in progress and will need to be revisited depending on progress with elections and Iraqisation”.

**665.** The FCO paper, described as an agenda for discussion with the US, considered that continued progress on Iraqisation would allow MNF to change during 2005 from primary responsibility for security in all areas to a supportive role, either in support of ISF operationally or as trainers or mentors.<sup>606</sup> A transfer of security lead to the ISF could occur in summer 2005.

**666.** In a note dated 12 December to his No.10 staff, Mr Blair commented that the situation in Iraq was “worrying”.<sup>607</sup> He gave six reasons for that assessment (see Section 9.3), one of which was that the Petraeus Plan did “not seem to be yielding the looked-for progress”. His note called for a “proper strategy based on a hard-headed reality check”; the FCO paper was deemed “inadequate”.

**667.** In a discussion with President Bush on 14 December, Mr Blair said that training issues needed careful consideration but he was not clear whether the problem was the strategy, or simply that it needed time.<sup>608</sup> He wondered “were we missing something that was holding back the reconstruction and Iraqisation programmes?”

**668.** A JIC Assessment produced on 15 December considering the ISF found:

- On force levels; that ISF figures did “not provide a guide to real capability and quality”, an example being that only “some 50 percent” of the 87,000 police “on duty” were classified as trained and equipped.
- On effectiveness; that while “some progress” had been made among elements of the ISF, the overall performance of the ISF continued to be “inadequate”. There was a lack of “equipment, training, leadership, command and control, and, in many cases, determination to oppose insurgents, particularly when they feel vulnerable with little or no MNF support close by”.
- On the environment; that the ISF had been “under sustained attack” and was “being undermined by increasing penetration and intimidation by insurgents”. Over 300 ISF members had been killed since August.<sup>609</sup>

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<sup>606</sup> Letter Owen to Quarrey, 9 December 2004, ‘Iraq: 2005’ attaching Paper ‘Iraq: 2005: Forward Look’.

<sup>607</sup> [Note Blair, 12 December 2004, ‘Iraq’](#).

<sup>608</sup> Letter Phillipson to Adams, 14 December 2004, ‘Prime Minister’s VTC with President Bush, 14 December: Iraq and the MEPP’.

<sup>609</sup> [JIC Assessment, 15 December 2004, ‘Iraq: the Iraqi Security Forces’](#).

**669.** The JIC described the plan to address those issues:

“Prime Minister Allawi wants more capable Iraqi forces to take on the hard-line elements of the insurgency and reduce his reliance on the MNF. More army units are coming on line: elements of a mechanised brigade (including some tanks and armoured personnel carriers) and two new army brigades are deploying this month, one to Mosul and one to Baghdad. Three more police special commando battalions are planned. But these units have limited operational capability (the new brigade in Mosul is doing badly and is being replaced). This will restrict their employability in the short term and may jeopardise longer-term ISF aspirations. A plan has been put forward to address some of the command and control problems: by the end of January 2005 a national command and control system will be in place linking the Prime Minister, MOD and MOI to the national Joint Co-ordination Centre (JCC) and provincial JCCs. This will help, but better political leadership and overall management by the MOI and MOD is required.”

**670.** On prospects, JIC stated:

“Through 2005 ISF capability will grow incrementally and significant units, up to brigade size should be deployable by the summer. The ISF should benefit from the planned improved training and equipment procurement programmes. After significant delays these are now reported to be on track, however the planned expansion of trained and equipped police from some 47,000 to 135,000 and the army from some 3,000 to 27,000 between now and July 2005 seems very ambitious. The more modest increases planned for specialist units may be more achievable. The NATO mission to assist leadership training is stalled. The ISF will remain reliant on support from the MNF in many areas, in particular heavy fire support and logistics. There is little sign of the development of a coherent intelligence capability, which is critical to success. Leadership and discipline will remain chronic problems affecting capability; ... Attacks and intimidation will also continue to undermine effectiveness. Policing crime will have to remain a second priority in many areas.

“According to the MNF, 15 out of 18 provinces will be under local control – requiring only limited support by the MNF – by the end of the year. But we judge local control, even in some Shia and Kurdish areas, will remain fragile. We assessed in October that the ISF would not be able to handle significant security responsibilities unaided until the middle of 2005 at the earliest. We have also previously judged that the MNF are constraining, not containing, the insurgency. We now judge that, if the Iraqi Government and the MNF are unable to improve the security situation significantly, particularly in and around Baghdad, a credible ISF capable of managing the insurgency unaided will not emerge until 2006 at the earliest.”

**671.** The JIC advised that plans for Iraqi military forces had grown from three infantry divisions to two infantry divisions, six ING divisions, an Iraqi Intervention Force division and a mechanised brigade.

**672.** The JIC Assessment was discussed at the AHMGI on 16 December, where the consequences of slow ISF development on MNF drawdown were reiterated.<sup>610</sup> Ministers agreed that a number of papers should be prepared, including practical suggestions to adjust the Petraeus Plan, ways of improving the IMOD and MOI, a list of security and funding issues for Mr Blair to raise with President Bush and a list of useful activities that other countries could be asked to undertake.

**673.** In a Note to President Bush on 10 January 2005, Mr Blair described the Iraqisation of security forces as critical but said that he was not convinced that the plan to deliver it was robust enough.<sup>611</sup> He identified work on ISF leadership – both Ministerial and operational – as necessary as well as the provision of “the equipment they need to be a match for the insurgents”. Mr Blair suggested that the objective should be “more and tougher quality, while building quantity” and confirmed that he had authorised “an extra \$78m from our MOD for the Iraqi Forces in the South”. Although he could not be sure that funding was essential, Mr Blair wrote “I’ll take the risk rather than find six months later it was”.

**674.** When Mr Blair spoke to President Bush by video conference the following day, he suggested that the “Luck Review” (described later in this Section) would “give us a better idea of what was required on Iraqisation”.<sup>612</sup>

**675.** On 16 January, Mr Phillipson sent a note to Mr Geoffrey Adams, Mr Straw’s Principal Private Secretary, with details of Mr Sheinwald’s visit to Washington a couple of days earlier.<sup>613</sup> When he met Dr Rice, Mr Sheinwald raised the “gloomy assessment” that “only a few thousand of Iraqi Security Forces personnel were properly trained and led”.

**676.** Mr Sheinwald said: “This showed the scale of the problem, as the official numbers for those trained and equipped was 120,000.” Dr Rice was recorded as saying that “the problem with the police was simple. They were trained to walk a beat but were now facing terrorists with RPGs [Rocket Propelled Grenades]. They were either fleeing or dying, but not fighting.”

**677.** On 21 January, Mr Phillipson wrote to Mr Chris Baker, Principal Private Secretary to Mr Hoon, with a summary of a meeting held between Mr Blair and Mr Hoon that morning.<sup>614</sup> Gen Walker, Ms Aldred, Mr Phillipson and Mr Jonathan Powell, Mr Blair’s Chief of Staff, were also present. Mr Blair “said that his primary concern remained that the Iraqisation programme was not working”. Gen Walker “conceded that it certainly was not happening as fast as we had hoped” and that “all of Gen Petraeus’ timelines had been missed”. He said that there remained a “crucial need to accelerate the Iraqisation programme to advance the date when ISF could take over security”.

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<sup>610</sup> Minutes, 16 December 2004, Ad Hoc Ministerial Group on Iraq meeting.

<sup>611</sup> Letter Sheinwald to Hadley, 10 January 2005, [untitled] attaching [Prime Minister to President Bush, 10 January 2005, ‘Note’](#).

<sup>612</sup> Letter Quarrey to Owen, 11 January 2005, ‘Prime Minister’s VTC with President Bush, 11 January’.

<sup>613</sup> Letter Phillipson to Adams, 16 January 2005, ‘Nigel Sheinwald’s Visit to Washington: Iraq’.

<sup>614</sup> [Minute Phillipson to Baker, 21 January 2005, ‘Iraq: Future Strategy’](#).

## Allegations of abuse by Iraqi police

On 25 January 2005, Human Rights Watch (HRW) published a report which alleged that the abuse of detainees by Iraqi police and intelligence forces had become “routine and commonplace”.<sup>615</sup> The report was based on interviews with 90 detainees in Iraq between July and October 2004 and described “serious and widespread human rights violations”. It alleged “the systematic use of arbitrary arrest, prolonged pre-trial detention without judicial review, torture and ill-treatment of detainees, denial of access by families and lawyers to detainees, improper treatment of detained children, and abysmal conditions in pre-trial detention facilities”.

The report made a number of recommendations to MNF governments, including the immediate prioritisation of an investigation into allegations of torture or ill-treatment of detainees by the IPS, establishing new mechanisms to investigate allegations of abuse and an increase in the number of advisers deployed in detention facilities.

The press release issued by HRW on the same day stated:

“International police advisers, primarily US citizens funded through the United States government, have turned a blind eye to these rampant abuses.”<sup>616</sup>

A note highlighting the publication of the report was sent from a junior official in IPU to the Private Secretary of Mr Bill Rammell, FCO Parliamentary Under-Secretary, on 24 January.<sup>617</sup> It stated that the report had been expected for “some time” and that “Ministers were aware it was pending”. The junior official wrote:

“A preliminary reading would suggest that it is well-researched, although it appears to be biased towards conditions in central Iraq with relatively limited coverage of southern Iraq where the UK has a more direct influence on conditions.”

The junior official outlined the support provided to the Iraqi police and prison services, and the procedures in place to ensure compliance with international law. The official wrote: “We will have to review our assistance in the light of this report.”

The Inquiry has seen no reporting of this review in contemporaneous documents.

A telegram from Baghdad on 6 February stated that Mr Andrew Hood, Legal Adviser, had met Mr Bakhtiar Amin, Iraqi Minister of Human Rights, on 3 February to establish Mr Amin’s response to the HRW report.<sup>618</sup> Mr Amin was “critical of HRW for issuing a report without bothering to check with him what corrective action was in hand”. He explained his Ministry’s team of prison inspectors had already raised the concerns highlighted in the report to the MOI and those responsible for individual facilities. He did, however, recognise that work was ad hoc and needed to be better established.

<sup>615</sup> Report Human Rights Watch, 25 January 2005, ‘The New Iraq? Torture and Ill-Treatment of Detainees in Iraqi Custody’.

<sup>616</sup> Press Release Human Rights Watch, 25 January 2005, ‘Iraq: Torture continues at hands of new government’.

<sup>617</sup> Minute IPU [junior official] to PS/PUS [FCO], 24 January 2005, ‘Human Rights Watch Report Alleging Abuse by Iraqi Police’.

<sup>618</sup> Telegram 90 Baghdad to FCO, 6 February 2005, ‘Iraq: Call on Minister of Human Rights’.

Mr Amin thanked the UK for its continued support of his Ministry, especially the training for prison inspectors in Basra, and asked Mr Hood to investigate whether additional funding might be available to extend the training to all inspectors.

The telegram reported that security concerns had prevented the International Committee of the Red Cross (ICRC) carrying out “all but a few” inspections of detention facilities and the Minister of Justice was reticent to appoint an independent prison ombudsman. That meant there was “an even greater need” to support the training of Iraqi officials to carry out inspections.

## The “Luck Review” and strategy for 2005

**678.** A telegram from Mr Chaplin on 21 January 2005 reported that the retired US General Gary Luck had left Iraq on 20 January after a week-long assessment of the ISF’s development.<sup>619</sup> Gen Luck had been appointed by Secretary Rumsfeld to head a 20-strong team “asked to validate” the Petraeus Plan and “examine whether anything could be done to speed up the delivery of capable Iraqi forces”.

**679.** Gen Luck would not be producing a written report but would brief Secretary Rumsfeld and the President on his findings. Mr Chaplin understood that Gen Luck would “broadly endorse the emerging MNF-I plan for ISF development” and:

- suggest departments other than Defense play a bigger role;
- “rubber-stamp the MNF-I’s intention to switch its main effort from operations to training and mentoring” since that had worked well in MND(SE);
- recommend additional advisers in the Ministries to coach and mentor Iraqis; and
- recommend a fundamental overhaul of intelligence structures.

**680.** Mr Chaplin also referred to the Police Advisory Teams (PATs) concept, whereby a small number of MNF-I soldiers and police advisers would be placed in IPS stations. He wrote that there were different views on its viability. Iraqi advice was that this would “be a backward step politically”, be resented by the IPS and “raise serious force protection issues” for those involved. Gen Luck had indicated that he did not intend to reflect any of those concerns to Secretary Rumsfeld, “presumably because [Gen] Casey was dead set on PATs, which he sold heavily in Washington”. Mr Chaplin thought that PATs had “now got so much momentum that it will go ahead in some format” but that the UK “should influence the eventual shape it takes by encouraging MNF-I to engage seriously with the Iraqi concerns”.

**681.** Mr Chaplin wrote that Gen Luck was “particularly impressed” by the UK’s policing work in the South and that he was “seriously thinking of recommending that the UK should take the lead for all police work in Iraq”. Mr Chaplin thought that “this would probably be a step too far for us, and possibly for the Americans as well”, but that the

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<sup>619</sup> [Telegram 58 Baghdad to FCO London, 21 January 2005, ‘Iraq: ISF Assessment Team Visit’.](#)

UK should consider how to use that opportunity to influence the strategic direction of policing in Iraq.

**682.** Mr Chaplin also reported that the importance of human rights had been raised with Gen Luck: “These were not nice to have add-ons but were fundamental to our chances of defeating the insurgency and sustaining democracy in Iraq.” Mr Chaplin said that Gen Luck “agreed entirely” but “did not say whether he intended to flag this up”.

**683.** On 23 January 2005, DCC Smith wrote a report about his role in the “Luck Review”.<sup>620</sup> DCC Smith wrote that the review’s “key recommendation” would be PATs, and to embed these “to a far greater degree than current International Police Advisors (IPAs)”. He noted that the concept was not “universally supported” and cited concerns raised by US advisers, existing IPAs and the Minister of the Interior. DCC Smith did suggest that PATs could address other police issues such as leadership training and the “post initial training, quality and morale issues”. DCC Smith later became the UK Chief Police Adviser in Iraq (in May 2005), a role that combined the two previous Senior Police Adviser positions in Baghdad and Basra. His reports feature extensively in this Section.

**684.** During a video conference on 17 January, Mr Blair told President Bush that they had to give a sense that Iraqisation was “going somewhere” and that things would change after the elections.<sup>621</sup> He suggested that the Luck Review should feed quickly into a new, public, security plan. In Mr Blair’s view the weakness of Iraqi structures remained “a real problem”.

**685.** Ms Aldred and her team in the Cabinet Office co-ordinated a strategy paper for the 9 February AHMGI, which focused on how to achieve coalition objectives in post-election Iraq (see Section 9.3).<sup>622</sup> The draft ‘Iraq: Strategy for 2005’, sent to Mr Quarrey on 8 February, summarised General Luck’s key recommendations:

- improve ISF capacity to conduct independent counter-insurgency operations as well as to maintain domestic order;
- establish partnerships between Iraqi and coalition units and develop military, special police, border force, and PATs from the coalition and embed them within Iraqi forces;
- build the institutional capabilities of the Government (MOD and MOI) to plan and direct counter-insurgency operations; and
- develop the concept of bureaucratic assistance teams to help Iraqi ministries establish a Government that functions across all the ‘lines of operation’ needed for the campaign.

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<sup>620</sup> [Report Smith, 23 January 2005, ‘Iraq Security Assessment Team’ attaching Paper Smith, \[undated\], ‘Iraq Security Assessment’.](#)

<sup>621</sup> Letter Quarrey to Owen, 17 January 2005, ‘Prime Minister’s VTC with President Bush, 17 January: Iraq and MEPP’.

<sup>622</sup> [Paper Cabinet Office, 7 February 2005, ‘Iraq: Strategy for 2005’.](#)

**686.** One of the key elements of the “Strategy for 2005” was “building up the capability of the Iraqi Security Forces”. It predicted that the incoming Iraqi Transitional Government (ITG) would regard security as a top priority and that they should be “encouraged to build on Allawi’s new security plan” of which key elements were likely to include:

- an overarching and visible Iraqi structure responsible for security, under a single, senior minister;
- effective governance at provincial level to provide a political framework for ISF control;
- developing proposals on how to make SSR work and secure Iraqi ownership of the plan;
- adequate top end capability, including agreement on the size of the Iraqi Intervention Force (IIF) and Police Commandos and plans to deliver them;
- development of a “policing plan” setting out the role of the police, including self-protection, development of a paramilitary capability, its relationship with the military, and areas of police primacy; and
- resolving the de-Ba’athification dilemma to allow SSR to work.

**687.** The Strategy proposed offering further UK assistance with:

- continued training effort in MND(SE);
- development of a strategy for the IPS (deployment of experienced, senior officers to both the MOI and MNF could achieve considerable impact);
- provision of suitably qualified and experienced advisers to mentor senior Iraqi officials and support to build institutional capacity;
- development of Iraqi intelligence capability;
- building on MND(SE) practices to provide the conditions for handover to Iraqi regional control as soon as practicable;
- helping the Iraqis to co-ordinate international assistance; and
- encouraging other international forces (such as the Dutch and Portuguese) to keep at least some forces in Iraq in a training role, to mitigate the impact of their withdrawal from military operations.

**688.** The paper noted that there was no “silver bullet” for reforming the ISF.

**689.** The AHMGI approved the paper on 9 February, subject to various points including the need to cover judicial issues, which had not been addressed in the Strategy.<sup>623</sup>

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<sup>623</sup> Minutes, 9 February 2005, Ad Hoc Ministerial Group on Iraq meeting.

**690.** A revised version of the Strategy was shared with the US on 11 February.<sup>624</sup> That version had removed references to the current security situation and to Military Assistance Teams (MATs) and Police Advisory Teams (PATs). However, on training the ISF, it did state the need to embed “military teams to mentor Iraqi forces in operational roles”. Also added was the need to introduce a criminal justice system, Iraqi criminal tribunal and “improved regimes for detention facilities”.

### **Military Assistance Teams and Police Advisory Teams**

From November 2003 to November 2004, the number of US soldiers whose primary mission was to advise Iraqi units grew from 350 to 1,200.<sup>625</sup> Gen Luck advocated doubling or tripling the number of advisers partnering Iraqi units and MNSTC-I expanded the programme in response.

The ‘Iraq: Strategy for 2005’ paper considered by AHMGI on 9 February 2005 highlighted that the idea of Military Assistance Teams (MATs) was supported (as this followed practice in MND(SE)), but did “not favour” Police Advisory Teams (PATs).<sup>626</sup> It stated: “It is not yet clear whether the US will adopt the latter proposal, which carries a high risk for those embedded at local level.”

On MATs, the paper said that the UK “would not anticipate providing personnel for Military Assistance Teams ... outside our current area of operations”.<sup>627</sup>

On 18 February, Mr Cornish advised Mr Hoon on an MOD review of the Iraq campaign, looking at why the plan “was not delivering the required results”.<sup>628</sup> In considering the UK’s involvement in “campaign enhancement”, Mr Cornish wrote:

“The US has accepted that the Security Sector Reform (SSR) models which the UK are developing in MND(SE) to train and mentor ISF are likely to be different from those that they might use elsewhere in Iraq.”

Delivering MATs was listed as one of the possible UK military initiatives. A footnote explained:

“The MATs concept will be implemented using the UK model, which is based on developing partner arrangements between UK and Iraq units, rather than embedding individuals in Iraqi units (the US approach) ... Because of Iraqi Ministerial objections and force protection concerns, the PATs concept, as originally conceived (including with MNF-I embedded in local police stations), is now all but dead.”

<sup>624</sup> [Minute Sheinwald to Hadley, 11 February 2005, ‘Iraq’ attaching ‘Iraq: Strategy for 2005’.](#)

<sup>625</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>626</sup> [Minute Quarrey to Prime Minister, 8 February 2005, ‘Iraq: 2005 Strategy’.](#)

<sup>627</sup> [Paper Cabinet Office, 7 February 2005, ‘Iraq: Strategy for 2005’.](#)

<sup>628</sup> [Minute Cornish to Private Secretary \[MOD\], 18 February 2005, ‘Iraq – Key findings of the Iraq Stocktake’.](#)

Major General Peter Wall, Deputy Chief of Joint Operations, attended a CENTCOM conference on the post-election strategy for Iraq on 21 to 23 February.<sup>629</sup> He reported:

“MNF-I have walked back from their original PATs concept, though remained adamant that the principle of hands-on help to the police would still be required in areas where the insurgency was at its strongest ... We are making progress in MND(SE). But we also need to find a way of forcing this issue in Baghdad.”

## THE “TRANSITION TO SELF RELIANCE”

**691.** On 22 April 2005, Gen Casey circulated a paper entitled ‘MNF-I Campaign Action Plan for 2005 – Transition to Self-Reliance’.<sup>630</sup> The paper stated that the Iraqi Armed Forces would be “largely trained and equipped” by mid-2005 and that training of the police and Border Police would extend into 2006. Gen Casey wrote:

“Generally, while Iraqi forces still lack the capacity to conduct and sustain independent counter-insurgency operations, they now have the capacity to begin assuming the lead in counter-insurgency operations across the country, and the coalition can begin to progressively transition that responsibility to them.”

**692.** That would be “executed in four phases”:

- Phase I, Implement the Transition Team Concept – MNF-I would “establish partnerships between Iraqi and coalition units” and embed Transition Teams in designated ISF units by 15 June 2005. Concurrently MNF-I with IRMO [Iraq Reconstruction and Management Office] advisers would “build capacity to continue the development of ISF leaders, organizations, supporting institutions and Iraqi security Ministries”.
- Phase II, Transition to Provincial Iraqi Security Control – coalition forces would “pass the lead for conducting counter-insurgency operations to capable ISF as conditions warrant”. The goal was to have the ISF in all provinces “well-postured” to provide security for the elections in December, with the coalition’s visibility reduced.
- Phase III, Transition to National Iraqi Security Control – coalition forces to “progressively reduce their levels of support and presence” as the ISF became “increasingly capable”. Given the training timescales, it was “unlikely” that that would occur “before mid-2006”.
- Phase IV, Iraqi Security Self-Reliance – coalition forces would be “postured in strategic overwatch outside of Iraq with training, security co-operation and advisory presence remaining”, with the “exact nature” of support being “determined in close co-ordination with the Government of Iraq”.

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<sup>629</sup> Minute DCJO(Ops) to CJO, 28 February 2005, ‘CENTCOM Post Iraqi Election coalition Conference, Bucharest 21-23 Feb 05’.

<sup>630</sup> Paper Casey, 22 April 2005, ‘MNF-I Campaign Action Plan for 2005 – Transition to Self-Reliance’.

**693.** Gen Casey stated that implementation of the strategy would “vary across Iraq based on the security situation and the readiness of Iraqi security forces and Ministries”.

### ISF performance during the January elections

Beginning on 28 January 2005, two days before the election, Iraqi authorities implemented curfews, imposed severe restrictions on traffic, closed Iraq’s borders and banned the carrying of weapons by civilians.<sup>631</sup> Approximately 130,000 ISF personnel secured over 5,000 polling sites throughout the country.

Reflecting on the election in a telephone call with President Bush on 31 January, Mr Blair said it was encouraging that so many ISF had reported for duty over the weekend, but the problem remained that they were not able to cope with “big battle situations” against a well-armed and motivated enemy.<sup>632</sup> They lacked the necessary training and leadership. The key question remained whether they could “take over, hold and run a major city”.

On 3 February, the JIC assessed:

“On election day, the Iraqi security forces reportedly performed effectively at static guarding duties. But overall, their operational performance continues to be inadequate, particularly in Sunni Arab areas.”<sup>633</sup>

The Iraqi elections passed smoothly in MND(SE) with the GOC commenting that “the ISF needed our help but their momentum gathered. They had the courage to stand up and be counted.”<sup>634</sup> For the elections, Provincial Joint Operations Centres were established in MND(SE) to improve co-ordination between different security elements. Maj Gen Riley described them as “a crucial element in the security system that managed election-day security”.

## 2005 policing strategies

**694.** On 21 February 2005, the FCO produced a paper for the AHMGIR (on 24 February) on UK support to civil policing in Iraq.<sup>635</sup> Drawing on the “Strategy for 2005” and the Luck Review, it contained proposals for a greater focus at the national level where there was “an urgent need for an Iraqi national policing strategy, supported by an appropriate training syllabus to address established weaknesses”. There were 56,900 IPS officers now trained and equipped but there was still a need for the development of leadership, technical capabilities, forensics, crime scene management and investigative techniques.

<sup>631</sup> Wright DP & Reese TR. *On Point II: Transition to the New Campaign – The United States Army in Operation IRAQI FREEDOM May 2003 – January 2005*. Combined Studies Institute Press, June 2008.

<sup>632</sup> Letter Phillipson to Adams, 31 January 2005, ‘Prime Minister’s discussion with President Bush, 31 January: Iraq and MEPP’.

<sup>633</sup> [JIC Assessment, 3 February 2005, ‘Iraq: Insurgency and Counter-Insurgency’](#).

<sup>634</sup> Report Farquhar, 2 February 2005, ‘CG MND(SE) – Southern Iraq Update – 2 February 2005’.

<sup>635</sup> [Note FCO, 21 February 2005, ‘Iraq – UK Support to Civil Policing in Iraq – 2005’](#).

**695.** Current UK commitments were summarised as:

- support for basic training – 86 officers in Jordan, az-Zubayr and Baghdad; including a combination of serving and retired police officers and MOD police officers, at a cost of £7.3m per annum from the GCPP International Peacekeeping Fund;
- enhancement of capabilities in MND(SE) – six senior and middle-ranking officers mentoring Iraqi Provincial Chiefs of Police at a cost of £500,000 from the GCPP International Peacekeeping Fund; 40 IPAs providing mentoring in the South (through ArmorGroup), costing £4.8m for six months; and
- enhancement of national capabilities – Mr Davies' role as Senior Civilian Adviser, reporting to the Minister of Interior and supported by 12 officers in advisory roles at a cost of £500,000 from the GCPP International Peacekeeping Fund.

**696.** Two new priorities were identified arising from the 2005 Strategy: the development of national strategies and the development of Iraqi intelligence capability. Developing a Special Branch capability was still a UK priority but the Metropolitan Police would currently not deploy staff to Baghdad on security grounds.

**697.** The GCPP International Peacekeeping Fund could cover existing commitments but was not able to meet new ones. New expenditure would therefore fall to the GCPP (Iraq) fund. SSR so far amounted to £5.5m for 2005/06, not including the project to support the MOI (£2.57m) or the human rights programme (£950,000). While funding was “available for all planned police activity for the next six months”, an extension of the ArmorGroup contract for a further six months would create an overspend. That would leave no funding for renewing other contracts, such as the Prison Mentoring Contract, or for new projects such as additional support for the Iraqi Special Tribunal (IST– for trying crimes committed under the Saddam Hussein regime).

**698.** At the AHMGIR, the FCO said the “key message” from the paper was that funding beyond September was “extremely tight”.<sup>636</sup> One of the points made in discussion was:

“The Government would need to be prepared to make tough decisions and prioritise carefully on funding for activity in Iraq. There should be no expectation of drawing down on the Treasury Reserve.”

**699.** Officials were tasked with taking forward funding issues, with the close involvement of the Home Office and ACPO.

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<sup>636</sup> Minutes, 24 February 2005, Ad Hoc Group on Iraq Rehabilitation meeting.

**700.** On 25 February, Mr Blair wrote a note to his Private Secretary, instructing that Mr Straw be “put in charge” of the AHMGI and that each week a report is provided containing actions on “e.g. reconstruction in the South; Sunni outreach; progress on security plan”.<sup>637</sup>

**701.** On 10 March, at the first meeting of the AHMGI under his chairmanship, Mr Straw explained that Mr Blair “had asked a core group of ministers to meet on a weekly basis to focus more closely on the delivery of policy in Iraq”.<sup>638</sup>

**702.** One point made in discussion was that there was pressure within Iraq for some unofficial militia to be incorporated into the ISF: “The benefits of bringing them under greater control needed to be balanced against risk to ISF cohesion and political complications”.

### EU integrated police and Rule of Law mission for Iraq

On 21 February 2005, the EU announced that it had decided to establish an integrated police and Rule of Law mission for Iraq, known as ‘EU JustLex’.<sup>639</sup>

Mr Straw’s Private Secretary outlined the main elements of that mission in a letter to No.10 on 10 March:

- a planning office in Brussels to arrange senior management and specialist technical training for 520 judges and criminal justice officials and 250 senior police officers;
- a five-man liaison office in Baghdad to identify specific projects where EU member states could provide assistance;
- training that would take place in Member States or the region, but not in Iraq until the security situation had improved.<sup>640</sup>

Mr Straw’s Private Secretary wrote that the 21 February package had “followed months of internal deliberations and a tough final negotiation”. While there was a “more positive political mood, opposition to any association with MNF programmes or training in Iraq remains strong”. He stated:

“... the package as it stands ... is modest given the scale of the task and the immediacy of the needs. If all goes to plan over the next year, the EU will provide training for some 250 police officers. During this time, we [MNF] plan to train over 40,000 policemen through the academies in Baghdad, Basra and Amman.”

<sup>637</sup> Manuscript comment Blair on minute Quarrey to Prime Minister, 25 February 2005, ‘Iraq Update’.

<sup>638</sup> Minutes, 10 March 2005, Ad Hoc Ministerial Group on Iraq meeting.

<sup>639</sup> *Official Journal of the European Union*, 9 March 2005, *Council Joint Action 2005/190/CFSP of 7 March 2005*.

<sup>640</sup> Letter Siddiq to Quarrey, 10 March 2005, ‘Iraq: Policing’.

The operational phase of the mission began in July 2005 and was initially mandated to run until 2006. Between 2005 and the end of 2009 it was headed by Former ACC Stephen White, who had served as the UK's Senior Police Adviser in Basra in 2003.<sup>641</sup> The mission comprised around 40 staff and by June 2009 had spent €30m. Former ACC White described the purpose of the mission as to:

“... focus ... on the most senior members of the Iraqi police, judiciary and penitentiary services ... [to] create a critical mass of credible, influential leaders who are properly equipped to make plans and decisions relevant to their responsibilities ... in Iraq.”<sup>642</sup>

In 2009, the mission began to scope the provision of training and advice in Iraq and then to progressively shift its focus to in-country work, opening additional offices in Erbil and Basra.<sup>643</sup> By July 2010, the mission had trained, advised and mentored:

- 805 judges (over 60 percent of the Iraqi judiciary);
- 1702 senior police officers (around four percent of senior police officers); and
- 903 prison officers (nearly 80 percent of senior prisons staff).

**703.** On 14 March 2005, Mr Quarrey asked the MOD for an update on progress against the Petraeus Plan.<sup>644</sup> Mr Naworynsky replied on 17 March and reported that ISF development was:

“... largely on track, meeting the demands of a well-entrenched counter insurgency campaign and the evolving expectation of the Iraqi leadership ... From January 2006 the ISF should be approaching full strength and the transfer of regional control will be under way. Over the next six months of 2006, the generation of ISF units should be complete, the Multi National Force (MNF) training and mentoring commitment is expected to reduce, and in all but the most volatile provinces, Iraqi-led security operations should become the norm.

“Trained and equipped MOI forces currently number almost 82,000 personnel, but this includes a large number of absentees due to intimidation, injury, and corruption, varying dramatically in proportion across the country ... The largest component (135,000) will be Iraqi Police Service (IPS), which remains an area for improvement. Conceived for peace time constabulary duties, the rate of IPS development continues to lag, as standards of equipment, personnel and training are reviewed to answer the demands of the insurgency.”

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<sup>641</sup> Council of the European Union Press Release, 30 June 2009, ‘Javier Solana, EU High Representative for the CFSP, welcomes the extension of the EU Integrated Rule of Law Mission for Iraq (EUJUST LEX)’; enclosing Factsheet, June 2009, ‘EU Rule of Law Mission for Iraq (EUJUST LEX)’.

<sup>642</sup> *European Security and Defence Policy*, July 2007, ‘EUJUST LEX The European Union’s Integrated Rule of Law Mission for Iraq’.

<sup>643</sup> *EU JUSTLEX Press Release*, 22 July 2010, ‘EU JUST LEX – Iraq, more than 3,400 officials trained’.

<sup>644</sup> [Letter Naworynsky to Quarrey, 17 March 2005, ‘Petraeus Plan Update’](#).

**704.** The covering note for Mr Blair from Mr Quarrey described the MOD’s paper as “rather insubstantial, and almost certainly too optimistic in its assessment of the quality of much of the ISF”.<sup>645</sup>

**705.** Lieutenant General Sir Graeme Lamb, General Officer Commanding (GOC) MND(SE) from July to December 2003, reflected on the quality of the ISF in his evidence to the Inquiry.<sup>646</sup> He said:

“The point of corruption in this part of the world is with the police and at the lowest level and yet we somehow were looking to try and make them into state troopers. We were never going to achieve that. It was an aspect of us approaching in many ways the problem seen through a Westminster or Washington perspective rather than one that was very much more locally focused ...”

**706.** In a telephone call with President Bush on 22 April, Mr Blair commented that “the Iraqiisation plan did seem to be going well”.<sup>647</sup> However, the insurgency remained well armed and well financed. Mr Blair felt that there would be a greater sense of momentum after the formation of the ITG.

**707.** Lieutenant General John Kiszely served as the SBMR-I from October 2004 to April 2005. His Hauldown Report contained an assessment of the ISF.<sup>648</sup> He described the leadership of the IMOD as “completely out of their depth” and the MOI as “dysfunctional”, with the Minister bringing in his uncle to set up and run the Special Police.

**708.** In relation to the IPS, Lt Gen Kiszely assessed:

“... the selection process for these policemen ... is rudimentary; they undertake only eight weeks training; they are paid a very low wage; leadership at all levels is generally poor; corruption is high. To expect such a force, mostly under-strength and poorly equipped, to perform well in the face of a ruthless insurgency is unrealistic, and there have been occasions (for example in Mosul in November) when the whole of a city’s police force has deserted their police stations in the face of attack or the threat of it.”

**709.** Lt Gen Kiszely expressed concern about the Iraqi Special Police Commandos. He considered that they had been “highly effective in tackling the insurgency” but he stated that they had “no police training and are more akin to Black-and-Tans; many are former members of the Republican Guard. Their methods are robust, and there have been several cases of serious abuse, duly investigated, and no doubt many more that have not been.”

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<sup>645</sup> Minute Quarrey to Prime Minister, 18 March 2005, ‘Iraq Update’.

<sup>646</sup> Public hearing, 9 December 2009, page 42.

<sup>647</sup> Letter Quarrey to Siddiq, 22 April 2005, ‘Prime Minister’s Phone Call with President Bush’.

<sup>648</sup> Minute Kiszely to CDS, 16 April 2005, ‘SBMR-I’s Hauldown Report’.

**710.** On the insurgency, Lt Gen Kiszely assessed:

“The high level of intimidation has been the insurgency’s biggest gain of the past six months and, helped by a weak, incompetent and corrupt police force, has led in many Sunni areas to a complete absence of law and order – in effect, anarchy. Initially intimidation was used by the insurgency to gain control of cities and towns, the favoured method being to capture and execute (blindfold, hands tied behind back) anyone who stood in the way of the insurgents or who was associated with the coalition or the government. In one city (Mosul) in one five week-period (from 12 November to 19 December) the bodies of 220 victims executed in this way were found, and in one single incident (Baquba, 23 October) a busload of 50 army trainees were similarly murdered.”

**711.** On INIS he wrote:

“In the past six months, INIS has been somewhat discredited in the eyes of both the IIG and the coalition due to evidence of incompetence, corruption and penetration by hostile agencies, both Iraqi and external ... this is an area ripe for UK advice and input.”

**712.** On 15 May 2005, DCC Smith produced a report of his review of UK policing support to the development of the IPS.<sup>649</sup> His report described UK efforts in both Baghdad and Basra; those recommendations relating to policing specifically in MND(SE) are described later in this Section.

**713.** DCC Smith observed a weakening of UK influence in Baghdad. Following the Luck Review, the US was increasing resource for police training at a rate that the UK was unable to match. He also reported that the “UK inability to ‘walk the talk’ and tendency to write long, strategic doctrinal papers ... has been interpreted by the US as typical British procrastination”.

**714.** DCC Smith recommended targeting UK resources on a number of priority areas to increase influence at a strategic level in Baghdad. They included:

- the strategic development of the IPS – “there are currently no resources, except myself, dedicated to this key activity”;
- intelligence and crime investigation, including forensics, identified as “one of the few areas where the UK still has a foothold”, thanks, in part to the introduction of the TIPS scheme (described below); and
- continuing the Police Centre of Excellence – staffed primarily by Canadians, this was described as “a small resource but a disproportionate influence [which] helps to ‘fly the flag’ for policing in a land dominated by the Military”.

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<sup>649</sup> [Paper Smith, 15 May 2005, ‘Next Steps on Policing – Review’.](#)

## TIPS hotline

The 'Police Forward Look' paper produced in November 2006 described TIPS as:

“... the UK's biggest success story, and one where we have delivered more than we promised. The scheme has developed beyond the original plan, a 'Crimestoppers'-style hotline, into a sophisticated intelligence system, including source cultivation.”<sup>650</sup>

Former DCC Brand told the Inquiry:

“Because we had British policemen in there, there was a huge uptake of people calling in, telling us about weapons and missiles and all sorts of things like that ... It was so successful that one of the last things that Mr Kerik did before he left was to announce: 'It was so successful we are now handing it over to the Iraqis', and all the calls stopped. So we had to reinstitute, because we understood after a while that it was ... the fact that people knew there were British police at the other end of the phone made for the calls to happen, and that was a really successful part of our small contribution.”<sup>651</sup>

In his statement to the Inquiry, Former ACC Smith stated:

“TIPS in Baghdad generated increasing 'actionable intelligence' for coalition and Iraqi Security Forces with reports averaging from 150 per week in early 2005 to over 400 per week by the end of that year ... TIPS was one of the real successes of the UK work which ... brought in a large volume of intelligence that undoubtedly saved many Iraqi and coalition lives.”<sup>652</sup>

In his report dated August 2006, Former Chief Superintendent Barton stated that there were 14 ArmorGroup contractors working on the TIPS hotline.<sup>653</sup> He added:

“The day-to-day successes (terrorist related arms finds, source development, target development) is extremely successful [sic] and receives accolades from coalition partners.

“However, to date, whilst Iraqi staff man the telephones there is no Iraqi 'lead' and no Iraqi trainers.”

A recently developed Basra TIPS line was described by Former Chief Superintendent Barton as “new and slow to start”.

**715.** Five key areas were prioritised in DCC Smith's report:

- “• Training: Basic, Leadership and Developmental areas to be prioritised. Courses and regional, provincial or local training arranged;
- Police Support Infrastructure: at Police Headquarters level – Human Resources, Finance (and contracts), Communications, Logistics;

<sup>650</sup> [Paper BE Baghdad, November 2006, 'Police Forward Look'](#).

<sup>651</sup> Public hearing, 29 June 2010, pages 98-99.

<sup>652</sup> Statement, 25 June 2010, page 10.

<sup>653</sup> [Report Barton, August 2006, 'The window of opportunity'](#).

- Intelligence Capability: the Collections, Collation, Analysis, Action and Dissemination of Intelligence – criminal, terrorist and counter-insurgency;
- Operational Capability: Police to have effective Command and Control Systems with aim of Policy Primacy; Co-Ordination; Specialist Support SWAT [Special Weapons and Tactics] and TSU [Tactical Support Unit]; Criminal Investigation (inc. Forensic); and
- Public Support: Development of Police interaction with the Criminal Justice System (Courts, Prisons etc), Media and Public; Development of Public and Civil Accountability; Ability to remove corrupt and inefficient police officers through a robust, transparent and accountable Complaints System (Professional Standards).<sup>654</sup>

**716.** The report also analysed the UK resource requirement to meet those priorities and sought to identify any gaps. DCC Smith commented that, while he knew how many UK personnel were currently working on policing in Iraq, he was:

“... unsighted on ... the overall ‘staffing’ allocation or budget for Iraq. There is no clear indication of the number of posts that are budgeted by the FCO either in Baghdad or Basra ... This is not a personal failing on any department but reflects a sometimes unstructured approach.”

**717.** In his statement to the Inquiry, Former ACC Smith wrote that, although those five areas became “the focus of successive plans”, the strategy itself “did not become, in the long run, the driver in MND(SE)”.<sup>655</sup> He wrote:

“Why? Perhaps lack of adequate consultation and explanation with the military, possibly the changing situation on the ground or the military expectation that as the main provider of resources etc they had the better understanding of the issues. Attempts to support a strategic aim of ‘developing an efficient, effective, credible and community-based accountable police service’ rapidly became subsumed within military operational and logistical plans ...

“In the absence of an agreed strategy, plans were driven on the ground by successive six month military and staff rotations and changes in security and political expectations.”

**718.** On 10 June, DFID commissioned a consultant to “assist the FCO in drawing together a cross-Whitehall strategy for UK support to the development of Iraqi policing capacity”.<sup>656</sup> The Terms of Reference for the strategy stated that UK support needed “a more strategic focus” and that FCO’s draft strategy now needed to be “expanded and amended by inputs from the various department specialists”. The strategy should be completed by 17 June.

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<sup>654</sup> [Report Barton, August 2006, ‘The window of opportunity’.](#)

<sup>655</sup> Statement, 14 June 2010, pages 2-3.

<sup>656</sup> Letter DFID [junior official] to [Consultant], 10 June 2005, ‘Cross-Whitehall Strategy for UK support to Iraqi Policing’.

**719.** A junior DFID official emailed the FCO on 14 July to say that DFID felt that the strategy could not be agreed across Whitehall.<sup>657</sup> He wrote: “We see your paper as something that we have tried very hard to inform and influence, but have failed. It’s way off something that we would wish to put our name to.” He suggested that it was instead presented as an FCO-led document.

**720.** On the same day, Commander Simon Huntingdon, MOD, emailed the FCO to say that the MOD also did not feel the strategy represented an agreed FCO, DFID and MOD position on policing in Iraq.<sup>658</sup>

**721.** On 18 July, MOD, DFID and FCO officials met to discuss policing in Iraq.<sup>659</sup> They agreed that the strategy could not be viewed as “complete and usable” until additional information was sent by the British Embassy. The minutes recorded:

“In the meantime, we should avoid giving the impression that policing was on track when the reality was that we did not know.”

**722.** The group agreed that a background paper on the strategy should be submitted to senior officials on 22 July and possibly to Ministers afterwards. A second cross-departmental paper would be submitted by the end of August outlining the intended “end state” for the IPS, including “a route map of how to get there”, an analysis of the risks (such as the sustainability of policing) and “an indication of the resources required”. While the FCO accepted that it led policing activity in Iraq, it “stressed” the need for all relevant departments to agree the papers; there was a “shared responsibility for delivering policing”.

**723.** Commenting on the draft background paper, an FCO junior official described policing as “the Cinderella of SSR”.<sup>660</sup> The “reasons/factors” for that included:

- “The insurgency broke the original plan, but no-one was prepared to admit it.”
- “The international policing community has not responded adequately to Iraq” – even the reduced figure of 1,500 (from 6,000) International Police Liaison Officers (IPLOs) had not been achieved.
- As the US was “the monopoly supplier of assets and people”, its “military vision [had] prevailed”.
- “The original vision of the Iraqi police force as a community based service is (and was) idealistic pie-in-the-sky. It does not fit with the culture or environment.”
- The Iraqis were seeking to balance the police against the army to prevent a coup.

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<sup>657</sup> Email DFID [junior official] to FCO [junior official], 14 July 2005, ‘Cover note to Strategy Group’.

<sup>658</sup> Email Huntingdon to FCO [junior official], 14 July 2005, ‘Police Cross-Departmental Strategy’.

<sup>659</sup> Minutes FCO, 18 July 2005, ‘Cross-Departmental Meeting on Policing in Iraq – 18 July 2005’.

<sup>660</sup> Email FCO [junior official] to FCO [junior official], 21 July 2005, ‘Background paper on police’.

**724.** The official wrote that the UK had:

- “over-promised and under-delivered”;
- “sent the wrong people and not enough of them”; and
- “fixated on strategies that gather dust”, gaining a reputation with the US “for procrastination rather than delivery”.

**725.** The official wrote that there were “a lot of lessons to be learnt” and that the absence of Home Office officials from the addressee list “tells its own story”.

**726.** On 7 August, a junior official from the British Embassy Office Basra circulated a draft of a policing transition paper.<sup>661</sup> He wrote that “the level of micro-management” had “at times almost beggared belief” but that the police team in Basra had remained committed to making it work “if only so the police here can get on with implementing it, rather than sitting around re-editing it all day!”

**727.** The final version of the document was circulated on 7 September and is discussed later in this Section.<sup>662</sup>

### Training the IPS

Training for IPS officers took two forms:

- Basic Recruit Training was for personnel with no previous police or military experience. That took eight weeks, increasing to ten weeks in mid-2005.
- Transition Integration Programme was a three-week programme for personnel with previous police or military experience.<sup>663</sup> In July 2006, TIP training was offered to serving officers who had not been trained but had been serving for over a year.<sup>664</sup>

Training took place at the Jordan International Police Training College (JIPTC), the Baghdad Police College and seven smaller regional academies; including az-Zubayr near Basra.<sup>665</sup> By the end of 2006 all regional Iraqi Police academies had transitioned to Iraqi control.<sup>666</sup> Basic recruit training ceased at JIPTC at the end of February 2007.<sup>667</sup>

Leadership training began in 2006 with the Bagdad Police College running police officer commissioning courses.<sup>668</sup>

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<sup>661</sup> Email FCO [junior official] to FCO [junior official], 7 August 2005, ‘Policing Transition Paper: final draft?’.

<sup>662</sup> [Letter FCO \[junior official\] to OD Sec, Cabinet Office \[junior official\], 7 September 2005, ‘Iraqi Police Service Transition Plan for Southern Iraq attaching Paper Consulate Basra, 7 September 2005, ‘Southern Iraq: Iraqi Police Service – Transitional Plan’.](#)

<sup>663</sup> Report to Congress, 13 October 2005, *Measuring Stability and Security in Iraq*.

<sup>664</sup> Report to Congress, 29 August 2006, *Measuring Stability and Security in Iraq*.

<sup>665</sup> Report to Congress, 13 October 2005, *Measuring Stability and Security in Iraq*.

<sup>666</sup> Report to Congress, 2 March 2007, *Measuring Stability and Security in Iraq*.

<sup>667</sup> Report to Congress, 7 June 2007, *Measuring Stability and Security in Iraq*.

<sup>668</sup> Report to Congress, 17 February 2006, *Measuring Stability and Security in Iraq*.

By September 2008 there were 18 MOI training establishments and plans for another 12, to include a training centre in every province.<sup>669</sup> Only Camp Dublin<sup>670</sup> was still supported by MNSTC-I.<sup>671</sup>

## STRATEGIC CONFLICT ASSESSMENT AND SSR PROJECT REVIEW

**728.** In October 2004, DFID commissioned a Strategic Conflict Assessment (SCA), an analysis of conflict drivers in Iraq to help the UK Government identify conflict prevention and reduction opportunities.<sup>672</sup>

**729.** A draft version of the SCA (dated 27 December 2004) was circulated amongst officials on 2 March 2005.<sup>673</sup> The official circulating the document raised the need for an objective assessment of the SSR work being done to “ensure we are on track, are getting value for money, achieving aims” and making improvements where necessary. An email from a DFID junior official in response said that Mr Benn was in support of such a review.

**730.** At the Iraq GCPP Strategy meeting on 7 April, it was reported that the final SCA would be produced within a week and would feed into a revised GCPP Strategy for 2005/06.<sup>674</sup> In addition, the team conducting the SSR review would depart for Basra on 14 April and report in May. It would only focus on GCPP-funded activity.

**731.** The SCA’s findings were discussed at the Iraq GCPP Strategy meeting on 28 April.<sup>675</sup> Concerns were raised about the quality of the report; amendments were necessary before it could be disseminated more widely. While the GCPP Strategy could draw on the SCA, it was not to be the only source used.

**732.** Minutes from a meeting about Iraq policing and SSR on 28 April reported that an SSR review team would be giving feedback on their findings at DFID on 9 May.<sup>676</sup> It would have “both positive and negative aspects”.

**733.** The Government has been unable to provide any record of the SSR review team mission or of its conclusions, but understands that the views of the review team were expected to be incorporated into a report by DCC Smith examining the UK effort on policing in Iraq (described earlier in this Section).<sup>677</sup> The review also informed the revised GCPP Strategy.

<sup>669</sup> Report to Congress, 26 September 2008, *Measuring Stability and Security in Iraq*.

<sup>670</sup> Camp Dublin was part of a US military installation near Baghdad.

<sup>671</sup> Report to Congress, 26 September 2008, *Measuring Stability and Security in Iraq*.

<sup>672</sup> Paper GCPP bid, [undated], ‘Strategic Conflict Analysis (SCA)’.

<sup>673</sup> Email DFID [junior official] to DFID [junior official], 2 March 2005, ‘Review of policing work’ attaching Paper ‘Strategic Conflict Assessment – Iraq, Draft Report 27 December 2004’.

<sup>674</sup> Minutes, 7 April 2005, Iraq GCPP Strategy meeting.

<sup>675</sup> Minutes, 28 April 2005, Iraq GCPP Strategy meeting.

<sup>676</sup> Minutes, 9 May 2005, ‘Iraq Policing and Security Sector Reform – 28 April 2005’.

<sup>677</sup> eGram 4472/05, 13 May 2005, IPU to Baghdad, ‘Iraq: Police Training’.

**734.** Minutes of the Iraq GCPP Strategy meeting on 3 August recorded that a draft of the GCPP Strategy had been circulated but the final version still needed to be “drawn together”.<sup>678</sup>

**735.** The objectives outlined in the GCPP Strategy for 2005/06 remained similar to those in 2004/05 but were re-ordered and re-worded to reflect their “condensed scope” and the shift in prioritisation.<sup>679</sup> They were:

- Build the capacity of the security sector to prevent and manage conflict, with special emphasis on police and prisons.
- Support government and civil society institutions in preventing and resolving conflict.
- Promote good relations between groups inside Iraq.”

**736.** It was identified that the 2004/05 Strategy had “proved too ambitious in the worsening security context” and therefore 2005/06 objectives had been “narrowed down” to reflect the difficulties surrounding implementation. Some of the SCA’s recommendations would not be taken forward at that time, such as the recommendation “for more support to the ISF in favour of the IPS”. The Strategy stated that the MOD had a “large budget” for that purpose. The recommendations of the SSR review had been accepted in their entirety.

## The Iraqi Transitional Government

**737.** On 24 March, Mr Straw sent his first report to Mr Blair on the AHMGI, which dealt with the first three meetings of the Group (described in more detail in Section 9.3).<sup>680</sup> On the political process Mr Straw wrote that messages to Iraqi contacts had emphasised “the importance of getting good people into the key security related Ministerial positions (Defence and Interior)” and of the “enormous damage that could be done to efforts at outreach by a significant renewal of the de-Ba’athification drive”.

**738.** On 28 April, Prime Minister Designate Ibrahim al-Ja’afari presented the majority of his Cabinet to the Transitional National Assembly for ratification.<sup>681</sup> The new Minister of Interior was Mr Bayan Jabr and the new post of Minister of State for National Security was given to Mr Abdul Kareem Al-Anizi. Dr Sadoun Dulaimi was confirmed as the new Minister of Defence some days later.<sup>682</sup>

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<sup>678</sup> Minutes, 3 August 2005, Iraq GCPP Strategy meeting.

<sup>679</sup> Paper, [undated], ‘Iraq GCPP Strategy 05/06 Update’.

<sup>680</sup> [Minute Straw to Prime Minister, 24 March 2005, ‘Iraq: Ad Hoc Ministerial Meetings’](#).

<sup>681</sup> eGram 3590/05 Baghdad to FCO London, 28 April 2005, ‘Iraq: New Cabinet Ratified by the TNA’.

<sup>682</sup> Telegram 4430 Baghdad to FCO London, 12 May 2005, ‘Iraq: Call on Minister of Defence, 12 May 2005’.

**739.** On 11 May, a JIC Assessment on the ISF stated:

“There is no coherent Iraqi counter-insurgency strategy and the balance of responsibility between the MOD and MOI and other government departments is undefined.”<sup>683</sup>

**740.** Mr Blair spoke to Prime Minister Ja’afari for the first time on 26 May and said that “we stood ready to help in any way we could”, in particular on developing the ISF.<sup>684</sup>

**741.** On 3 August, a junior official in Baghdad emailed FCO officials and No.10 to inform them that Prime Minister Ja’afari would announce a 12-point security plan the following day.<sup>685</sup> The official described the intended announcement as “nothing particularly new”, with the exception of a plan to co-ordinate intelligence, “neighbourhood watch”, and a possible amnesty for political groups. The purpose of the plan was to structure activities that the government and MNF-I had been taking into measurable objectives with actions assigned to specific Ministers.

**742.** Following the announcement, the official told Mr Asquith that Prime Minister Ja’afari had been “ultra-cautious” and omitted “many of the details that were most interesting”. He reported that the possible amnesty had been toned down to “national dialogue with those with whom a dialogue is possible”.

**743.** The JIC reported on 12 October that:

“The Iraqi Transitional Government (ITG) has failed to develop a coherent national security strategy. This will not change in the short time remaining before the December election. Nor will there be a significant increase of capacity in the security ministries or development of intelligence capability. The need to establish a new Iraqi administration following the elections means that we are likely to see little momentum in these critical areas over much of the next year.”<sup>686</sup>

## Police and judicial reform

**744.** At the Ministerial Committee on Defence and Overseas Policy - Iraq (DOP(I)) on 16 June, there was a discussion of progress on police and judicial reform within Iraq.<sup>687</sup> The following points were raised:

“Having effective police would be one condition for achieving the successful drawdown of the coalition’s military forces in Iraq.

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<sup>683</sup> [JIC Assessment, 11 May 2005, ‘The Iraqi Security Forces’.](#)

<sup>684</sup> Letter Quarrey to Siddiq, 26 May 2005, ‘Iraq: Prime Minister’s Conversation with Ja’afari’.

<sup>685</sup> Email FCO [junior official] to various, 3 August 2005, ‘Iraq Media Grp Mtg 3.00pm 3 August’.

<sup>686</sup> [JIC Assessment, 12 October 2005, ‘The Iraqi Security Forces: Very Slow Progress’.](#)

<sup>687</sup> Minutes, 16 June 2005, DOP(I) meeting.

“The requirement in Iraq was for paramilitary style policing. A plan was now in place but it would take time to deliver. There was also a funding gap in the Global Conflict Prevention Pool that would need to be addressed.”

**745.** On judicial reform, the minutes indicated that the discussion focused on the arrangements for the Iraqi Special Tribunal (IST) rather than on the wider criminal court system. The Committee agreed that the UK “needed to concentrate on seeing progress on the judicial process including the IST, and the police”.

**746.** Mr Blair wrote to President Bush on 27 June, to share concerns raised with him by Ms Clwyd during her recent visit to Iraq.<sup>688</sup> On the IST, Mr Blair wrote:

“Our people are already working together on plans to help build the capacity of the Iraqi Special Tribunal. We are making some progress, but there is much still to be done. A credible IST process which delivers – and is seen to deliver – justice for the appalling crimes of the previous regime will have major political impact ... We may need to make sure, however, that they do not rush to try the most serious cases before they are ready.”

**747.** The discussion at DOP(I) on 7 July under the item “Progress on the Iraqi Special Tribunal (IST) and judicial issues” focused exclusively on the IST.<sup>689</sup>

### Developing Iraq’s intelligence organisations

In April 2004, the Iraqi National Intelligence Service (INIS) had been established (see Box, ‘An Iraqi intelligence service’, earlier in this Section).<sup>690</sup>

On 15 July 2004, Prime Minister Allawi announced the creation of a new intelligence organisation – the General Security Directorate – that reported to the IMOD.<sup>691</sup>

General Luck’s Review in January 2005 assessed the intelligence structures as very weak and in need of a fundamental overhaul.<sup>692</sup>

In May 2005, the Criminal Intelligence Unit was established in Basra as part of an MOI project. It reported directly to the MOI and was structured similarly to the US FBI.<sup>693</sup>

The National Information and Intelligence Agency (NIIA) was re-named the National Information and Investigations Agency in September 2005.<sup>694</sup>

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<sup>688</sup> Letter Sheinwald to Hadley, 27 June 2005, ‘Iraq’ attaching [Note Blair to Bush, \[undated\]](#), ‘Note from the Prime Minister to President Bush’.

<sup>689</sup> Minutes, 8 July 2005, DOP(I) meeting.

<sup>690</sup> [Minute Dodd to Quarrey, 30 April 2004, ‘Iraqi Security Force Capabilities’](#).

<sup>691</sup> *BBC News*, 15 July 2004, *Iraqi PM vows to crush insurgents*.

<sup>692</sup> [Telegram 58 Baghdad to FCO London, 21 January 2005, ‘Iraq: ISF Assessment Team Visit’](#).

<sup>693</sup> Email Innes to FCO [junior official], 4 July 2005, ‘Basra: Police’.

<sup>694</sup> Minute Smith, 11 September 2005, ‘Weekly Report – Week Ending Sunday 11<sup>th</sup> September 2005’.

On 11 May 2005, the JIC assessed:

“Iraqi intelligence organisations will be critical for success: they are developing but are still largely unproductive and unco-ordinated ... Provincial and local structures are also emerging. A number of these are under the control of rival militias and political groups; some are Iranian financed. The degree to which these organisations are able – or willing – to be absorbed into a national structure is unclear. The tensions between the Ministers of Defence and Interior, and the addition of a new Ministry of State for National Security, will complicate the issue.”<sup>695</sup>

On 12 October, the JIC assessed:

“Some progress has been made, including establishing central co-ordinating mechanisms ... There is some co-ordination between INIS and DGIS, but overall co-ordination remains poor. INIS is perceived by local politicians as run by the CIA; DGIS is making some progress but is undeveloped and under-resourced; and the MOI’s relationship with other agencies remains difficult ...”<sup>696</sup>

On 6 September 2007, a report from the Independent Commission on the Security Forces in Iraq stated:

“The level of information sharing and cooperation between the Iraqi intelligence community and the Iraqi Security Forces is not satisfactory – a problem exacerbated by bureaucratic competition and distrust among duplicative intelligence organisations.”<sup>697</sup>

The report advocated low technology solutions, describing Iraq as “principally a human intelligence theatre of operations” and commended the TIPS hotline set up by UK police officers (see Box, ‘TIPS hotline’, earlier in this Section).

## Request for an “honest assessment”

**748.** On 21 July 2005, Mr Naworynsky forwarded to Mr Quarrey an update from Lieutenant General Robin Brims, now SBMR-I, on the ISF’s progress.<sup>698</sup> Lt Gen Brims wrote:

- The Iraqi Army was “steadily building in confidence and competence” though units “were not yet able to conduct complex operations”.
- The IPS was “lagging the Iraqi Army”. Personnel were “of a doubtful quality” but plans were being implemented “to address these shortcomings”. The “broad judgement” was that the IPS would “not fail when Multinational Forces step back, but we may be uneasy about their methods”.
- The IMOD was “immature and struggling with implementation of its policies”.

<sup>695</sup> JIC Assessment, 11 May 2005, ‘The Iraqi Security Forces’.

<sup>696</sup> JIC Assessment, 12 October 2005, ‘The Iraqi Security Forces: Very Slow Progress’.

<sup>697</sup> Report, 6 September 2007, ‘Independent Commission on the Security Forces in Iraq’.

<sup>698</sup> Letter Naworynsky to Quarrey, 21 July 2005, ‘Update on Progress of Iraqi Security Forces’ attaching Paper 20 July 2005, ‘Update on Progress of Iraqi Security Forces’.

**749.** Mr Roger Cornish, MOD Deputy Director Iraq, wrote to Mr Ingram's Private Secretary on 10 August with a draft note on ISF capacity-building.<sup>699</sup> He wrote that, having read Lt Gen Brims' report, Mr Blair had asked for further advice, giving "greater clarity on ISF capacity-building. Specifically: exploring the detail beneath headline numbers; discussing the delivery of equipment and training; assessing the Iraqi command structure; and an honest assessment of the progress of Iraqiisation."

**750.** Dr John Reid became Defence Secretary in May 2005. Dr Reid sent Mr Cornish's note to Mr Blair on 28 August, advising that "numerically, generation of ISF remains on track, but significant development in key capability areas is still needed".<sup>700</sup> The problem areas were:

- the ability of IMOD forces to direct and sustain independent operations;
- equipment maintenance and effective command and control;
- IMOD's financial management, acquisition and logistics; and
- IPS's progress – its capability thought to be 12 months behind the Iraqi Army.

**751.** Dr Reid wrote that those issues were being addressed but that "with the focus on quantity rather than quality, this inevitably will take time". On the political control of the ISF by the Iraqi Government, he stated:

"... the succession of short term 'power sharing' governments has not created the conditions for the generation of coherent policies ... Armed militias are a reality and cannot be ignored; both the Kurds and Shia have them and their presence is implicit in the form of local militias to protect businesses mentioned in PM Ja'afari's twelve-point security statement. We must beware that the ISF we are creating does not migrate into yet more locally owned militias."

**752.** The IPS remained "riven with bribery, corruption, intimidation and politicisation" and Special Police Commandos had been "linked to human rights abuses and extra judicial killings". Dr Reid wrote:

"Across Iraq, the Rule of Law is hampered by institutional fragility in the police and criminal justice system. Shortcomings in basic infrastructure, equipment, training and specialist capabilities such as forensics continue to limit IPS performance."

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<sup>699</sup> Minute Cornish to PS/Minister (AF), 10 August 2005, 'Update on the Iraqi Security Forces (ISF) and the Process of Iraqiisation'.

<sup>700</sup> [Minute Reid to Blair, 28 August 2005, 'Update on Progress of the Iraqi Security Forces \(ISF\)'](#).

## Progress on disbanding militias

A report to Congress in July 2005 stated that, under CPA Order No.91, nine militias were to be integrated into the ISF.<sup>701</sup> Of those nine, only the Kurdistan Democratic Party, the Patriotic Union of Kurdistan Peshmergas and the Badr Organisation remained as “significant entities”. The other six organisations had either disbanded or been “assigned to personal security details”. JAM was not part of the integration process as it was viewed as a potential insurgent organisation rather than a militia. The report assessed:

“The ITG and its predecessor have had some success in integrating militias into the ISF, but militia elements integrated into the ISF typically remain within pre-existing organisational structures and retain their original loyalties or affiliations.”

The nature of the insurgency was discussed at the DOP(I) on 26 May.<sup>702</sup> Mr William Ehrman, Chairman of the JIC, said that it was looking likely that elements of JAM would be absorbed into the ISF. In discussion, concerns were raised about the Minister and the Ministry of Interior, with rumours that the MOI was sanctioning sectarian attacks.

A JIC Assessment on 12 October stated:

“The issue of militias and their incorporation into the ISF has still not been resolved ... In the absence of an effective local ISF, the MOD with MNF support has begun to recruit a Sunni tribal militia in Anbar province to help deal with AQ. In both Shia and Sunni areas of Baghdad there have been calls for local militias to be raised to improve security. We judge the perpetuation of militia forces, on ethnic, tribal, or political lines, carries significant risks for the future.”<sup>703</sup>

**753.** Dr Reid’s letter to the Prime Minister on 28 August 2005 made clear that the original timescale for the completion of the Petraeus Plan (mid-2006) was not achievable.<sup>704</sup> The number of trained and equipped IMOD forces was “just below 80,000” and would “reach full authorised strength (currently 106,000) in November 2006”. MOI force numbers were “just over 95,000” and “should reach full strength (193,500) in 2007”.

**754.** A JIC Assessment about the ISF on 12 October reported that the forces had “again expanded rapidly”: the Iraqi Armed Forces stood at 91,000 personnel and MOI forces 106,000 personnel.<sup>705</sup> The JIC cautioned that those figures did not take account of absenteeism or “provide an indication of true capability”. MNF planners foresaw a continued need for substantial MNF forces, capable of conducting combat operations,

<sup>701</sup> Report to Congress, July 2005, *Measuring Stability and Security in Iraq*.

<sup>702</sup> Minutes, 26 May 2005, DOP(I) meeting.

<sup>703</sup> [JIC Assessment, 12 October 2005, ‘The Iraqi Security Forces: Very Slow Progress’](#).

<sup>704</sup> [Minute Reid to Blair, 28 August 2005, ‘Update on Progress of the Iraqi Security Forces \(ISF\)’](#).

<sup>705</sup> [JIC Assessment, 12 October 2005, ‘The Iraqi Security Forces: Very Slow Progress’](#).

to support the ISF until the end of 2007, and for advisory teams at least until 2009. Assessing those targets, the JIC judged:

“... the ISF and MNF together have been unable to contain the level of violence, which continues to grow. If the insurgency persists at anywhere near current levels, these timeframes will be unachievable, at least in Baghdad and the Sunni heartlands.”

**755.** A report to Congress on 13 October stated that IMOD force generation was due to be complete by late 2006 and MOI force generation complete by August 2007.<sup>706</sup>

### Assessing readiness for Provincial Iraqi Control

On 27 September 2005, an IPU official wrote to Mr Straw with details of the Joint Committee to Transfer Security Responsibility (JCTSR). The JCTSR had been established in July and tasked with establishing the conditions to permit transfer of security responsibility to the Iraqi civilian authorities.<sup>707</sup> Membership included the Iraqi Interior and Defence Ministers, the National Security Adviser, the UK and the US Ambassadors and the Commander and Deputy Commander of MNF-I.

The Committee published its conditions for transferring security responsibility to an Iraqi civilian authority on 10 October 2005.<sup>708</sup> Those fell into four categories for both urban and provincial areas:

- Threat assessment: MOI, IMOD, MNF-I and the National Intelligence Coordination Council (NICC) assess the threat from terrorist/insurgents as low, and steady or on a downward trend determined by the IMOD, MOI and MNF-I. For provincial areas, the threat to critical infrastructure and lines of communication should also be assessed as low.
- Iraqi Security Forces readiness: The IPS has capacity (at TRA level 2 [TRA levels are explained in Box, 'Provincial Iraqi Control']) to maintain domestic order and prevent the resurgence of terrorism. The Iraqi Army are able to respond to requests for assistance from the city and able to contain the insurgency in the provinces with appropriate support.
- Governance: The Governor must be capable of overseeing security operations in the urban area and province, as assessed by the IMOD, MOI, Ministry of Justice, the Ministry of Human Rights, the US Embassy and MNF-I. The PJCC must be operational and co-ordinating operations and there must be systems in place for detention, trial and incarceration under Iraqi law.
- Coalition forces: must maintain the capability to reinforce if ISF capabilities are exceeded; co-ordinate civil construction activities; provide support and force protection for Transition Teams; and retain freedom of movement and the capability to conduct counter-terrorism operations.

<sup>706</sup> Report to Congress, 13 October 2005, *Measuring Stability and Security in Iraq*.

<sup>707</sup> Minute IPU [junior official] to Straw, 27 September 2005, 'Iraq: Transition: The Joint Committee to Transfer Security Responsibility'.

<sup>708</sup> Paper Republic of Iraq National Security Council, 10 October 2005, 'Joint Committee to Transfer Security Responsibility'.

## Corruption, infiltration and abuse

**756.** Despite improvements in size and performance of the ISF, concerns about corruption, infiltration and abuse continued to grow during 2005. The incident on 19 September at the Jameat Police Station in Basra is described later in this Section.

**757.** In its 12 October Assessment, the JIC reported that both the IMOD and the MOI were “dysfunctional, with their capacities developing very slowly if at all” and that neither could “administer their forces effectively”.<sup>709</sup> Units were unpaid and unsupplied for significant periods and nepotism was ingrained.

**758.** The JIC repeated its warnings about the IPS, judging:

“Elements of the ISF, primarily those under Ministry of Interior (MOI) control, are involved in sectarian violence. This is fuelling broader tensions across Iraq.

“The Iraqi police are a particular concern. They often suffer from divided loyalties and a significant number are involved in criminality for financial gain. Their command and control mechanisms remain confused, as does the exact relationship between local police and the MOI in Baghdad.”

**759.** The JIC reported that some senior Iraqi politicians viewed MOI paramilitary units as “a particular problem: they are seen as a Shia force and as perpetrating a campaign of violence against Sunnis”.

**760.** On 25 October, Mr Blair and President Bush held a video conference between London, Washington and Baghdad.<sup>710</sup> Mr Straw and a number of officials and military officers were in attendance. They discussed Iraqiisation. Mr Blair said that the development of the police seemed to be lagging behind that of the army and asked what more could be done. He also asked how important were the Ministries of Interior and Defence. He was told that a major effort was required with the police in 2006 and that the Ministries were crucial. Lieutenant General Nicholas Houghton, SBMR-I from October 2005 to March 2006, said that the problem with the police was not limited to their quantity and quality; there was also an issue with the commitment to national goals. Strong national leadership was required at the political level.

**761.** In response to a question from President Bush about the situation in the South, Sir William Patey, British Ambassador to Iraq, stated that the political process had exposed deep divisions within the Shia and that those had impacted on local government. He warned of “local turf wars”, declining consent for the MNF, and Iranian interference. He stated that the police were key and training efforts needed to be stepped up. Lt Gen Houghton said that the situation in the South remained much calmer than in other parts of the country. Progress had been made on SSR and the South might well be able to lead the process of security transition.

<sup>709</sup> [JIC Assessment, 12 October 2005, ‘The Iraqi Security Forces: Very Slow Progress’.](#)

<sup>710</sup> Letter Quarrey to Siddiq, 25 October 2005, ‘Iraq: London/Washington/Baghdad VTC’.

## Responsibility for the security ministries moves to MNSTC-I

A report to Congress on 13 October 2005 stated that the US Embassy Iraq and MNF-I had “recently agreed” to assign responsibility for the Iraqi security ministries’ development to MNSTC-I with effect from 1 October 2005.<sup>711</sup>

A paper produced by the MOD for DOP(I) on 15 November stated:

“MNSTC-I has overall responsibility for providing assistance ... to the IG [Iraqi Government] in the development of the MOD and MOI. This helps to generate some short-term capacity assistance; however, the UK must use its senior representation within this Command to help the Iraqis build indigenous capacity within the security sector. This can be achieved through full manning of agreed liaison posts throughout the IG and recognising the need for local participation and ownership at all stages of the capacity-building project.”<sup>712</sup>

An eGram from Baghdad on 2 November reported that merging efforts on MOI reform “should combine IRMO civilian expertise with MNSTC-I military resources and manpower”.<sup>713</sup> The “bedding-in process [was] still under way” and “some tension between the civilian element and the military” remained.

In his weekly report of 1 January 2006, DCC Smith stated that military personnel were gradually replacing police officers in key CPATT roles.<sup>714</sup> He cited the upcoming vacancy for a Senior IPLO Advisor post at CPATT as “a further opportunity for Senior UK influence” and that if the UK was to embed officers into CPATT, it was “essential” that it include a senior strategic position or the UK would “simply be providing more ‘indians’”. DCC Smith was “not convinced” that the US would allow the post to be taken by a “non-American”. He described “a weakening morale among IPLO colleagues and ... increased military encroachment”.

A report to Congress on 26 May reported that MNSTC-I had awarded a contract to provide civilian experts to help build organisational capacity by working alongside Iraqi officials in the IMOD and MOI in February that year.<sup>715</sup>

An eGram was sent from Baghdad on 8 September about the development of the MOI and progress of the GCPP-funded project (as described earlier in this Section).<sup>716</sup> It said that a new structure for the MOI was “now more or less in place”, although there were still insufficient systems in place to reduce corruption and staff had difficulties delegating tasks because they lacked the understanding about how responsibility should be matched with accountability and authority.

The eGram acknowledged that capacity-building was a long-term process but that “measurable progress” had been made. Collaboration with MNSTC-I had been “very good” and represented “an example of how civilian (DFID) and military (MNSTC-I) efforts can effectively complement each other”.

<sup>711</sup> Report to Congress, 13 October 2005, *Measuring Stability and Security in Iraq*.

<sup>712</sup> Paper MOD, 11 November 2005, ‘Strategy for the UK’s Contribution to Iraq Security’.

<sup>713</sup> eGram 17261/05 Baghdad to FCO, 2 November 2005, ‘Iraq: Ministry of the Interior and Policing’.

<sup>714</sup> Minute Smith, 1 January 2006, ‘UK Chief Police Advisor – Iraq: Weekly Report: Week Ending Sunday 1<sup>st</sup> Jan 2006’.

<sup>715</sup> Report to Congress, 26 May 2006, *Measuring Stability and Security in Iraq*.

<sup>716</sup> eGram 39420/06 Baghdad to FCO, 8 September 2006, ‘Iraq: Institutional Development in the Ministry of Interior’.

## THE JADIRIYAH BUNKER

**762.** On 13 November, the US military visited an MOI-controlled detention facility in Baghdad, known as the Jadiriyah bunker, to facilitate the release of a detainee.<sup>717</sup> Upon entering the facility they discovered “around 170 detainees” in an emaciated state. Instruments of torture, including belts, rubber hoses, electrical cable and truncheons were recovered and there was evidence of links to the Badr Corps militia.

**763.** The following day, Gen Casey and Mr David Satterfield, the US Deputy Chief of Mission, made a strong demarche<sup>718</sup> to Mr Jabr, and demanded both a full criminal investigation and a nationwide audit and inspection of MOI facilities conducted by Iraqi and US officials.

**764.** In the Chairman’s brief for DOP(I) to be held on 15 November, Mr Blair was advised that Mr Patey should raise the issue “in the strongest terms” with Prime Minister Ja’afari and Mr Jabr.<sup>719</sup>

**765.** A note from an IPU official to Mr Straw on 22 November stated that Prime Minister Ja’afari had announced on 15 November that a full investigation into the matter would be held.<sup>720</sup>

**766.** The official advised Mr Straw that the Embassy had “first picked up suspicions about maltreatment” at the facility on 4 and 5 September in “an uncorroborated informant report to a police adviser”. The Embassy’s Senior Police Adviser had accompanied the US military to the location on 24 October but saw no evidence of abuse in the areas where he was allowed access. The official wrote that before follow-up action could be taken, the US had “stumbled” upon the mis-treated detainees.

**767.** There were indications that Mr Jabr had “been in direct contact with MOI operatives at the Bunker” and that there were “suspicions of other illegal detention centres”. The media had reported Mr Jabr was “playing down the incident significantly”.

**768.** The IPU would “instruct Baghdad to maintain pressure” on Prime Minister Ja’afari to address the issues.

**769.** Mr Straw issued a statement the same day, welcoming this decision and condemning illegal detention and torture.

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<sup>717</sup> Telegram 18170 Baghdad to FCO London, 14 November 2005, ‘Iraq: Detainees Found in Bunker’.

<sup>718</sup> Demarche is the term used to describe a protest by diplomats.

<sup>719</sup> Letter Cabinet Office [junior official] to Prime Minister, 14 November 2005, ‘DOP(I) – Chairman’s Brief’.

<sup>720</sup> Minute IPU [junior official] to Foreign Secretary, 22 November 2005, ‘Iraq: Abuse at Ministry of Interior Detention Facility – follow up’.

**770.** On 27 November, *The Observer* published an article on human rights abuses in Iraq, based on an interview with Former Prime Minister Ayad Allawi.<sup>721</sup> It quoted him as saying:

“The Ministry of the Interior is at the heart of the matter. I am not blaming the Minister himself, but the rank and file are behind the secret dungeons and some of the executions that are taking place.”

**771.** The IPU was concerned that the investigation would slip in the run-up to elections, and advised Mr Straw on 2 December to reiterate the importance of its progress during a telephone call with Prime Minister Ja’afari.<sup>722</sup> The IPU had “received indications” that a representative on the investigation committee and an Iraqi Minister were “trying to whitewash the report”. Concurrently, the IPU was considering with the US and the MOD “the possibility of taking direct MNF-I action” in other suspected locations of abuse.

**772.** The IPU raised concerns about the delay in the investigation again with Mr Straw on 7 December.<sup>723</sup> A note by a junior official advised Mr Straw to raise the matter with Dr Rice during their bilateral meeting that day. The note said that no action had been taken, other than two meetings of Deputy Prime Minister Rosch Shaway’s committee.

**773.** As well as continuing to apply pressure for a report to be delivered, the official advised Mr Straw to suggest “snap inspections” of other locations, which ideally would be Iraqi-led, but could be led by MNF-I if necessary.

**774.** An eGram sent from the British Embassy on 17 January 2006 stated that there was “still no sign of any report”.<sup>724</sup> Mr Shaway had spoken to the US on 16 January and had blamed the delay on Shia and Badr members appointed to the Commission by Prime Minister Ja’afari and difficulties in working around the election and local holidays. He had told the US that he intended to report in between 10 and 14 days.

**775.** The eGram also stated that:

- There had been three unannounced inspections of detention facilities by joint Iraqi/MNF-I forces. The US/MNF-I selected the sites but Iraqi officials led the investigations.
- Details had been provided about two of the inspections, one facility had 234 detainees claiming abuse (though mostly from previous facilities and not within the last two months), and the other held 13 detainees and was “of a fairly good standard”.

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<sup>721</sup> *The Observer*, 27 November 2005, *Abuse worse than under Saddam, says Iraqi leader*.

<sup>722</sup> Minute IPU [junior official] to Foreign Secretary, 2 December 2005, ‘Iraq: Secretary of State’s Telephone Conversation with Iraqi Prime Minister Ibrahim Ja’afari’.

<sup>723</sup> Minute Paterson to Foreign Secretary, 7 December 2005, ‘Iraq: Foreign Secretary – Secretary Rice Speaking Note’.

<sup>724</sup> eGram 978/06, Baghdad to FCO, 17 January 2006, ‘Iraq: Detainee Abuse Update’.

- The US planned to conduct one unannounced search per week, starting the following week.
- The Judicial Commission was carrying out a separate investigation, and was working through the case files of every detainee in Jadiriyah.
- Supreme Council for Islamic Revolution in Iraq (SCIRI)/Badr had begun to “push back” against accusations of detainee abuse.

**776.** In early 2006, the MOI began establishing an abuse complaint process system involving the Inspector General, Internal Affairs and a Public Affairs Office.<sup>725</sup> Detention was a particular cause of concern. The DoD’s May 2006 Report to Congress stated:

“Many human rights violations occur at detention centres because the centres have inadequate facilities. The centres have no places to shower, pray, or prepare food; plumbing and electrical systems are substandard. Furthermore, the police are not trained as jailers ... To date the Joint Iraqi Inspection Committee, consisting of Iraqi Inspectors General from various ministries, supported by the US Embassy and MNF-I, has inspected seven facilities.”

**777.** A junior official at the British Embassy Washington emailed IPU on 17 March with a summary of a meeting with US officials.<sup>726</sup> She noted that it had been agreed that the UK and US should confront Prime Minister Ja’afari about any efforts to suppress evidence from the Jadiriyah bunker report.

**778.** Dr Reid visited Iraq from 17 to 20 March.<sup>727</sup> A report of his visit from his Private Office on 21 March referred to a meeting with Mr Zalmay Khalilzad, the US Ambassador to Iraq, in which Dr Reid was told that the US investigation into the Jadiriyah facility had “concluded terrible abuses had taken place and that senior figures were likely to have been aware of them”. A copy of the US investigation report had gone to Prime Minister Ja’afari but “nothing seemed to have come of it”, although they said they had not “pushed that hard”.

**779.** The minutes of DOP(I) on 30 March recorded that Dr Kim Howells, FCO Minister, had stated:

“... the UK and the US had to press Ja’afari to publish an unexpurgated version of the report into abuse by the Ministry of Interior at the Jadiriyah bunker, and be ready to press the new Iraqi Government to take action against those responsible ... Our legacy could not be to construct an edifice in Iraq based on human rights abuses.”<sup>728</sup>

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<sup>725</sup> Report to Congress, 26 May 2006, *Measuring Stability and Security in Iraq*.

<sup>726</sup> Email FCO [junior official] to FCO [junior official], 17 March 2006, ‘Briefing for DCDS(C) – Iraq – Detainees and Abuse’.

<sup>727</sup> Minute APS/SoS [MOD] to PS/Policy Director [MOD], 21 March 2006, ‘Secretary of State’s visit to Iraq’.

<sup>728</sup> Minutes, 30 March 2006, DOP(I) meeting.

**780.** Dr Reid, who chaired the meeting, concluded that it was “critical” to the UK’s objectives that the Iraqi security forces were non-sectarian; officials “should work urgently on an action plan and messages for use with the US ... and an incoming Iraqi Government”.

**781.** On 20 April, an email from Mr Straw’s Private Secretary to a junior FCO official stated that Ms Clwyd had raised the delayed publication of the Iraqi investigation’s report with Mr Straw that morning: “She asked what we could do to force the publication of the report.”<sup>729</sup>

**782.** A junior official in Baghdad relayed a telephone conversation between Ms Clwyd and Mr Patey.<sup>730</sup> Mr Patey said:

- Mr Shaways had passed Mr Patey a copy of the report on 19 April.
- The report was consistent with the US report but was “not as hard-hitting in implicating those involved”.
- It had been sent to Prime Minister Ja’afari but was only signed by Mr Shaways (and not other members of the committee).
- There was no indication that it would be released or acted upon until a government was formed, after which recommendations could be made public.
- The report would not damage Mr Ja’afari but “would be seen as an attack on SCIRI”.

**783.** Mr Patey also said that other work was in hand on detainee abuse: the bunker was closed, spot-inspections continued, and the UK was working to remove SCIRI’s influence on the MOI. It wanted to stop the MOI running detention facilities in the longer term. Ms Clwyd “seemed broadly content with this explanation”.

**784.** On 5 May 2006, Mrs Margaret Beckett became Foreign Secretary. On 9 June, an IPU official advised her that “serious abuse and torture”, including of juveniles, had been discovered at another detention facility (“Site 4”) on 30 May.<sup>731</sup> Mr Khalilzad had taken “swift action” with the newly elected Prime Minister, Mr Nuri al-Maliki, “pressing him to take public action” and to revisit the Jadiriyah bunker incident. Mr Al-Mailki’s response was “positive”; he committed to establishing a committee to investigate the Site 4 incident.

**785.** On 19 September, an eGram from Mr Dominic Asquith, now British Ambassador to Iraq, reported that investigations into Jadiriyah and Site 4 abuse were still ongoing.<sup>732</sup> He had met Mr Hashim Al-Shibli, Iraqi Minister of Justice, the previous day, who had

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<sup>729</sup> Email Private Secretary/SofS [FCO] to FCO [junior official], 20 April 2006, ‘Clwyd: Mol Bunker’.

<sup>730</sup> Email FCO [junior official] to FCO [junior official], 20 April 2006, ‘Clwyd: Mol Bunker’.

<sup>731</sup> Minute FCO [junior official] to Foreign Secretary, 9 June 2006, ‘Torture at an Iraqi Ministry of Interior Detention Facility’.

<sup>732</sup> eGram 40974/06, Baghdad to FCO, 19 September 2006, ‘Iraq: Investigations in HR abuses at Site 4 and Jadriyah’.

been “evasive about when prosecutions would happen”. Mr Asquith had encouraged Mr Al-Shibli to push for unannounced inspections to be resumed, despite the Minister’s resistance on the basis that security conditions made it difficult.

**786.** Mr Asquith considered Mr Al-Shibli “honest and aware of the problems”, but that he had a “weak political base” and an “inability to confront effectively the powerful vested interests behind the MOI”.

## 2006 as the “Year of the Police”

**787.** An eGram from an FCO official in Baghdad on 2 November 2005 reported that Gen Casey had designated 2006 as the “Year of the Police”, recognising that “a national police force that can help enforce the Rule of Law [was] vital to any exit strategy”.<sup>733</sup>

**788.** The official wrote that UK police officers were embedded within CPATT and providing a mentor to the Minister of Policing. The UK military had influential positions in CPATT and MNSTC-I. The official wrote that the US had indicated they wanted the UK to “do more” in discrete areas, such as forensics. They stated that another possibility was to embed a high-ranking police officer in CPATT to help direct strategic development but “the key remains the quality as well as the quantity of civilian staff we are able to deploy to Iraq”.

**789.** Gen Walker visited Iraq from 22 to 23 November 2005.<sup>734</sup> He stated:

“ISF development across Iraq is seen to be on track. For most, this includes the IPS (by design the IPS plan delivers more slowly than that for the Army).”

**790.** The MOD produced two papers for DOP(I) on 20 December.<sup>735</sup> The first was an update on progress of Iraqiisation. It stated:

- development of the Iraqi Army remained “on track” for the fully funded and trained figure of 130,000 by December 2006;
- the Iraqi Police were making an “increasingly significant contribution” but were behind the Iraqi Army in development terms;
- malign militia influence, incompetent personnel and weak national control were issues that needed to be addressed by the new government;
- the Department of Border Enforcement (DBE) was due to reach full strength by May 2006; and
- the Iraqi Navy was a “success story” that risked being undermined by the failure of IMOD to provide a suitable acquisition programme.

<sup>733</sup> eGram 17261/05 Baghdad to FCO, 2 November 2005, ‘Iraq: Ministry of the Interior and Policing’.

<sup>734</sup> Minute CDS to SofS [MOD], 25 November 2005, ‘CDS’s Visit to Iraq 22-23 Nov 05’.

<sup>735</sup> [Agenda, 19 December 2005, DOP\(I\) meeting attaching Paper MOD, \[undated\], ‘Update on Progress on Iraqiisation’ and Paper MOD, \[undated\], ‘Ensuring the Iraqis are Ready for a Handover of Security Responsibility’.](#)

**791.** The second paper was entitled “Ensuring the Iraqis are Ready for a Handover of Security Responsibility”. It highlighted two high level areas where there was cause for concern:

- the output of the Ministries – their ability to command, control and sustain their security forces, with control of the Chiefs of Police being a “major issue”; and
- the proper government control of the Ministries.

**792.** The paper stated that the coalition had “got what we resourced”: an increasing number of officers on the ground but no overarching leadership and control from the Ministries to which they were responsible. Action in the first 100 days of government was seen as “essential”. MNSTC-I was developing a plan on that basis, with a surge in resources:

“... MOI advisers up from 76 to 113; MOD advisers up from 45 ... to 103. It is envisaged that military, civilian and contractors will be used to fill civilian slots.”

**793.** The paper made a number of recommendations, including that consideration should be given to increasing the number of UK security sector advisers (to “include some ‘doers’ in IMOD”) and measures to strengthen government control including bolstering the MCNS.

**794.** The minutes of the meeting indicated that those recommendations were not explicitly addressed.<sup>736</sup>

**795.** On 23 December, Mr Blair sent a Note to President Bush.<sup>737</sup> On Iraqisation, he wrote:

“I was surprised people were more upbeat than I expected (and most important the ordinary soldiers working alongside Iraqis). The two clear messages were: the vital nature of leadership of the MOI and MOD; and 2006 being the year of the police. There may also be equipment issues with the military and the police.”

**796.** In his evidence to the Inquiry, Gen Sir Nicholas Houghton said:

“It is quite difficult to compartmentalise the aspiration and the optimism of late 2005 ... the realities of the true state of the police were more dawning realities, as we moved into 2006, where some of the ... problems about death squads, torture dens, the degree of militia infiltration of police, both nationally and locally in Basra, became more evident, and I think that probably it was the policing issue that lay on the critical path to most of the conditionality for effective transition.

“... 2006 was to be the year of the police, so it is not as if we were not aware of the fact that this was the critical problem.

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<sup>736</sup> Minutes, 20 December 2005, DOP(I) meeting.

<sup>737</sup> Letter Quarrey to O’Sullivan, 23 December 2005, ‘Iraq’ attaching [‘Note Prime Minister to President Bush’](#).

“But I think that the degree of the problem, just recalling another sense of the time, is that we could pour significant resource into ... training the police and in the quantity of their generation but we never had the ability to command their loyalty at a local level or a national level.

“This is where you probably get into the dark business of the degree to which police loyalties were affected by political loyalties, links to criminality and corruption, and I don’t think that we had a full understanding of that at the back end of 2005. That was more revealed to us incrementally, as 2006 ensued.”<sup>738</sup>

**797.** In his weekly report of 1 January 2006, DCC Smith wrote about the “Year of the Police”: “... the strap line that ‘just enough is good enough’ is, whilst probably realistic, not particularly encouraging”. He wrote that it could be “a defining factor in the development of an effective Iraqi Police Service”.<sup>739</sup>

### The Iraqi border police

The Department of Border Enforcement (DBE) was established in 2003.<sup>740</sup> A report to Congress on 7 March 2008 described the DBE as having two key missions:

- Ports of Entry (POE) policing to ensure the smooth transition of legal goods and persons; and
- to interdict illegal traffic – including smuggling and movement of terrorists and foreign fighters – within and between POE.

Securing Iraq’s border was a considerable task – in total Iraq has 2,268 miles of land border and 36 miles of coastline.<sup>741</sup>

In June 2004, Maj Gen Houghton described the DBE as “successfully ... reconstituted with over 19,000 Iraqis now in roles as border police, customs officers, immigration officers and nationality and passport officers”.<sup>742</sup>

The first border police graduated in September 2004, after receiving training in Jordan.<sup>743</sup>

AM Torpy visited Iraq from 13 to 19 February 2005.<sup>744</sup> On DBE, he commented:

“The DBE in MND(SE) has advanced considerably since my last visit and are now an effective force, with a good system of refurbished forts along the Iranian, Kuwaiti and Saudi borders.”

<sup>738</sup> Public hearing, 5 January 2010, pages 12-13.

<sup>739</sup> Minute Smith, 1 January 2006, ‘UK Chief Police Advisor – Iraq: Weekly Report: Week Ending Sunday 1<sup>st</sup> Jan 2006’.

<sup>740</sup> Report to Congress, 7 March 2008, *Measuring Stability and Security in Iraq*.

<sup>741</sup> Report, 6 September 2007, ‘Independent Commission on the Security Forces in Iraq’.

<sup>742</sup> Minute ACDS(Ops) to Rycroft, June 2004, ‘How Best to Progress the Iraqisation of the Security Sector’.

<sup>743</sup> Wright DP & Reese TR. *On Point II: Transition to the New Campaign – The United States Army in Operation IRAQI FREEDOM May 2003 – January 2005*. Combined Studies Institute Press, June 2008.

<sup>744</sup> Minute CJO to CDS, 22 February 2005, ‘CJO Visit Report – Iraq – 13 to 19 Feb 05’.

In a report to Congress on 13 October 2005, the DoD assessed:

“The decentralised and dispersed nature of this force has fostered an environment in which corruption, “ghost” employees [employees on the payroll but not presenting for duty], and absent without leave rates remain a significant concern.”<sup>745</sup>

**798.** DCC Smith completed his tour of Iraq in April 2006.<sup>746</sup> He described a number of difficulties experienced during his tour in his end of mission report, including:

- lack of an agreed, resourced strategy: “There was not a shortage of ... plans ... What has been lacking for three years is a will and an organisational capability to develop, and act upon, such a strategy”;
- confusion over command of various personnel involved in policing: “Even the Review conducted by Sir Ronnie Flanagan [HM Chief Inspector of Constabulary; the Review is described later in this Section] ... failed to provide a clear statement”, with the security situation making a military lead inevitable in 2006; and
- prioritisation of scarce resources: he highlighted a number of areas where the UK could have played a significant role but were unable to resource initiatives either through funding or appropriate personnel.

## The rise in sectarianism

**799.** Elections were held in December 2005 but it was not until May 2006 that the Iraqi Government was formed (see Section 9.4). As the period of time taken to form a new government extended, British military commanders in Iraq observed an increase in violence.<sup>747</sup>

**800.** A report to Congress on 30 November 2006 stated that Sunni and Shia “death squads” were responsible for the significant increase in sectarian violence in Iraq.<sup>748</sup> Those were defined as “armed groups that conduct extra-judicial killings; formed from terrorists, militias, illegal armed groups, and – in some cases – elements of the ISF”.

**801.** During his visit to Baghdad in March 2006, Dr Reid had raised the role of the militia with a number of interlocutors.<sup>749</sup> Mr Sa’adoun al-Dulaimi, Iraqi Minister for Defence, reported that he felt under pressure to incorporate sectarian militias into the IMOD, noting that “the Ministry of the Interior seemed completely open to the integration of militias”. Mr Jabr commented that “too many old regime staff had been brought back in” and “could not simply be removed”.

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<sup>745</sup> Report to Congress, 13 October 2005, *Measuring Stability and Security in Iraq*.

<sup>746</sup> Report Smith, May 2006, ‘End of Mission Report’.

<sup>747</sup> Public hearing Houghton and Style, 5 January 2010, pages 8-9.

<sup>748</sup> Report to Congress, 30 November 2006, *Measuring Stability and Security in Iraq*.

<sup>749</sup> Minute APS/Secretary of State [MOD] to PS/Policy Director [MOD], 21 March 2006, ‘Secretary of State’s visit to Iraq’.

**802.** A JIC Assessment on sectarianism in Iraq on 5 April stated:

“The MNF and Iraqi security forces (ISF) have been able to constrain only some of the violence. After the Samarra mosque bombing, MNF reporting indicated the Iraqi Army proved effective in many areas, deploying in numbers to protect both Sunni and Shia mosques. Some local police units also performed well, although the Ministry of the Interior (MOI) itself was sluggish in its response. The imposition of a curfew and a large security force presence probably deterred some violence. But the picture is patchy: in some Shia areas of Baghdad, militias were allowed free rein.

“The most focused and disciplined anti-Sunni campaign is being run by SCIRI’s Badr organisation. Since the formation of the interim government, SCIRI has systematically embedded Badr members and units into the state security structures, particularly the MOI where they control intelligence and some paramilitary units. Forces under the control of the Ministry of Defence, with its close ties to MNF, have proved less penetrable ...”<sup>750</sup>

**803.** On 20 April, Lt Gen Fry, now SBMR-I, was asked by Mr Blair to give DOP(I) his assessment of the capacity of the Iraqi Army and police, and what impact the new government would have.<sup>751</sup> He stated that progress with the army was relatively positive, but progress with the police was less good; the “weakness and sectarian bias of the Ministry of Interior” had “exacerbated” problems. He judged that “the key challenge ... remained to bring in the Sunnis”.

**804.** In discussion at DOP(I) the following points were raised:

- the UK should not underestimate the sectarian character of the ISF, the new government would need to tackle this issue actively; and
- the UK had to be realistic about how possible it would be to develop non-sectarian forces at that stage in Iraq’s development.

## SSR in the South: summer 2004 to summer 2006

**805.** On 15 July 2004, the FCO produced a paper considering the options for the commitment of UK police officers in southern Iraq after handover of sovereignty to the IIG.<sup>752</sup> The FCO recommended maintaining current staffing levels until mid-2005, which could mean extending ArmorGroup’s contract and a further roulement<sup>753</sup> of UK police trainers. That would recognise “that SSR remains a main effort for the UK” and mirrored current MNSTC-I and CPATT projections on the completion of IPS training. The paper noted that “the UK would have a diminishing influence if we were to withdraw before IPS training was complete”.

<sup>750</sup> [JIC Assessment, 5 April 2006, ‘Iraq: Sectarianism’.](#)

<sup>751</sup> Minutes, 20 April 2006, DOP(I) meeting.

<sup>752</sup> Paper FCO, 15 July 2004, ‘Iraq Southern Provinces – Future UK Civilian Police Commitment’.

<sup>753</sup> A roulement is the deployment of forces, especially for short periods of duty.

**806.** On 29 August, Lt Gen McColl reported that Prime Minister Allawi had decided to appoint an Iraqi Military Commander for southern Iraq – initially for Basra and Maysan.<sup>754</sup> The Military Commander would have command of all the ISF in the area and be answerable to a committee in Baghdad, made up of the Prime Minister and the Ministers of the Interior and Defence. Lt Gen McColl’s view was that there was “plenty of scope for friction” between the local Military Commander’s HQ and those of the GOC MND(SE), now Major General William Rollo, who was reported to be concerned about the introduction of “another layer of approval and consultation before forces can be deployed”.

**807.** On 2 September, Maj Gen Rollo reported that Prime Minister Allawi was considering the appointment of General Rachash as Military Commander of the South-East. Maj Gen Rollo had concerns about Gen Rachash’s views on the need to consult provincial Governors and the lack of legal basis for his appointment.<sup>755</sup>

### Security restrictions on UK police officers

On 26 September 2004, a report from Mr Robert Davies, Chief Police Adviser to the MOI, stated that the FCO’s Overseas Security Adviser had directed UK police staff not to travel in Snatch Land Rovers because of inadequate armour (see Section 14.1).<sup>756</sup>

Mr Davies wrote:

“This direction places a significant limitation on the deployment of our staff. The role of mentors requires them to be able to travel frequently to see their chiefs of police. The essence of their role and indeed, the role of the International Police Advisers, needs them to go to the stations. The appropriate protection could be provided by a team from the Control Risk Group, but there are insufficient numbers to meet our requirement.”

In March 2005, DCC Smith wrote to Mr Stuart Innes, British Consul General Basra, about travel and movement protection in Basra.<sup>757</sup> He raised concerns that UK police officers were subject to an “inflexible and restrictive” policy that was “likely to hamper the conduct of work in the next 12 months”. In particular, UK police officers could only travel overland by vehicle if accompanied by a team of bodyguards. That was during daylight hours only and with 24 hours’ notice. However, ArmorGroup and Dyncorp officers were able to travel by military vehicles, unaccompanied and without such tight restrictions.

DCC Smith stated that, as the policing effort moved from classroom-based training to mentoring and monitoring at IPS stations, officers would need more flexible travel arrangements. He recommended that UK police officers should have the option, with additional training if required, to operate on the same basis as the International Police Advisers (IPAs). He also suggested supplying UK police officer secondees with enhanced weapons, also with additional training.

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<sup>754</sup> Minute McColl to CDS and CJO, 29 August 2004, ‘Report 126 of 29 August 2004’.

<sup>755</sup> Report Rollo to CJO, 2 September 2004, ‘GOC MND(SE) – Iraq Update – 02 September 2004’.

<sup>756</sup> Minute Davies, 26 September 2004, ‘Weekly Report Number: 46’.

<sup>757</sup> Minute Smith to Innes, March 2005, ‘Travel and Movement Protection – CivPol3’.

CC Kernaghan visited Iraq from 12 to 17 May 2005 and wrote a report of his findings on 25 May to Mr Charles Clarke, the Home Secretary, and Mr Chris Fox, President of ACPO.<sup>758</sup> The first part of this visit was spent investigating the role of UK police officers with Sir Ronnie Flanagan, HM Chief Inspector of Constabulary, CC Hugh Orde, Chief Constable of PSNI, and Mr Colin Cramphorn, Chief Constable of West Yorkshire.

In his report, CC Kernaghan endorsed the use of armoured vehicles within military convoys for police officer secondees, but considered enhanced weaponry “a step too far”. He cautioned against treating police officers who had served in Northern Ireland differently from those without this background, noting that this “could be interpreted as ... placing a lesser value on their safety and treating them as de facto cannon fodder”.

On 24 October, Major General James Dutton, GOC MND(SE) from June 2005 until December 2005, wrote that “clarity” in the contractual obligations of UK police officers and ArmorGroup personnel was needed.<sup>759</sup> In addition:

“...we will need to resolve the issue of movement restrictions on the CivPol and ArmorGroup personnel. There appear to be different transport restrictions placed upon civil servants employed by MOD to those working for the FCO and their contractors, CivPol and ArmorGroup (although there are even differences between them). The principal problem is that the FCO and their contractors are not permitted to travel in military vehicles.”

On 11 November, CC Kernaghan emailed a junior official in the Home Office following a report from DCC Smith that stated Maj Gen Dutton wished to assume control of police and ArmorGroup assets, and see police personnel travel in Snatch vehicles.<sup>760</sup> Maj Gen Dutton had reportedly suggested he would review the relevant contracts of employment to enable the latter.

CC Kernaghan wrote that it was important that the arrangements for police officers were not considered in isolation from those of other deployed civilians and emphasised his expectation that he should be consulted on any move to change the command and control arrangements for deployed police officers, not presented with a “fait accompli”.

Acting Commander Kevin Hurley, Chief Police Adviser in Basra, June 2004 to December 2004, told the Inquiry of the challenges of trying to effect police training and mentoring while being unable to travel:

“Security conditions made road travel almost impossible ... We were all but ineffective for most of our time. Ultimately ... we reached a stage whereby if we could not get a helicopter ride we did not move.”<sup>761</sup>

In his evidence to the Inquiry, Lieutenant General Jonathan Riley, GOC MND(SE) from November 2004 to June 2005, said that the “chief difficulty” of the FCO rather than the military leading police work was the restrictions placed on civilian personnel meant that he

<sup>758</sup> [Report Kernaghan to Clarke and Fox, 25 May 2005, ‘Report on 4<sup>th</sup> Visit to Iraq by Chief Constable Kernaghan – 12/16 May 2005’.](#)

<sup>759</sup> [Letter Dutton to Wall, 24 October 2005, ‘Policing SE Iraq’.](#)

<sup>760</sup> Email Kernaghan to Home Office [junior official], 11 November 2005, ‘UK civil police assistance effort in Iraq – command & control issues – request for clarity’.

<sup>761</sup> Statement, 17 June 2010, page 3.

could not guarantee that the mentoring of police was done “to the depth, to the degree, to the duration that it had to be”.<sup>762</sup> That meant that he had to “fill that gap using soldiers and military police so that instead of partnering my military forces with Iraqi military forces only, which would have been the ideal situation, I also had to partner them closely in many cases with the Iraqi police to fill that void”.

Lt Gen Riley said that he had discussed that difficulty with colleagues many times but the rules for civilian personnel were fixed; “So it became a given”.

The arrangements for civilian personnel are described in Section 15.1.

## A decline in security

**808.** On 18 August 2004, a Current Intelligence Group (CIG) Assessment stated:

“Little is being done in Basra by the security forces to stop a minority of Mahdi Army militants causing disruption. The police chief is in league with the militants and elements of the Iraqi police were involved in the kidnapping of the British journalist [Mr James Brandon, subsequently released – see Section 9.3]. A report suggests the Amara police chief has agreed not to interfere in the activities of the Mahdi Army in the city, but this is due to police concern at their own vulnerability rather than support for al-Sadr.”<sup>763</sup>

**809.** In his letter to Mr Fergusson on 20 August (as detailed earlier in this Section), Mr Phillipson wrote that the Prime Minister considered “problems with the police chief in Basra” as one of the “real risk[s] to our objectives”.<sup>764</sup>

**810.** The IPU’s paper entitled “Iraq: Next Steps”, produced on 27 August, stated that the Chief of Police in Basra was “co-operating with the Sadrists” but did not suggest a way of addressing that, or of addressing the issue of divided loyalties more widely.<sup>765</sup>

**811.** Two days later Mr Blair produced a minute to No.10 staff which stated:

“... we cannot have a situation as in Basra where the police chief is working with Sadr’s people.”<sup>766</sup>

**812.** On 3 September, the CIG reported that a senior Badr organisation official had been appointed as Basra Governor and that he intended to remove the Basra Police Chief.<sup>767</sup>

**813.** On 11 November, the JIC reported that the Police Chief had been “sacked”.<sup>768</sup>

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<sup>762</sup> Public hearing, 14 December 2009, pages 25-26.

<sup>763</sup> [CIG Assessment, 18 August 2004, ‘Iraq Security’](#).

<sup>764</sup> [Letter Phillipson to Fergusson, 20 August 2004, ‘Iraq: Next Steps’](#).

<sup>765</sup> Minute Crompton to Private Secretary [FCO], 27 August 2004, ‘Iraq: Next Steps’ attaching Paper Iraq Policy Unit, 27 August 2004, ‘Iraq: Next Steps: Action Points’.

<sup>766</sup> [Minute Prime Minister to Sheinwald, Powell and Phillipson, 29 August 2004, ‘Iraq’](#).

<sup>767</sup> [CIG Assessment, 3 September 2004, ‘Iraq Security: Shia Violence in Multi-National Division \(South East\)’](#).

<sup>768</sup> [JIC Assessment, 11 November 2004, ‘Iraq Security – Current Concerns’](#).

**814.** On 26 September, Mr Davies reported that 38 ArmorGroup mentors had deployed to Basra.<sup>769</sup> Their roles included: three personnel in Maysan developing a criminal intelligence database and mentoring the Tactical Support Unit (TSU); five personnel based at the az-Zubayr Police Academy providing training for the TSU; and the bulk of the remaining staff engaged in mentoring and developing the investigative capability of the Basra investigators.

**815.** That deployment had been planned for June 2004, but on 11 June Mr Straw was advised by a junior official that the deployment should be delayed from June to September because of a decline in security in southern Iraq.<sup>770</sup> An additional factor was that the type of mentoring they were contracted for would be “of little value until the Iraqi police ha[d] undergone more specialist skills training”.

**816.** Minutes from an SSR meeting on 7 October reported that ArmorGroup had all police mentors operating in various locations across MND(SE).<sup>771</sup> The contract was due for renewal at the end of November 2004 but it was likely that a proposal for an extension would be submitted based on the positive feedback received.

**817.** A six-month extension of the contract was agreed at the Iraq GCPP Strategy meeting on 7 January 2005.<sup>772</sup> The Committee agreed that the ArmorGroup contract for 68 mentors costing £4.8m should have “specific reporting procedures, including monitoring and evaluation” with a “clearer work plan”. The project would be reviewed again after six months.

**818.** On 12 October, an email from a junior FCO official confirmed that 12 US IPAs had been deployed to MND(SE) in late September: six to the Sector and District Command, two to the traffic unit, two to the forensic unit and two to the TSU.<sup>773</sup>

**819.** On 14 October, Mr Simon Collis, British Consul General in Basra, wrote to the FCO in London stating: “we need help in the form of more senior police officers, flexible security rules for their deployment, less nationalist policies on behalf of MNF contributors and more specialist trainers and equipment.”<sup>774</sup> He also highlighted limited co-ordination between civilian and military structures in MND(SE).

**820.** Lt Gen Rollo, who left MND(SE) in November, told the Inquiry that:

“Not all the Iraqis were ineffective. We focused on getting relatively small numbers of them to a relatively good standard.”<sup>775</sup>

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<sup>769</sup> Minute Davies, 26 September 2004, ‘Weekly Report Number: 46’.

<sup>770</sup> Minute ISSU [junior official] to PS/SofS [FCO], 11 June 2004, ‘Iraq – Deployment of Police Monitors’.

<sup>771</sup> Minutes, 7 October 2004, Security Sector Reform meeting.

<sup>772</sup> Minutes, 7 January 2005, Iraq GCPP Strategy meeting.

<sup>773</sup> Email FCO [junior official] to FCO [junior official], 12 October 2004, ‘Basra Update’.

<sup>774</sup> [Telegram 169 Basra to FCO London, 14 October 2004, ‘Southern Iraq: Putting Civilian Police First’](#).

<sup>775</sup> Public hearing, 15 December 2009, page 12.

**821.** Commenting on how to raise effective forces, Lt Gen Rollo said:

“... the answer to more forces ultimately was more Iraqis, and the real trick was to raise effective Iraqi forces, and that the way to do that was to take relatively small numbers and to try to instil into them a sense of loyalty to the state, which was really quite difficult to achieve ... So loyalties were fragile and depended on human contact.”<sup>776</sup>

### The Iraqi Navy

A US report from the Independent Commission on the ISF, published on 6 September 2007, explained that Iraq’s coastline was very small but strategically significant.<sup>777</sup> It included the al-Basra and the Khor al-Amaya oil terminals (responsible for 90 percent of Iraq’s revenue) and Iraq’s only deep water port, Umm Qasr. The maritime borders with Iran and Kuwait were contested and not clearly demarcated.

The Iraqi Navy reported through the Joint Headquarters to the IMOD.<sup>778</sup>

A paper produced by the MOD on 9 December 2009 stated that “the notable UK contribution” during Phase IV was the development of the New Iraqi Navy, led by the Royal Navy at Umm Qasr.<sup>779</sup> The Royal Navy also trained the Iraqi Coast Guard, which operated in close proximity to the Iraqi Navy but reported to the MOI.<sup>780</sup>

On 1 February 2005, a junior MOD official advised Mr Hoon that 49 personnel were deployed in Navy Advisory Support Teams (ASTs), including force protection.<sup>781</sup>

The Chief of the Naval Staff visited Iraq in July and observed that recruiting and training of the Marine force was almost complete and subject to the procurement of suitable support vessels they should be able to resume responsibility for the security of oil platforms later in the year.<sup>782</sup> He noted problems with funding but stated: “our AST and the Iraqi Navy have done well ... I am content that we have reached the stage where the AST can start to draw down provided it is adequately supported by MND(SE)”.

In the same month Lt Gen Brims described the development of the Iraqi Navy as “a significant UK success”.<sup>783</sup>

## Prison Service support in southern Iraq

**822.** At the SSR meeting on 7 October 2004, it was reported that there were two senior prisons advisers and four prisons mentors in theatre.<sup>784</sup> The minutes recorded that a

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<sup>776</sup> Public hearing, 15 December 2009, page 14.

<sup>777</sup> Report, 6 September 2007, ‘Independent Commission on the Security Forces in Iraq’.

<sup>778</sup> Report to Congress, 17 February 2006, *Measuring Stability and Security in Iraq*.

<sup>779</sup> [Paper MOD, 9 December 2009, ‘Iraq Security Sector Reform’](#).

<sup>780</sup> Report, 6 September 2007, ‘Independent Commission on the Security Forces in Iraq’.

<sup>781</sup> Minute Chaudhry to APS/SofS [MOD], 1 February 2005, ‘Manning and Development of the Iraqi Navy Advisory Support Teams’.

<sup>782</sup> Minute CNS to CDS, 28 July 2005, ‘Visit to the Northern Gulf and Iraq 25-26 Jul 05’.

<sup>783</sup> Letter Naworynsky to Quarrey, 21 July 2005, ‘Update on Progress of Iraqi Security Forces’.

<sup>784</sup> Minutes, 7 October 2004, Security Sector Reform meeting.

recent assessment of all UK government staff in Iraq had determined that “the prisons contribution” was vital. Risk assessments were being conducted at military locations to enable the deployment of prisons mentors to the provinces. Support to the prisons effort was being maintained by the RMP.

**823.** On 20 January 2005, minutes of the SSR meeting recorded that the prisons programme had been extended for a further six months and the Prison Service had confirmed they would provide officers for phase two. A UK criminal justice adviser had also been deployed.<sup>785</sup>

**824.** On 9 August, the IPU submitted an initial bid for the prison programme to receive funding until 31 March 2006.<sup>786</sup> The bid stated that since it had begun in May 2004, the programme had:

- trained every prison officer in MND(SE);
- established a training school for the Iraqi Correctional Service (ICS);
- developed a corps of Iraqi trainers;
- built and established a new prison in Basra that would “become a model prison for Iraq”; and
- “substantially improved conditions and treatment of prisoners” in each other prison in the region.

**825.** The bid was for funding to continue supporting prisons advisers, to help to increase the capability of the ICS and to complete the ongoing infrastructure projects.

**826.** In describing the effects of the programme, the IPU cited Iraq’s “dreadful human rights record” in prisons and stated that the first two phases of the programme had “already dramatically transformed the functioning of the prisons in MND(SE) both by improving the physical conditions in which prisoners are kept, and changing attitudes amongst staff”. Continuing work would build on that, particularly in respect of female and juvenile prisoners.

**827.** On 15 August, Mr Collis sent a telegram to the FCO reporting allegations of “systematic abuse” at al-Maqil prison in Basra.<sup>787</sup> The allegations, made by an Iraqi prison officer, included the sexual abuse of a female prisoner and the payment of bribes to avoid beatings and facilitate visits by relatives. The prison officer claimed that one-quarter of the prison staff was involved, including at a senior level.

**828.** Mr Stephen Fradley, the British Senior Prison Adviser, had raised the concerns with the Regional Director of the Iraqi Correctional Service, who subsequently spoke to the Prison Governor. The Governor said that an investigation had been undertaken and that

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<sup>785</sup> Minutes, 20 January 2005, Security Sector Reform meeting.

<sup>786</sup> Email FCO [junior official] to FCO [junior official], 17 August 2005, ‘FW: GCPP Prisons Bid’ attaching Project Bid Form, 9 August 2005, ‘Prison Service Support in Southern Iraq’.

<sup>787</sup> Telegram 113 Basra to FCO, 15 August 2004, ‘Iraq: Allegations of Abuse in Iraqi Run Prison’.

he was satisfied there had been no abuse. The Regional Director had concluded that no further action was necessary.

**829.** Mr Collis was considering how to ensure that a proper investigation was carried out. He had referred the matter to the ICRC and waited to hear whether they would investigate. Plans were in place on how to press the issue if the ICRC were denied access.

**830.** On 26 October, Baroness Symons, Minister of State for the Middle East, International Security, Consular and Personal Affairs at the Foreign Office, wrote to Mr Straw about a meeting she had held with Mr Bakhtiar Amin, the Iraqi Minister of Human Rights, the previous evening.<sup>788</sup> Mr Amin had expressed concerns over the current conditions in Iraqi prisons and said that he would be “most interested” in help on rehabilitation programmes and prison monitoring.

**831.** On 6 February 2005, a telegram from Baghdad sought an indication of whether further funding would be available to develop the prison inspectors’ training programme in Basra.<sup>789</sup> Reporting on a meeting between Mr Andrew Hood, Legal Adviser, and Mr Amin, it stated that Mr Amin was positive about the training prison inspectors had received and that he would like all this to be available to all inspectors. Speaking to Mr Hood, Mr Amin requested further assistance: “he had sufficient funds to employ more prison inspectors if there was sufficient capacity to train them”.

**832.** A bid for additional funding to extend the prisons programme was submitted on 17 August.<sup>790</sup> The bid mentioned co-ordinating MND(SE) activity with the US programmes elsewhere in Iraq, but did not specify supporting the extension of the Basra training programme outside southern Iraq.

## UK equipment for the Iraqi Security Forces: Project OSIRIS

**833.** At the AHMGI on 28 October, Mr Paul Boateng, the Chief Secretary to the Treasury informed Mr Blair that, of the US\$107m worth of equipment requested by the MOD to speed up Iraqiisation in MND(SE), US\$29m would be funded by the US, the remaining US\$78m/£40.6m could be funded by the Treasury from the Reserve on a “one-off” basis.<sup>791</sup> That was in addition to the US\$4.5m/£2.5m GCPP-funded ISF equipment purchase agreed in September.

**834.** On 24 November, a junior official in the MOD submitted a draft departmental minute to Mr Hoon to be laid before Parliament for the first tranche of ISF equipment

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<sup>788</sup> Minute Symons to Straw, 26 October 2004, ‘Iraq: Human Rights Assistance’.

<sup>789</sup> Telegram 90 Baghdad to FCO, 6 February 2005, ‘Iraq: Call on Minister of Human Rights’.

<sup>790</sup> Email FCO [junior official] to FCO [junior official], 17 August 2005, ‘FW: GCPP Prisons Bid’ attaching Project Bid Form, 9 August 2005, ‘Prison Service Support in Southern Iraq’.

<sup>791</sup> Minutes, 28 October 2004, Ad Hoc Ministerial Group on Iraq meeting.

(detailed further below).<sup>792</sup> The press lines annexed to the document explained that Prime Minister Allawi had “made a direct call for assistance to No.10”:

“The Prime Minister is keen to assist, not least as the speedy Iraqisation of the security sector is a key strategic aim of the UK and will ultimately facilitate our own withdrawal.”

**835.** Between November 2004 and July 2005, equipment was delivered to the ISF in four tranches through “Project OSIRIS”. Over that period, minutes from MOD officials to the Defence Secretary detailed what would be provided in each tranche:

- Tranche one for £15m was approved in early December and focused on items that could be procured quickly through existing contracts, such as small arms, ammunition, public order and urban operations equipment as well as seven infrastructure projects.<sup>793</sup>
- Tranche two for £3.6m was approved in mid-December and comprised grenade launchers, pistols, radios and ammunition. That was to be procured through both new and existing contracts.<sup>794</sup>
- Tranche three for £6.2m was approved in late January and consisted of three batches of equipment covering protective vehicles, search equipment for DBE and machine guns.<sup>795</sup>
- Approval for tranche four covering the remaining £15.6m was not sought until 18 July “because of the need to align expenditure plans with the planning for operational transition” and “changing US expenditure plans”. It included infrastructure projects, vehicles and communications equipment.<sup>796</sup>

**836.** Parliamentary approval was sought for the first three tranches but the obligation to give Parliament 14 days to raise any objections to gifting<sup>797</sup> the items was reduced to two days with Treasury approval. Tranche four was approved by the Chairman of the Public Accounts Committee (PAC), who had authority to grant approval, given the imminence of Parliamentary recess.

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<sup>792</sup> Minute MOD [junior official] to APS/SofS [MOD], 24 November 2004, ‘Parliamentary Clearances for Gifting of the First Phase of the £40.6 million (\$73m) Worth of Equipment for Iraqi Security Forces.’

<sup>793</sup> Minute MOD [junior official] to APS/SofS [MOD], 24 November 2004, ‘Parliamentary Clearances for Gifting of the First Phase of the £40.6 million (\$73m) Worth of Equipment for Iraqi Security Forces’; Minute Johnson to DJC Sec 1, 2 December, ‘Iraq: Gifting of Military Equipment to the Iraqi Interim Government’.

<sup>794</sup> Minute MOD [junior official] to PS/SofS [MOD], 13 December 2004, ‘Iraq: 2<sup>nd</sup> phase of £40.6m Gifting of Military Equipment to the Iraqi Interim Government: Project OSIRIS’.

<sup>795</sup> Minute MOD [junior official] to PS/SofS [MOD], 19 January 2005, ‘Iraq: 3<sup>rd</sup> Phase of £40.6m Gifting of Military Equipment to the Iraqi Interim Government: Project OSIRIS’; Minute Naworynsky to Deputy Command Secretary PJHQ [MOD], 24 January 2005, ‘Iraq: 3<sup>rd</sup> Phase of £40.6m Gifting of Military Equipment to the Iraqi Interim Government: Project OSIRIS’.

<sup>796</sup> Minute MOD [junior official] to APS/SofS [MOD], 18 July 2005, ‘Iraq: Funding for Security Sector Reform and a Civil Effects Fund for MND(SE)’.

<sup>797</sup> ‘Gifting’ is a technical term that usually describes a government giving equipment to another government.

**837.** On 18 July, a junior MOD official wrote to Dr Reid, stating that the Chairman of the PAC had “expressed dissatisfaction with the shortcuts we took to gaining parliamentary approval” for the first three tranches and that “a couple of backbench MPs” had objected.<sup>798</sup> The official considered the final tranche “less likely” to generate objections because it did “not contain any weapons” but:

“We will need to explain why we have again been unable to allow Parliament to consider this gifting as fully as some MPs might wish.”

**838.** The official wrote that an additional £58m was likely to be needed for the year ahead: £38m for OSIRIS II (protected and other mobility, infrastructure construction for forces training, communications, logistics and command and control functions) and £20m for a Civil Effects Fund. He recommended that Dr Reid propose that expenditure to the Chief Secretary to the Treasury, now Mr Des Browne. He also noted that Project OSIRIS had “been an understated success story” that should be highlighted in the presentation plan for operational transition.

**839.** As advised, Dr Reid wrote to Mr Browne on 19 July stating that the additional £58m was “central to the success of our plans”.<sup>799</sup>

### November Force Level Review

Air Marshal Glenn Torpy, Chief of Joint Operations, wrote to General Sir Michael Walker, CDS, on 10 November 2004 about the interim Force Level Review conducted for Operation TELIC (see Section 14.1).<sup>800</sup> AM Torpy stated that the training, mentoring and monitoring of the NIA and ING was one of three emerging tasks from the review. All three tasks were discretionary for the UK but not for MNF-I and if other Troop Contributing Nations did not undertake them, they could fall to the UK.

AM Torpy wrote that the new tasks could be conducted by a battalion plus senior mentors, “possibly of one-star rank”, and work was under way to confirm the requirement. He had agreed with Lt Gen Rollo that the work should be delayed until after the election. AM Torpy advised that “for force generation purposes we should assume that this is a new – potentially enduring” task.

Mr Roger Cornish, MOD Deputy Director Iraq, wrote to Mr Hoon about the review on 19 November.<sup>801</sup> He reiterated AM Torpy’s assessment of the training task, assessing that the force package needed to undertake it would be 650 personnel in total.

Mr Naworynsky replied to Mr Cornish on 24 November, stating that Mr Hoon had noted the emerging tasks.<sup>802</sup>

<sup>798</sup> Minute MOD [junior official] to APS/SofS [MOD], 18 July 2005, ‘Iraq: Funding for Security Sector Reform and a Civil Effects Fund for MND(SE)’.

<sup>799</sup> Letter Reid to Browne, 19 July 2005, ‘Iraq: Funding for Security Sector Reform and for a Civil Effects Fund for MND(SE)’.

<sup>800</sup> Minute CJO to CDS, 10 November 2004, ‘Iraq – Interim Force Level Review’.

<sup>801</sup> Minute Cornish to APS/SofS [MOD], 19 November 2004, ‘Iraq: Interim Force Level Review’.

<sup>802</sup> Minute Naworynsky to Cornish, 24 November 2004, ‘Iraq: Interim Force Level Review’.

The uplift in personnel took place as part of the roulement of forces in late April 2005 (described later in this Section).

## Police reform

**840.** On 5 November 2004, Mr David Hayward, FCO Military Liaison Officer, sent a teletype to Mr Tom Dodd, Deputy Consul General in Basra, in reply to “a number of problems” Mr Dodd had raised about policing in the South.<sup>803</sup> On the provision of UK police officers, Mr Hayward wrote that:

- Mr Hugh Orde, Chief Constable of PSNI, had confirmed his commitment of six Chief Inspectors for Iraq.
- CC Orde would extend the current PSNI officer deployments until replacements were available.
- Nineteen junior officers in az-Zubayr would end their tour in December but 14 officers were trained and ready to replace them. They were looking to recruit others and had a small reserve capacity of trained officers that could be deployed if necessary.
- GCPP’s funding for 40 IPAs had been extended by one month and a bid to extend it for a further six months would be submitted.

**841.** A second phase of the ArmorGroup contract was agreed in early 2005. It extended and expanded the deployment to 68 personnel, including five forensic experts.<sup>804</sup>

**842.** On 12 January 2005, Major General Jonathon Riley, GOC MND(SE) from November 2004 until June 2005, reported:

“Although the work of the International Police Advisers is much trumpeted, the reality falls well short of perception. Responsibilities for various areas of police reform are unclear, and as a result, progress is lagging behind that of the military.”<sup>805</sup>

**843.** Acting DCC Colin Smith arrived in Iraq in January 2005 as part of General Luck’s Review team. In his statement to the Inquiry, ACC Smith wrote:

“On arrival ... there appeared to be a number of competing plans including SSR with police training at az-Zubayr and in Basra, Maysan and Al Muthanna and that ubiquitous term ‘mentoring’. Civilian contractors, funded by the UK, largely worked under their own direction and command structure. The only apparent link to any pan-Iraq coalition Strategy was through the US International Police Liaison Officers.”<sup>806</sup>

<sup>803</sup> Teletype 161 Hayward to Dodd, 5 November 2004, ‘Southern Iraq: Civilian Policing’.

<sup>804</sup> Project Bid Form, [undated], ‘International Police Advisors: Training, Mentoring and Monitoring of the Newly Trained Iraqi Police Service Officers in MND SE’.

<sup>805</sup> Report Riley, 12 January 2005, ‘GOC MND(SE) – Southern Iraq Update – 12 January 2005’.

<sup>806</sup> Statement, 14 June 2010, page 2.

**844.** DCC Smith wrote that “an attempt was made to develop ... an integrated ‘12 month IPS Development Strategy’ ... 12 months being seen ... as the likely duration of UK training in Iraq”. The plan acknowledged that the military should play a key role in ‘generic’ policing areas such as infrastructure, equipment and non-specialist training. Police officers would be left to concentrate on enhancing specialist capability.

### New Chief of Police for Basra

In his update on 12 January, Maj Gen Riley reported that a new Chief of Police for Basra, Major General al-Saad Hassan, had been appointed by the MOI.<sup>807</sup>

A telegram from Mr Collis on 21 January reported that (now General) Hassan had removed a Badr officer from his post as Head of Police Intelligence, and whilst allowing him to remain Head of Internal Affairs, ordered Internal Affairs to stop carrying out arrests or search operations following a number of suspicious deaths involving the unit.<sup>808</sup> Mr Collis saw this as “a welcome example” of the new Chief of Police “making his mark”.

### Considering whether to embed personnel in Iraqi units

**845.** The US began embedding MNF personnel in Iraqi units in January 2005.<sup>809</sup>

**846.** In his 19 January update, Maj Gen Riley reported on a conference he had attended in Baghdad about the future of the MNF’s mission.<sup>810</sup> Referring to the emphasis on Military Assistance Teams (MATs) and Civil Police Assistance Teams (CPATs),<sup>811</sup> he wrote:

“... this is the direction we have taken in MND(SE). The MNF leadership will not impose a template, but ... [allow] local conditions to determine how the assistance teams are to operate. This suits us very well.”

**847.** On 21 January, Mr Phillipson sent a letter to Mr Hoon’s Principal Private Secretary about a meeting between Mr Blair, Mr Hoon and Gen Walker on Iraq strategy that morning.<sup>812</sup> In discussing Iraqisation and delays to the Petraeus Plan, Gen Walker referred to MATs and CPATs as the “latest US plan” but added “this was not the answer”.

**848.** At the Chiefs of Staff meeting on 2 February, it was observed that there were differences between the UK and US implementation of MATs, but they “were unlikely to be an issue”.<sup>813</sup> The CPAT concept was “not favoured by the UK”. There is no record of the rationale for that view in the minutes.

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<sup>807</sup> Report Riley, 12 January 2005, ‘GOC MND(SE) – Southern Iraq Update – 12 January 2005’.

<sup>808</sup> Telegram 7, Basra to FCO London, 21 January 2005, ‘Southern Iraq: Security and Political Round Up 13 January’.

<sup>809</sup> [Letter Phillipson to Baker, 21 January 2005, ‘Iraq: Future Strategy’](#).

<sup>810</sup> Report Riley, 19 January 2005, ‘GOC MND(SE) Southern Iraq Update – 19 January 2005’.

<sup>811</sup> ‘CPATS’ are also sometimes referred to as ‘PATS’.

<sup>812</sup> [Letter Phillipson to Baker, 21 January 2005, ‘Iraq: Future Strategy’](#).

<sup>813</sup> [Minutes, 2 February 2005, Chiefs of Staff meeting](#).

**849.** On 11 February, AM Torpy produced a paper on SSR for Gen Walker ahead of the latter's visit to Washington on 15 February.<sup>814</sup> In the paper, AM Torpy outlined two options being considered to support MNF-I's focus on assistance teams:

- Full support ("the MNF-I default"): MATs placed with every ISF unit in MND(SE) (excluding the police), and at training schools, requiring 324 personnel.
- Targeted support: "continuation of current partnering arrangements with ISF units" targeted at "areas of weakness, such as formation headquarters, training schools and logistic bases", requiring 110 personnel. MATs would not be involved with the Public Order Battalions or the DBE units.

**850.** AM Torpy wrote that the UK's emphasis had been on "partnering" and there were currently no UK personnel embedded within Iraqi units. In introducing the options, he stated:

"Given MOD guidance to avoid a significant increase in commitment, our scope to implement this SSR strategy will be constrained by our ability to free up and refocus manpower."

**851.** The resource implications of both options were to be assessed by a US Joint Force Headquarter team deploying to Iraq the following week. It was anticipated that "coalition partners" would offer "significant contributions" once briefed by the US at a Bucharest Conference in February. That briefing would also "provide further clarity, thereby allowing the UK to refine its potential contribution".

**852.** AM Torpy visited Iraq from 13 to 19 February.<sup>815</sup> He reported:

"[Gen] Casey is entirely comfortable with the UK's approach in MND(SE); indeed, he has told his commanders to visit MND(SE) to see how we handle the task."

**853.** Major General Peter Wall, Deputy Chief of Joint Operations, attended the CENTCOM conference on 28 February. He reported that the US approach to embed trainers at division, brigade and battalion level (and also with Special Police and Border Enforcement units) would have "implications" for the UK's "current policy".<sup>816</sup> He would discuss with Maj Gen Houghton and Mr Howard.

**854.** On 11 March, AM Torpy produced a paper for the Chiefs of Staff on delivering SSR in MND(SE).<sup>817</sup> There was no specific reference to his 11 February paper, but the plan he set out for MTTs<sup>818</sup> was consistent with the "Targeted Support" option proposed in that earlier paper.

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<sup>814</sup> [Minute CJO to PSO/CDS, 11 February 2005, 'Op TELIC: Security Sector Reform'](#).

<sup>815</sup> Minute CJO to CDS, 22 February 2005, 'CJO Visit Report – Iraq – 13 to 19 Feb 05'.

<sup>816</sup> Minute DCJO(Ops) to CJO, 28 February 2005, 'CENTCOM Post Iraqi Election Coalition Conference, Bucharest 21-23 Feb 05'.

<sup>817</sup> [Minute CJO to COS, 11 March 2005, 'Op TELIC – Supporting Security Sector Reform in MND\(SE\)'](#).

<sup>818</sup> 'MTTs' were formerly referred to as 'MATs'.

**855.** The Chiefs discussed AM Torpy's SSR paper on 16 March.<sup>819</sup> The minutes record:

"The continuous burden of manning MTTs and STTTs [Short Term Training Teams], and its potential impact on the requirement for augmentees was highlighted. DCJO(Ops) [Maj Gen Wall] indicated that the majority of posts would be filled from current force levels and that the requirement for UK augmentees was not expected to exceed 20."

**856.** On 17 March, Mr Hoon's Private Secretary wrote to No.10 to provide an update on SSR progress.<sup>820</sup> On the creation of MTTs he stated:

"MNF-I plan to have Military Transition Teams (MTTs) established across Iraq and working with Iraqi units by June. In MND(SE) we expect to have MTTs established by May. The MTTs will train and mentor their affiliated Iraqi units, remaining with them both in barracks and on security duties. In MND(SE) the MTT organisation will be developed from the existing partnership arrangements between coalition and ISF units, which first highlighted the benefits of this approach."

**857.** The MOD's Directorate of Operational Capability considered the differing approaches to mentoring the ISF undertaken by the UK and US militaries in 2010.<sup>821</sup> It commented:

"The UK and US approaches were fundamentally at odds; this was identified by those in theatre at the time and reported back ... The decision not to embed mentors ... may seem perplexing, particularly considering UK troops in Afghanistan were embedding in this manner at that time ...

"We have pondered the reasons for this approach, without reaching an entirely satisfactory conclusion. During interview a number of people have suggested that this very different approach to embedding mentors between two UK theatres of operation, as well as the difference between the UK and US approaches in Iraq, was that senior politicians (or perhaps military leaders) in the UK were risk-, and in particular, casualty-averse. Whether this is true, and if so whether it can be seen as a result of the different way in which the two theatres were viewed by the British public – Iraq as an unpopular "war of choice", with Afghanistan a "war of necessity" – is unclear. What is certain is that, at the time, the total number and rate of casualties being experienced in Afghanistan were both far lower than had been suffered in Iraq. We might reasonably conclude that this would have had an effect on the political-military discussions and decisions regarding embedding and force protection. This seems especially likely as the focus in Iraq became predominantly on reducing troop numbers in order to hand over to the Iraqi Security Forces, allowing the UK forces to withdraw and focus on [Afghanistan]."

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<sup>819</sup> Minutes, 16 March 2005, Chiefs of Staff meeting.

<sup>820</sup> [Letter Naworynsky to Quarrey, 17 March 2005, 'Petraeus Plan Update'](#).

<sup>821</sup> Report Directorate of Operational Capability, 17 March 2010, 'Operation TELIC Lessons Study Vol. 3'.

## The US approach to Transition Teams

A Report to Congress on 29 August 2006 stated that “more than 160” Police Transition Teams (PTTs) were helping to develop the IPS.<sup>822</sup> International Police Liaison Officers (IPLOs) were integrated into PTTs, providing expertise in all technical aspects of criminal investigation and police station management. The Report stated that an additional five (US) Military Police companies were deployed in July 2006 to bolster the PTT programme.

The next Report on 30 November stated there were 177 PTTs, each team with 11-15 members: three or four IPLOs, hired as contractors from US State Department and the rest typically military personnel (often Military Police).<sup>823</sup>

A Report to Congress on 2 March 2007 stated that there were a total of around 6,000 international advisers in more than 450 Transition Teams.<sup>824</sup> The Transition Teams were established in the following proportions:

- 200 Police Transition Teams;
- 40 National Police Transition Teams;
- 30 Border Transition Teams;
- 170 Military Transition Teams; and
- Transition Teams in various ministries and command establishments including the MOI, IMOD and the JHQ.<sup>825</sup>

Even with the extra personnel, shortages of PTTs were limiting observation of the IPS in 13 of the 18 provinces, including Basra and Maysan.<sup>826</sup> The DoD’s Report to Congress in March 2007 cited cost and risk to personnel as the reasons for limited coverage.<sup>827</sup>

## Concerns about strategy

**858.** In his weekly update on 2 February 2005, Maj Gen Riley wrote:

“IPS reform is a problem wider and deeper than the Army, and the incoming Chief Police Adviser will be key to turning them into an effective counter insurgency force ... there is a proposal to send the new Chief Police Adviser to Baghdad instead of here ... I would advise against this in the strongest possible terms: this will lead to a delay of months (probably) in police reform here, months that we do not need. UK can have the greatest effect here on the ground ...”<sup>828</sup>

**859.** On 17 March, Lt Gen Fry produced a paper for the Chiefs of Staff examining the consequences of “the UK’s MND(SE)-centric strategy” and the likelihood that ISF development in MND(SE) would progress faster than elsewhere in Iraq.<sup>829</sup> The Chiefs

<sup>822</sup> Report to Congress, 29 August 2006, *Measuring Stability and Security in Iraq*.

<sup>823</sup> Report to Congress, 30 November 2006, *Measuring Stability and Security in Iraq*.

<sup>824</sup> Report to Congress, 2 March 2007, *Measuring Stability and Security in Iraq*.

<sup>825</sup> These are approximate figures, estimated by the Inquiry based on available data.

<sup>826</sup> Report to Congress, 29 August 2006, *Measuring Stability and Security in Iraq*.

<sup>827</sup> Report to Congress, 2 March 2007, *Measuring Stability and Security in Iraq*.

<sup>828</sup> Report Riley, 2 February 2005, ‘CG MND(SE) – Southern Iraq Update – 2 February 2005’.

<sup>829</sup> Minute DCDS(C) to COS, 17 March 2005, ‘Iraq – Strategic Consequences for UK of Iraqi Self Reliance’.

were briefed that the eventual move to provincial control would be based on “complex, inter-dependent conditions” that were not fully defined and would depend upon the development of a national security framework and that, although military SSR activity in MND(SE) was progressing well, the scope for significant military disengagement in 2005 would be limited. Military SSR was expected to be completed in MND(SE) in March 2006.

**860.** Lt Gen Fry highlighted that non-military Iraqi capabilities, especially the IPS, were lagging behind the Iraqi Army and stated:

“This imbalance must be redressed not only to ward against an overly dominant IA [Iraqi Army], but also to allow us to realise the potential military dividend of our efforts with the IA.”

**861.** Lt Gen Fry suggested that the UK needed to:

- influence the development of a national policing strategy;
- encourage greater international involvement, particularly for gendarmerie-type training;
- develop IPS leadership and niche capabilities; and
- develop an effective judiciary and prison system to support IPS activity.

**862.** Lt Gen Fry stated that the FCO was planning to address some of those shortfalls but that those plans required “significant extra funding and depend largely on the availability of suitable senior UK policemen”. MOD activity to support IPS development at that stage comprised:

- basic skills training;
- training of TSUs (to focus on public order, dangerous criminality and low level insurgent action); and
- the provision of military officers to support planning and co-ordination at the Provincial Joint Operations Centres (PJOCs).

**863.** Lt Gen Fry identified three risks to ISF development in MND(SE) progressing ahead of national development:

- The ISF in MND(SE) would not mesh into national Iraqi security structures.
- The ISF would become autonomous and “prone to tribal, political and confessional influences rather than national control”.
- There may be a lack of national logistical, equipment, procurement and maintenance structures for them to access.

**864.** Lt Gen Fry suggested that those risks could be mitigated, to some extent, by UK advisers in Iraq’s security Ministries seeking to accelerate the development on coherent national policies and structures and that where possible the UK “should seek to achieve a demonstrable vanguard effect by spreading UK ‘best practice’ in the development of ISF to other areas in Iraq”.

**865.** On 24 March, Dr Roger Hutton, MOD Director Joint Commitments, provided an update to Mr Hoon on discussion of Lt Gen Fry’s paper by the Chiefs of Staff.<sup>830</sup> The update gave further detail on how the UK military would support that new approach in MND(SE), to include:

- the provision of MTTs at divisional and brigade level (there were four Iraqi Army brigades in MND(SE); it was envisaged that the UK would provide MTTs for two of them and the Australians and Italians would provide one MTT each for the other two brigades);
- two Short Term Training Team deployments, one in June and one in December to look at the effectiveness of training; and
- continued “partnership” with the UK brigade partnering the divisional headquarters of 10th Division and a coalition battlegroup working with each of the four brigades in the 10th Division.

**866.** Dr Hutton advised that there would be a requirement of only 25 extra troops to implement this approach.

### 10th Division

The 10th Division was the Iraqi Army division in MND(SE) that had been trained by UK personnel. It was established by Maj Gen Riley as reported in his update on Southern Iraq on 12 January 2005. He wrote that he had established the 10th Division alongside HQ MND(SE) at the Basra Air Station.<sup>831</sup>

**867.** Gen Jackson visited Iraq from 17 to 20 April 2005.<sup>832</sup> On his return he reported:

“... military SSR continues to progress well and the provision of Military Transition Teams (MiTTs) should provide a qualitative boost to ISF performance ... Overall, GOC MND(SE) remains confident that his military SSR efforts will be complete in Maysan and Al Muthanna circa October 2005; and in Basra and Dhi Qar circa March 2006.”

**868.** On the IPS, Gen Jackson wrote:

“In contrast to the satisfactory progress with the development of the Iraqi Army, the lack of discernable progress with the IPS is alarming ... It could become our Achilles heel because without an effective IPS, not to mention a criminal justice system – there can be no Rule of Law, a pre-requisite for our eventual military disengagement. The scale and quality of International Police Adviser effort is woeful and the arrival of the new Senior Police Adviser has failed to re-invigorate IPS development. Although theoretically the military is acting in support of the IPA, we find ourselves de facto

<sup>830</sup> Minute Hutton to APS/SofS [MOD], 24 March 2005, ‘Iraqi Self-Reliance and Strategic Intent’.

<sup>831</sup> Report Riley, 12 January 2005, ‘GOC MND(SE) – Southern Iraq update – 12 January 2005’.

<sup>832</sup> [Minute CGS to CDS, 25 April 2005, ‘CGS visit to Op Telic 17-20 Apr 05’.](#)

in the lead without appropriate funding and resources ... We must be prepared, however, to make some difficult decisions across Whitehall including, perhaps, transferring leadership for IPS reform from the FCO to the MOD and subsequently restricting IPA effort to developing certain IPS specialist functions. There is further concern, which I share, that the UK model of policing is not necessarily the most appropriate for the Iraqis. A gendarmerie model might be more suitable.”

## Restructuring SSR

**869.** Mr Stuart Innes, British Consul General Basra, sent an eGram on 3 May 2005 reporting a meeting he had held with Maj Gen Riley and DCC Smith a day earlier.<sup>833</sup> Mr Innes stated that Maj Gen Riley had “said that SSR was now the main focus of the UK’s military efforts in MND(SE)” and that the IPS programme required greater attention if responsibility for security was to be handed to the ISF by October.

**870.** On 5 May 2005, Maj Gen Wall wrote to Lt Gen Fry about the 2 May meeting, stating that the FCO’s eGram provided “a partial explanation of the proposed way ahead” which was “open to misinterpretation”.<sup>834</sup> On the increase of military support he wrote:

“The lead for police reform remains with the FCO. The military continue to fulfil a supporting and co-ordination role with greater planning responsibility.

“No additional UK military resources are required, and none will be ‘fixed’ if there is an opportunity to reduce force levels ... Nor does it require resources being redirected from existing tasks.

“Military assistance to the Iraqi Army will remain the Division’s main effort; support to the IPS is a lower priority.”

**871.** DCC Smith became the UK Chief Police Adviser in Iraq in May 2005, a role that combined the two previous Senior Police Adviser positions in Baghdad and Basra. He told the Inquiry:

“... part of my remit to go to Baghdad was to increase UK influence at a strategic level, which had for different reasons ... dropped off since the time that [DCC] Doug Brand was there.”<sup>835</sup>

**872.** On 15 May, DCC Smith produced a report of his review of UK policing support to the development of the IPS.<sup>836</sup> His report described UK efforts in both Baghdad and Basra; those recommendations relating to policing in Baghdad are discussed earlier in

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<sup>833</sup> [eGram 3797/05 Basra to FCO, 3 May 2005, ‘Iraq: SSR: Police in the South’.](#)

<sup>834</sup> Minute DCJO(Ops) to DCDS(C), 5 May 2005, ‘Military Support to Iraqi Police Service Training’.

<sup>835</sup> Public hearing, 21 July 2010, page 20.

<sup>836</sup> [Paper Smith, 15 May 2005, ‘Next Steps on Policing – Review’ attaching Smith, \[undated\], ‘Iraqi Police Service – Development Strategy’.](#)

this Section. DCC Smith wrote that he had appointed two Deputies at the rank of Chief Superintendent; one based in Baghdad, the other in Basra. The team in Baghdad was also strengthened from around 10 to just under 20.

**873.** The review included a 12-month policing strategy, which DCC Smith identified as a priority for the three provinces to implement. DCC Smith wrote that it had received wide circulation and consultation “with all stakeholders” and particularly with Iraqi Chiefs of Police. The paper stated:

“It will concentrate on areas that have ‘Iraqi buy in’, are achievable within 12 months and importantly, sustainable (by the Iraqis) beyond 12 months.”

**874.** He described the operational implementation priorities in MND(SE) as focusing on two key areas:

- implementation of the “12 month IPS Development Strategy and Plan”; and
- further strengthening the Regional Police Training Academy at az-Zubayr to enable it to train the Iraqi trainers who would, in due course, be responsible for police training.

**875.** DCC Smith stated that Gen Petraeus had taken the decision to put the 20 CPATT International Police Liaison Officers in MND(SE) under the command of Maj Gen Riley, a move which DCC Smith described as:

“... at best misguided and at worst a major difficulty. GOC MND(SE) now has his own private US Police Advisers!! It is clear that at the senior level in Baghdad the US Authorities have not been made aware that we have done things more professionally in MND(SE) with senior serving CivPol Officers leading on IPS Development.”

**876.** DCC Smith stressed the importance of extending the ArmorGroup contract, noting that police officers “cannot meet the major priorities without ArmorGroup support”. He identified a number of other opportunities to increase available resources, including:

- seeking input from the Commonwealth and EU;
- identifying police officers currently serving in the Territorial Army in MND(SE) and attaching them to joint military/police teams; and
- better recruitment of recently retired police officers, particularly from Northern Ireland.

**877.** DCC Smith concluded:

“We have failed in the past through lack of appropriate succession planning ... Substantial effort has been put into driving UK effort forward in both Basra and, more recently, Baghdad ... We must not allow ... poor communication with, and within, the UK to diminish this drive. [The police] have many critics in Iraq in the ... military. **We must not fail.**”

**878.** CC Kernaghan's visit report on 25 May stated:

"... progress has been made in training Iraqi Police Service personnel. However, with the exception of groups such as the Tactical Support Unit they remain of questionable quality. The initial concept of creating a community policing force on the classic Anglo-American model appears to have been overtaken by a more realistic recognition, that first and foremost a police force must be effective if it is to secure public support. Thus in the face of an insurgency, it is essential that the force can defend itself and its police stations. This has improved but philosophical confusion still appears to bedevil the project ... I am still of the view that there is a disconnect between CPATT [Baghdad] and the British led effort within MND(SE)."<sup>837</sup>

### Should the UK focus be on Baghdad or the South?

On 4 July 2005, the record of the Iraq Senior Officials Group stated:

"The work of our international policing adviser in Baghdad was being hampered by the scale of the US presence and the difficulty of securing buy-in from the Minister of the Interior. An emerging conclusion was that we should concentrate our effort on MND(SE), moving our adviser there and away from the national policing strategy. This would be consonant with our broader policy, but could risk sending the signal that we were concerned only with the South-East."<sup>838</sup>

**879.** On 19 May, Dr Reid briefed Cabinet that he had "been encouraged" by the progress in building up the ISF and that he hoped it would be possible for the ISF to take over from UK forces in MND(SE) in "the course of the next year".<sup>839</sup> He stated that progress with the Iraqi police was "less advanced" and that the border forces were the "least capable".

**880.** On 5 June, Maj Gen Riley produced a post-tour report.<sup>840</sup> On SSR he wrote:

"A good plan is now in place for the expansion of the Iraqi Army ... The barrack building plan is properly resourced and is delivering. The training and recruiting plans are in place ... Equipment is going well ... I remain concerned about the ability of the IA chain of command to issue orders and ensure compliance with those orders.

"You know my views on police reform. I have now formed teams to take on those areas in which we have taken the lead from the FCO/Civil Police: organisation, management, control systems, administration, leadership, paramilitary training,

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<sup>837</sup> [Report Kernaghan to Clarke and Fox, 25 May 2005, 'Report on 4<sup>th</sup> Visit to Iraq by Chief Constable Kernaghan – 12/16 May 2005'](#).

<sup>838</sup> Letter Cabinet Office [junior official] to Asquith, 4 July 2005, 'Iraq: Senior Officials Group'.

<sup>839</sup> Cabinet Conclusions, 19 May 2005.

<sup>840</sup> Report Riley to CJO, 5 June 2005, 'Commanding General's Overview Multinational Division (South East) and British Forces Iraq'.

and equipment husbandry ... This leaves the Civil Police and IPAs with: criminal intelligence ... serious crime investigation ... forensic investigation, [and] tactical support units and SWAT teams.

“Looking to the future, the original model, which failed in Bosnia and Kosovo, and was failing here, must never be used again. Great Britain must only step forward to take the lead on police reform if our policing model is appropriate to the problem ... Beat Bobbies from Hampshire, and even RUC men, concerned with human rights and traffic violations, are of limited use to a paramilitary police force fighting an insurgency ... In the future, we should have the courage to decline the lead where it is inappropriate for us ... Only professionals – whether soldiers or policemen – can produce professionals.”

**881.** In DCC Smith’s six-month update on 20 November, he wrote:

“My greatest concern for the future is co-ordination with the military ... Senior UK Military have almost totally failed to acknowledge the equivalent seniority of their Civilian colleagues. In the UK ... we are used to working as part of multi-discipline teams comprising civil servants, military, professionals from private and public sector. That is what we have become used to. I think the UK Police do [sic] it well with style and expertise.

“I sincerely hope that will develop in MND(SE). We must move away from comments made by ... [Maj Gen Riley] ... to a true partnership.”<sup>841</sup>

## Raising concerns with the Iraqis

**882.** On 28 April 2005, a junior IPU official sent a note to Mr Asquith and Baroness Symons highlighting serious concerns about the links between the Iraqi police and the Shia militia, particularly in southern Iraq.<sup>842</sup> There was an increasing picture of “systematic collusion between the Basra Police Intelligence Unit (within the IPS) and Shiite militias to interrogate, torture and murder Sunni prisoners, particularly suspected Ba’athists”. Specifically, the Police Intelligence Unit (PIU)<sup>843</sup> based at the Jameat police station in Basra was suspected of abusing and killing an Iraqi criminal detainee, Mr Abbas Allawi.

**883.** The junior official sent advice to Dr Kim Howells, FCO Minister, on 18 May, recommending that the UK continued providing assistance to the IPS but “at the same

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<sup>841</sup> [Paper Smith, 20 November 2005, ‘Next Steps on Policing – Review’.](#)

<sup>842</sup> Minute IPU [junior official] to Asquith and PS/Symons, 28 April 2005, ‘Iraq: Murder and Abuse of Detainees in Iraqi Detention Facilities’.

<sup>843</sup> Sometimes referred to as the Police Investigation Unit.

time taking strong and urgent action” with the IPS and MOI to stop abuse and torture.<sup>844</sup> They would recommend a partial or complete withdrawal of support if the Iraqis were not co-operative.

**884.** The advice said that the “Iraqis have promised action”. The Basra Governor had agreed to establish an investigation committee following “strong pressure” from Mr Chaplin and Mr Innes. It was not clear whether the Governor and Maj Gen Hassan were willing to prosecute any officers if found guilty. The official added:

“It is even less clear that they will take firm action on the wider issues of abuse that appear to be inherent in some Iraqi police detention facilities, notably that of the PIU.”

**885.** Dr Howells’ Assistant Private Secretary responded to IPU on 19 May.<sup>845</sup> He agreed the recommendation and asked for “firm, decisive and urgent action”. He also requested that IPU raise the issue with the US administration (to “exert pressure on the Iraqis”), and brief Ms Clwyd (to raise it “at a senior level on her visit to Iraq next week”).

**886.** Dr Howells subsequently visited Baghdad from 13 to 15 September. He met Mr Jabr and raised concerns about human rights abuses by the ISF, pressing for independent investigations.<sup>846</sup> Mr Patey handed Mr Jabr a dossier on three members of the ISF in Basra who were implicated in abuses and requested their dismissal.

**887.** In his weekly report on 22 May, DCC Smith wrote that he had attended a “police to police meeting” on 18 May with Maj Gen Hassan, senior CPATT IPLOs and senior ArmorGroup Advisers.<sup>847</sup> Maj Gen Hassan was “pushed very firmly” to take action against the PIU and “a range of options were put to him to assist in rooting out the problem”. It was still hoped that he, with the backing of MOI, would “take action”.

**888.** On 23 May, a junior MOD official briefed Dr Reid that FCO and MOD officials had made “strong representations” to Iraqi authorities in Baghdad and Basra for thorough investigations.<sup>848</sup> UK forces had “minimised” their contact with the PIU and reduced joint detention operations with the Iraqi police to those deemed essential. The official wrote that, while the recent reports were “serious and disturbing”, they were “largely limited to a small element of the IPS in one province, Basra”.

**889.** Dr Reid noted this briefing on 24 May.<sup>849</sup>

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<sup>844</sup> Minute IPU [junior official] to PS/Howells, 18 May 2005 ‘Iraq: Murder and Abuse of Detainees in Iraqi Detention Facilities’.

<sup>845</sup> Minute APS/Howells to IPU [junior official], 19 May 2005, ‘Iraq: Murder and Abuse of Detainees in Iraqi Detention Facilities’.

<sup>846</sup> eGram 13565/05 Baghdad to FCO London, 18 September 2005, ‘Iraq: Visit by Dr Howells, 13-15 September’.

<sup>847</sup> Minute Smith, ‘Weekly Report – Week Ending Sunday 22 May 2005’.

<sup>848</sup> Minute MOD [DJC-SEC4] to APS/SofS [MOD], 23 May 2005, ‘Iraq: Reports of Abuse of Criminal Detainees by Elements of the Iraqi Police Service’.

<sup>849</sup> Minute Naworynsky to DJC-SEC4, 24 May 2005, ‘Iraq: Reports of Abuse of Criminal Detainees by Elements of the Iraqi Police Service’.

**890.** Major General James Dutton was GOC MND(SE) from June 2005 until December 2005. In his first report on 15 June he noted:

“... political pressure to clean up the Police Intelligence Unit (PIU) in Basra is having some impact. For example, moves seem to be afoot to reform practices in the Jameat [the police station where the PIU was based] through a new overseeing judge and a new head of internal affairs. We also hear rumours that the PIU may be subsumed into a larger MOI intelligence organisation.”<sup>850</sup>

**891.** A junior official in Baghdad emailed the IPU on 14 June to report that Mr Patey had met Mr Jabr that day and raised Mr Abbas Allawi’s case.<sup>851</sup> He had “stressed that support from the top was needed to ensure that there was meaningful investigation – it was necessary to embolden General Hassan”. Mr Jabr was supportive of action being taken against the suspects and had established the investigation commission but pointed out that it was the British who had chosen the police in the South.

**892.** Mr Fraser Wheeler, Deputy Consul General in Basra, emailed FCO officials on 15 June to report a mix-up over who was the investigating judge on Mr Abbas Allawi’s case.<sup>852</sup> He wrote:

“I do not put this down to incompetence (though there is clearly some of that too) but to deliberate obfuscation. We are being passed from pillar to post, and the Allawi case is not receiving the treatment and attention a case of this nature deserves.”

**893.** On 16 June, Mr Wheeler and the Justice Sector Adviser met a senior judge in Basra to discuss Mr Abbas Allawi’s case.<sup>853</sup> In his record of the meeting, Mr Wheeler reported that the case had been passed between four judges so far. It was important that a police station without Jameat links conduct the investigation, but the branch had officers in many stations. The Basra Judicial Committee would appoint an investigating judge on 19 June.

**894.** Mr Wheeler wrote that, although there had been an autopsy and arrest warrants had been issued for four suspects, none had been arrested because “no-one dare arrest them”. The judge had “commented that the judiciary is not afraid but is hampered by a lack of support from the police who do not effect judicial orders”. Mr Wheeler wrote that this was “hard to accept” given the reluctance to deal with the case.

**895.** An email from a junior official in IPU on 17 June reported that General Hassan had “been fired”.<sup>854</sup> There was concern over the impact that could have on progressing Mr Abbas Allawi’s case and that those responsible may view General Hassan’s removal as “proof that they are untouchable”.

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<sup>850</sup> Report Dutton, 15 June 2005, ‘CG MND(SE) – Southern Iraq Update – 15 June 2005’.

<sup>851</sup> Email FCO [junior official] to IPU [junior official], 14 June 2005, ‘Allawi Case – Minister of the Interior’.

<sup>852</sup> Email Wheeler to FCO [junior officials], 15 June 2005, ‘Re: Allawi Case – Minister of the Interior’.

<sup>853</sup> Email Wheeler to FCO [junior officials], 17 June 2005, ‘Allawi Case Update’.

<sup>854</sup> Email IPU [junior official] to Patey, 17 June 2005, ‘Re: Allawi Case Update’.

**896.** Mr Straw raised the issue with Mr Jabr in the margins of the Iraq Conference in Brussels on 22 June.<sup>855</sup> Mr Jabr agreed with the importance of investigating the case and said that a team had already travelled to Basra to do so. He said that “the problem was that the policemen responsible had been appointed well before he assumed office”.

**897.** On 4 July, Mr Innes emailed Mr Paul Fox, Head of IPU, to report that the PIU had been disbanded and the Department of Internal Affairs (DIA) purged. Around 290 of the 560 officers from the PIU and the DIA had been transferred to the new Criminal Intelligence Unit (CIU), a unit established a few weeks earlier as part of an MOI project to establish an “FBI style organisation” with branches around the country.

**898.** Mr Innes raised further concerns that the former head of the DIA, who had been sacked in January, had been appointed by the MOI to command the CIU.<sup>856</sup> Mr Innes summarised:

“So, where does all that leave us? I think we can take a good deal of credit for provoking the dismemberment of the PIU and the DIA. The old rings have been broken, and the practice of systemic abuse has been disrupted. There has been a real shake-up in personnel and command. According to intelligence and eye-witness reports, the Jameat has indeed turned over a new leaf ... The fact remains however that bad men are still at large; of the three officers we named in our earlier lobbying of MOI, two are now in the new CIU and the third ... is still in the DIA. We will continue to urge their arrest, investigation, and prosecution – though we need to accept that the political and tribal constraints on this actually happening are considerable. Their sacking from the IPS would at least send an important signal, and we may have to settle for that.”

**899.** On 17 July, DCC Smith reported that the PIU’s closure had left 100 incomplete cases that were now being reviewed by the Serious Crimes Unit (SCU).<sup>857</sup> There was also the release of a number of detainees because there was “no evidence against them in the case files”. A Ministry of Health team had visited the Jameat on 13 July to carry out medical checks on all detainees and a routine of daily visits had been put in place.

**900.** DCC Smith wrote that details about the CIU’s structure were “conflicting” but it appeared to have “approximately 350 staff”. It was directed from Baghdad to act as an intelligence-gathering agency without powers to make arrests, though DCC Smith observed that this direction was unlikely to be followed. He commented that “the Governor and Chief of Police currently refuse to work with the CIU and their remit and responsibilities are unclear”. A former head of the CIU had made “currently unsubstantiated allegations” that the CIU was being funded by officers taking

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<sup>855</sup> Email Siddiq to Patey, 22 June 2005, ‘The Foreign Secretary’s Discussion with Iraqi Interior Minister, 22 June 2005’.

<sup>856</sup> Email Innes to FCO [junior official], 4 July 2005, ‘Basra: Police’.

<sup>857</sup> Minute Smith, ‘Weekly Report – Week Ending Sunday 17th July 2005’.

bribes to release detainees and that the CIU were using force to beat confessions out of prisoners.

**901.** On Mr Abbas Allawi's case, DCC Smith reported that a second meeting of the investigation team had been held and one of the suspects had been arrested. Two new suspects had been identified but it was "unlikely" they would be arrested without MOI support because of the "instability" it would cause. A representative from the UN would be taking the matter to the Minister for Human Rights and Baghdad to "add more pressure for action to be taken".

**902.** Mr Fox visited Iraq from 17 to 21 July.<sup>858</sup> He reported that progress was being made on policing, stating he "left Iraq believing the overall picture to be positive". He explained that DCC Smith was creating a link between the strategic and operational levels and recommended he took on the role of adviser to the Deputy Minister of the Interior responsible for policing.

**903.** When in Basra, Mr Fox had requested details from personnel on achievements against the 12-month plan and on the next steps. Mr Fox's report made no mention of concern about corruption, infiltration or abuse.

**904.** Mr Fox described the GCPP-funded prisons project in MND(SE), where eight UK trainers had trained 250 prison staff, as having "established an independent detention monitoring team" and worked closely with the US "to spread best practice elsewhere" as a "good example of a small-scale, low cost (£1.9m) project delivering outcomes far greater than the inputs".

**905.** On 22 July, a junior IPU official briefed Dr Howells that reports suggested that abuse by the Iraqi police was much more widespread. Pressure should be maintained on the Iraqi authorities to tackle the issue.<sup>859</sup>

**906.** The official wrote that Mr Abbas Allawi's case had "shown that our policy of engagement and strong lobbying can work" and "the alternative - to disengage and cease co-operation - would only give abusers a free rein to continue abuse unmonitored".

**907.** The official advised that the UK should continue to lobby both in Iraq and internationally, should ensure that abuse was on the agenda at weekly meetings in Baghdad, and should push for a strong Iraqi Human Rights Minister. He also stated that there was a need to increase police human rights awareness to overcome an "inherited ethos of abuse and stifle any tendency towards sectarian victimisation". UK forces had reviewed their procedures for transferring detainees to Iraqi custody and were in the process of introducing further guidance on protecting detainees' human rights but there was no specific evidence that the police with whom MNF-I in MND(SE) engaged were abusing detainees.

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<sup>858</sup> Minute Fox to Sawers, 27 July 2005, 'Iraq: Visit: 17-21 July'.

<sup>859</sup> Minute IPU [junior official] to Asquith and Howells, 22 July 2005, 'Iraq - Abuse by Iraqi Police'.

**908.** On 29 July, a junior official from the MOD submitted a similar briefing to the Private Office of a Parliamentary Under Secretary for Defence.<sup>860</sup> The official wrote:

“It has become increasingly clear ... that abuse in the Iraqi Security Forces may be far more widespread than the specific incidents of which we are aware suggest, with reports now beginning to reach the media. This raises two issues: what should be done to address human rights abuses in Iraq – FCO are leading on this area; and the nature of our wider involvement with the IPS?”

**909.** The official described work under way on tackling abuse and added:

“Although instances of abuse by the IPS are ultimately a matter for the Iraqi Government, our involvement in the training of the IPS ... means that we may be judged by the media and others to be culpable. Legally, we may also be at risk if our involvement could be judged as directly assisting units that systematically torture detainees.”

**910.** In his weekly report on 28 August, DCC Smith highlighted that the CIU’s name was likely to be changed to the National Information and Investigation Agency: “The Iraqis are not ‘keen’ on either ‘intelligence’ or ‘criminal’ in the name.”<sup>861</sup> He wrote that a number of officers previously involved in corrupt or criminal behaviour remained members of the CIU and that the unit’s training could not begin until they were removed by the MOI. There had been no progress in investigating Mr Abbas Allawi’s case.

### Continued plans for a UK troop drawdown

On 16 June 2005, Dr Reid advised his colleagues in DOP(I) that:

“... considerable progress had been made on the development of the Iraqi Security Forces. 165,000 were now trained. There could be a drawdown in British troop numbers starting at the beginning of 2006 ... culminating in the middle of that year.”<sup>862</sup>

On 20 July, Dr Reid presented a paper to DOP(I) on transition in Iraq.<sup>863</sup> The paper suggested that handover in Maysan and Muthanna would occur from March 2006, with Basra slightly later in July 2006 (no specific date was given for Dhi Qar). “Handover” would see Iraqis assuming security control of their province. The paper described the ISF in MND(SE) as “fragile and untested” but made no reference to issues of loyalty, corruption or abuse by ISF personnel. The failure to deliver an effective ISF and wider criminal justice capability was seen as one of two key risks to transition (the other being a deterioration in the security situation).

DOP(I) agreed Dr Reid’s proposed approach on 21 July.<sup>864</sup>

<sup>860</sup> Minute MOD [junior official] to PS/USofS [MOD], 29 July 2005, ‘Iraq: Alleged Abuse of Detainees by the Iraqi Police Service’.

<sup>861</sup> Minute Smith, 28 August 2005, ‘Weekly Report – Week Ending Sunday 28th August 2005’.

<sup>862</sup> Minutes, 16 June 2005, DOP(I) meeting.

<sup>863</sup> Paper MOD, 20 July 2005, ‘Operational Transition in Iraq’.

<sup>864</sup> Minutes, 21 July 2005, DOP(I) meeting.

## UK equipment for the Iraqi Security Forces: Project OSIRIS II

**911.** In Dr Hutton’s update to Mr Hoon of 24 March (described earlier in this Section), Dr Hutton warned of risks that other aspects of SSR were lagging behind the Iraqi Army and of a requirement for further funding since there were “constraints on GCPP funding for existing policing projects beyond the next six months, and no identified resources for additional policing effort”.<sup>865</sup>

**912.** Dr Hutton advised that SSR required the “sufficient and appropriate investment of UK financial resources”. Work was under way to develop a coherent plan for the financial year 2005/06 which would form the basis of a request to Treasury for support from the Reserve. The plan was to be aligned with other government departments and sources of funding from others, including the US.

**913.** On 29 April, a Force Level Review by the MOD recommended an increase of 535 personnel to “resource properly the Security Sector Reform (SSR) task” which was where the “main effort” lay.<sup>866</sup> Of the 27 military sub-units (each of around 100 personnel) that would be in MND(SE) following the troop rotation, only four were to be fully dedicated to SSR and a further 12 available would provide some input when their primary tasks allowed.

**914.** On 15 June, an official in PJHQ wrote to Dr Reid to highlight ongoing discussions with Treasury for an additional £38m<sup>867</sup> to fund a successor programme to Project OSIRIS.<sup>868</sup> The bulk of expenditure would be spent on mobility and the remainder on ISF training infrastructure, communications, logistics and command and control functions. The Treasury had taken “a close interest” and was keen to ensure that there was “no duplication” with funding allocated to the FCO and DFID.

**915.** The official in PJHQ wrote that Project OSIRIS had been “a success”. The 10th Division could “deploy battalions with all four of their rifle companies correctly armed and equipped” and had improved communications equipment. The IPS, who “bear the brunt of the violence in the region”, were correctly armed, wore body armour and were able to communicate at a local level when on duty. The border police were also armed correctly and had basic communications equipment.

**916.** Dr Reid responded on 23 June, acknowledging that expenditure on SSR and military-led reconstruction had been judged as a success and confirming that he was content for negotiations with the Treasury for the additional funding to be pursued.<sup>869</sup>

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<sup>865</sup> Minute Hutton to APS/SofS [MOD], 24 March 2005, ‘Iraqi Self-Reliance and Strategic Intent’.

<sup>866</sup> DG Op Pol to PS/Secretary of State [MOD], 29 April 2005, ‘Iraq: UK Roulement and Force Level Review’.

<sup>867</sup> The full request was for £58m, £20m of which was requested for the Civil Effects Fund.

<sup>868</sup> [Minute Scholefieldt to PS/Secretary of State \[MOD\], 15 June 2005, ‘Funding for a Further Programme of Security Sector Reform and a Civil Effects Fund for MND\(SE\)’.](#)

<sup>869</sup> Minute APS/SofS [MOD] to Command Secretary PJHQ, 23 June 2005, ‘Iraq: Funding for a Further Programme of Security Sector Reform and a Civil Effects Fund for MND(SE)’.

**917.** Mr Des Browne, the Chief Secretary to the Treasury, wrote to Dr Reid on 23 August, approving £16m from the Reserve for the package of vehicles, infrastructure and communications equipment that had been presented by MOD officials.<sup>870</sup> Of the future, he wrote:

“Looking ahead, I hope that it will be possible for you to find other means of funding the remaining elements – either by negotiating with Baghdad, for a larger share of what is available (it is striking that MND(SE) provinces are right at the bottom of the priority list for ISF funding from Baghdad despite being among the best candidates for early transition to ISF control), or by encouraging our allies – most of whom are spending far less than we are in maintaining forces on the ground – to play a bigger role.”

**918.** On 30 November, Dr Reid wrote to Mr Browne again, explaining that the MOD had secured funding from MNSTC-I for infrastructure projects valued at £15m and from Australia, Italy and Japan for other projects.<sup>871</sup> The MOD reduced its request to £19.6m for 734 IPS vehicles and for 11 ISF infrastructure projects. Dr Reid stated that the additional funds he was seeking were “on the critical path to enable the transfer of lead responsibility for security to the ISF within the timescales we have been discussing in DOP-I”.

**919.** Mr Browne wrote to Dr Reid on 20 December, approving an additional £19.6m from the Reserve for 734 patrol vehicles and 11 major infrastructure projects.<sup>872</sup> That was “on the basis that they continue to meet the ISF’s highest priority needs and that funding from alternative sources does not become available”.

**920.** Mr Browne added that the delay to commencing withdrawal from Muthanna and Maysan was “regrettable, particularly when the military advice is that there is no overwhelming security need to postpone our withdrawal”. He asked to be kept informed of the resource implications.

**921.** On 21 December, AM Torpy wrote to Lt Gen Fry to highlight key issues for 2006 (as described earlier in this Section).<sup>873</sup> On SSR resourcing, AM Torpy stated:

“The best efforts of our staff are being hampered by the speed of decisions that were designed for a different era.”

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<sup>870</sup> Letter Browne to Reid, 23 August 2005, ‘Iraq: Funding for Security Sector Reform and for a Civil Effects Fund for MND(SE)’.

<sup>871</sup> Letter Reid to Browne, 30 November 2005, [untitled].

<sup>872</sup> Letter Browne to Reid, 20 December 2005, ‘Security Sector Reform’.

<sup>873</sup> Minute CJO to DCDS(C), 21 December 2005, ‘Key Operational Issues for Early 2006’.

## Legacy in the South

**922.** Lt Gen Dutton told the Inquiry that, on his arrival in June, “the priority was definitely Security Sector Reform”.<sup>874</sup> He said that the UK was optimistic about progress in the South-East:

“I can remember being told actually, in my briefings in the MOD, that my job was to go there for six months and make sure nothing went wrong because things were going right, you know, just keep the thing ticking over and we will be okay.”

**923.** He said that the priority of SSR was skewed “massively” by the increased security threat shortly after he arrived which meant that more resource had to be devoted to force protection.

**924.** At the Chiefs of Staff meeting on 13 July, CJO briefed that, of the planned total of IPS officers, 58 percent had now been recruited and trained.<sup>875</sup> Reports suggested that Maj Gen Dutton was encouraged by the progress made.

**925.** On 26 August 2005, the IPU produced a discussion paper on what MND(SE) should look like in autumn 2006.<sup>876</sup> The objective for “security/Rule of Law” was:

“Security forces (including police) which can provide sufficient law and order to avert descent into full-blown criminality and chaos, and which owe their allegiance to the state and local administrations, with tribal and militia allegiances managed.”

**926.** The IPU noted that local political parties were inserting their followers into the IPS and that there were reports of assassinations, abductions, torture, intimidation and corruption.

**927.** The IPU then posed a number of suggestions and questions that needed to be addressed. Alongside lobbying various politicians and securing convictions of corrupt police officers, the IPU asked:

- How far do we go in reaching out to Shia militiamen ... Is it fruitless to give support to a Chief of Police who has no militia links?
- Working a dialogue on ‘transfer of responsibility, not irresponsibility’, into the work of the Committee to Transfer Security Responsibility in Baghdad without inadvertently including a nebulous target and further conditions the Iraqis cannot hope to meet.
- A cultural shift (on, eg, abuse, corruption) will take years. Are we prepared to commit mentors and advisers for years to come?”

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<sup>874</sup> Public hearing, 12 July 2010, page 17.

<sup>875</sup> Minutes, 13 July 2005, Chiefs of Staff meeting.

<sup>876</sup> Paper IPU, 26 August 2005, ‘MND (South-East) in Autumn 2006: Discussion Paper’ attaching eGram 12326/05 [Basra] to Iraq Directorate, 1 September 2005, ‘Southern Iraq: the Legacy’.

**928.** The Iraq Strategy Group considered the IPU paper on 2 September.<sup>877</sup> The lack of progress on the police and a gap in funding for the Iraqi Armed Forces were highlighted.

### Crime and power in Basra

Mr James Tansley took over as Consul General in Basra in September and sent a telegram to FCO colleagues with his first impressions on 31 October.<sup>878</sup> He described Basra as “a city whose social, political and economic structures had largely decayed”. The political scene had been “dominated by rivalry between Sadrists and Baristas” and differences between the two groups had grown in the last two years, flaring up into “open confrontation”.

Mr Tansley wrote that the city was “a less liberal place than it was a year ago, with gangs enforcing clampdowns on the sale of DVDs, musical instruments, alcohol, women’s attire and behaviour and gambling through intimidation. Both Sunnis and Christians ha[d] been targeted by Shia extremists.”

On crime, Mr Tansley wrote:

“The Iraqi Police do not compile crime statistics. But over the summer, our police advisers have recorded an average of 65 murders a month in the province. Kidnapping and extortion are rife. Basra has long been known for smuggling and prostitution ... [and] in recent years, the province has become an increasingly important conduit for illegal drugs from Afghanistan via Iran.

“But the serious money today comes from oil smuggling ... estimates from both the US IRMO [Iraq Reconstruction and Management Office] and MND(SE) suggest that possibly as much as 30 percent of the South’s oil production is appropriated illegally ...

“Corruption may be endemic throughout Iraq. But in Basra, where the opportunities for illicit gain are greater, the stakes are higher ... Links between crime and politics abound. No prominent politician seems untainted, and all the main players have their own militias with links to the various law enforcement agencies ...

“Compared to Central and Northern Iraq, the number of coalition casualties in Basra has been low. But the threat of kidnapping and EFP IED [Explosively Formed Projective Improvised Explosive Device] attacks by anti-coalition groups remains high, and disrupts both our and MND(SE)’s work. In addition, the levels of criminal, political and sectarian violence are high and rising. This lawlessness overshadows all life in Basra, and acts as a major obstacle to development ...

“The police (IPS) are currently unable to address Basra’s security problems. Minimal screening of entrants to the IPS after the fall of Saddam [Hussein], poor leadership and the connections between politicians and crime in Basra have resulted in a force riven with factions, many of whom are as likely to be involved in criminal activity as helping to prevent it ...”

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<sup>877</sup> Letter Cabinet Office [junior official] to Sheinwald, 6 September 2005, ‘Iraq Strategy Group’.

<sup>878</sup> [Telegram 16985/05 Basra to FCO London, 31 October 2005, ‘Basra: First Impressions’.](#)

**929.** On 7 September, the FCO circulated a Transition Plan for the IPS in southern Iraq, which had been produced by the Consulate in Basra in consultation with UK police and military in theatre and agreed with DFID, the MOD and the Home Office.<sup>879</sup> There was recognition that the Iraqi police had been limited in what they could achieve due to a lack of trained personnel, shortages of equipment and inadequate facilities. The plan aimed to address those factors by achieving a set of quantitative and qualitative targets in the areas of training, police support infrastructure, intelligence capability, operational capability and public support. The timetable for those targets was driven by the established plans for military withdrawal.

**930.** The plan stated:

“The IPS runs its own operations in Southern Iraq. Standards across the South vary, but generally speaking the IPS has a growing capacity to perform policing functions from community patrolling to counter-terrorism. It has enough training and equipment to allow it to patrol 24 hours a day. It has the capability to respond to calls for assistance from the public and co-ordinate with other agencies in an emergency. It has the resources to tackle public disorder and is capable of gathering intelligence and detecting crime. It knows how to manage a crime scene and exploit forensic evidence.”

**931.** The more detailed figures on police training provided in the FCO plan, when compared with earlier MOD papers, made clear that the overall figure of 55 percent of police trained masked considerable variations across MND(SE) – whereas 90 percent of personnel in Dhi Qar province had received training, the figures for Muthanna and Basra were considerably lower (40 percent and 42 percent respectively). The plan noted:

“Police reform in Basra is the most complex task facing us. Far more police need training than in the other provinces [in MND(SE)] combined; and the culture of corruption and abuse is deeply ingrained. Militia infiltration threatens our efforts to encourage an independent apolitical police force.”

**932.** The plan stated that the ability to solve those problems lay with the Iraqi authorities and that there were no effective levers within the UK’s control. The FCO concluded:

“The IPS in Southern Iraq is functioning, with minimal supervision. We could leave today and it would continue to function. There would, however, remain serious question marks about the destabilising activities of the militias, corruption, lack of public accountability and human rights abuse within the IPS. We are addressing these problems but they will not disappear overnight ... We know where we want to be at transition ... We must be realistic about what we can achieve here: our

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<sup>879</sup> [Letter FCO \[junior official\] to Cabinet Office \[junior official\], 7 September 2005, ‘Iraqi Police Service Transition Plan for Southern Iraq’ attaching Paper Consulate Basra, 7 September 2005, ‘Southern Iraq: Iraqi Police service – Transitional Plan’.](#)

aim should be to leave an IPS comparable to other competent police forces in the region.”

**933.** On 9 September, Mr Quarrey provided Mr Blair with a number of weekly reports.<sup>880</sup> On the covering note he listed a number of causes for concern including: the “apparent involvement of members of Basra Police in attacks against the MNF, and a claim from the Basra Chief of Police that only 500 out of 12,000 Basra Police are loyal to him”.

**934.** Mr Quarrey concluded by saying:

“We still do not have the comprehensive picture that we need of what is going on in Basra. Kim Howells visits next week. I have spoken to his office today and emphasised that you are personally very concerned about the situation and that we need a serious report from him on this.”

**935.** Mr Blair’s manuscript comments said: “This is v.worrying. It all depends on the ISF being built up credibly.”<sup>881</sup>

## THE IMPACT OF POLITICAL AND TRIBAL MATTERS ON THE POLICE IN THE SOUTH

**936.** On 22 August 2005, Chief Inspector Barry Pollin, the Senior Police Adviser in MND(SE), produced a report on the impact of political parties and tribes on the IPS in MND(SE).<sup>882</sup> That paper was circulated to Iraq Senior Official Group members on 14 September, along with the Transitional Plan (as described earlier in this Section) which was to be considered out of committee.<sup>883</sup>

### Tribal justice

The paper produced by Chief Inspector Barry Pollin, the Senior Police Adviser in MND(SE), on 22 August 2005, included an annex on extra-judicial justice, which stated that it was important for that issue to be “thoroughly addressed” given those influences were “notoriously strong” in the South-East.<sup>884</sup>

The annex stated that a void within the Iraqi Law on criminal proceedings allowed for the use of tribal justice through agreement between the tribes of the aggrieved party and the perpetrator. In the majority of cases, that involved payment of financial compensation, although other resolutions, such as arranged marriages, were also known.

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<sup>880</sup> Minute Quarrey to Prime Minister, 9 September 2005, ‘Iraq Update’.

<sup>881</sup> Manuscript comment Blair on Minute Quarrey to Prime Minister, 9 September 2005, ‘Iraq Update’.

<sup>882</sup> [Paper Pollin, 22 August 2005, ‘The Impact of Political and Tribal Matters on the Iraq Police Service in South-East Iraq’](#).

<sup>883</sup> Letter Cabinet Office [junior official] to Asquith, 14 September 2005, ‘Iraq: Senior Officials’.

<sup>884</sup> Report, ‘Annex B – The Judiciary and Extra-Judicial “Justice”’ attached to Paper, ‘The Impact of Political and Tribal Matters on the Iraqi Police Service in South-East Iraq’.

It found that the “post-war instability of the Iraqi society appears to have increased reliance on tribal justice even in the urban areas”. In some cases offences were not reported to the police at all, but simply dealt with through the tribal justice system. One example provided was alleged rape victims being placed in prison custody “to protect them from honour-related violence from their tribe”.

The annex recommended that, in the longer term, the Iraqi Government should engage the public in a general debate on tribal justice, including “its reasoning and justification”. A comprehensive study of tribal justice was needed to understand its impact on the criminal justice system. Efforts should also be made to raise awareness in criminal justice institutions. Police training should include understanding which offences could legally be resolved through the tribal system, and which must be referred to an investigating magistrate. A dialogue should be commenced with tribal leaders to improve compliance with Iraqi law.

**937.** CI Pollin wrote:

“Immediately post-April 2003, the relationship between the IPS and the political parties and their militia was largely opportunistic: it was based on the affiliation and sympathies of individual members who were joining. (This is not the case in other parts of the security forces.) However, more recently, political parties and militia have been exploiting the lack of transparent recruitment, vetting and central oversight to deliberately place their supporters within the IPS.

“It is assessed that the majority of IPS officers are associated with a political party and/or tribe with whom their allegiance is stronger than their allegiance to the IPS. The extent to these ties and the degree to which they undermine the efficiency of the police to support the Rule of Law is significant. It is now likely that if called upon to take action against them, the IPS would support their party’s militia or tribe. The larger parties have well-armed and well-organised militias, but the paramilitary capabilities of the tribes vary.

“Often, political party and tribal allegiances of one or both heavily influence the dynamics of the relations between the Chiefs of Police and Provincial Governors. The potential of the parties to use the IPS to effect political, social and religious influence is a serious concern. By using affiliated IPS officers to carry out ‘de-Ba’athification’, the political parties are able to create vacancies in influential positions within the IPS for their own members. There are also signs that Islamic fundamentalism is increasing within IPS ranks.

“It is clear that the judiciary in the South is subject to interference either direct or indirect from tribes, political parties, militia and IPS intimidation. Subsequently, they are not the Rule of Law bulwark that they should be or that they need to be in order to address tribal, religious or political party influence.”

## The Jameat incident and subsequent developments

**938.** On 17 September, UK forces detained two leading members of a JAM splinter group.<sup>885</sup> On 19 September, two UK soldiers were arrested by the IPS in Basra and taken to the Jameat Police Station. Negotiations to release the soldiers failed, and a rescue was mounted by MND(SE). That became known as ‘the Jameat incident’ and is described in detail in the Box below.

### The Jameat incident

On 19 September, two UK soldiers were arrested by the IPS.<sup>886</sup> According to the account provided to No.10 by Dr Reid’s office, the two soldiers had been working under cover following up the operation against JAM the previous weekend. They had been parked at the side of a road when an unmarked vehicle with four men in plain clothes pulled up behind them. Two people got out of the car and walked towards the soldiers’ vehicle, with weapons cocked. The UK soldiers, believing they were “facing death or serious injury”, opened fire killing one of the men and wounding the other. Not realising the men they had shot were police, the soldiers tried to escape but were blocked by police in several marked vehicles who opened fire. At that point, the two soldiers put down their weapons and produced their identification.

Although the uniformed police initially appeared willing to talk constructively with the soldiers, “the atmosphere changed significantly” when Iraqi police arrived in plain clothes. The two UK soldiers were reported to have been beaten and then taken to the Jameat Police Station, which was known to MND(SE) as a “notorious detention facility” and home of the Serious Crimes Unit (SCU), “which had been infiltrated by militant elements, especially the Jaysh al Mahdi and (by his own admission) were outside the control of the Chief of Police”.

Negotiations to hand over the arrested soldiers to MNF, in line with agreed practice where MNF personnel were arrested by ISF, failed and the negotiators themselves were unable to leave the Jameat Police Station. The Governor and Chief of Police had made it clear that they were not in a position to offer any assistance and, despite explicit directions by the Chief of Police to release the two soldiers, the IPS refused to comply. Orders from the MOI in Baghdad were similarly disregarded. The General commanding the 10th Division of the Iraqi Army also “refused to get involved in the incident”.

A rescue operation was successfully mounted by MND(SE) using armed force to free the six negotiators and the two soldiers. That was achieved without casualties on either side but caused significant damage to the wall of the police station and several police vehicles. The two soldiers who had originally been arrested were found to have been taken to a house away from the police station and held by what was suspected to be a mixture of JAM and IPS personnel. A further rescue operation was carried out successfully (again without casualties) to free them later that evening.

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<sup>885</sup> Letter Naworynsky to Quarrey, 23 September 2005, ‘Iraq Update’ attaching COS MND(SE), ‘GOC MND(SE) – Southern Iraq Update – 21 September’.

<sup>886</sup> Letter Naworynsky to Quarrey, 23 September 2005, ‘Iraq Update’ attaching COS MND(SE), ‘GOC MND(SE) – Southern Iraq Update – 21 September’.

**939.** The Chiefs of Staff considered the events at their meeting on 21 September, briefed by Lieutenant General Andrew Ridgway, the Chief of Defence Intelligence.<sup>887</sup> The minutes recorded that:

“The incident in Basra was the inevitable product of the dual loyalties of IPS members: whilst giving Iraqis status and pay, it also enabled them to sustain their tribal, religious and – in the worst cases – militia associations; these reflected Iraqi and Middle Eastern society, did not necessarily represent infiltration, but would endure and thus would remain a key planning consideration for Security Sector Reform (SSR).

“The success of SSR depended on the proportion of the Iraqi Security Force (ISF) personnel that enjoyed these dual loyalties benignly without affecting their professional integrity, against the number that exploited their ISF positions to effect intimidation and murder ... this proportion was not known and was unlikely to be clear for another six-nine months ...

“The continued existence of insurgents in the ISF evinced the weakness of the Iraqi Ministry of the Interior (MOI): having failed to purge and reform the IPS, despite being aware of problems for at least a year, the MOI needed to be galvanised by UK Government pressure through the Cabinet Office.”

**940.** Mr Straw chaired a meeting on 23 September – involving Dr Reid, Mr Benn, Gen Walker and senior officials from No.10, the FCO and DFID – to discuss the incident and agree what advice should be put to Mr Blair on current policy for South East Iraq.<sup>888</sup> A record of the meeting by Dr Reid’s Private Secretary stated Sir Nigel Sheinwald “stressed that the PM needed advice on how to deal with the political and security strands of our policy; he was not expecting a sudden lurch in any direction away from our current plan”.

**941.** The record stated:

“During discussion it was stressed that the incident ... should be seen as a relatively minor one which had resulted in a great deal of media attention.”

**942.** Those present at the meeting “agreed that the incident would probably prove to be a blip but it had highlighted the need to review the overall strategy and ensure we were on the right track”. Dr Reid “suggested that the IPS be audited by a UK specialist”, Mr Asquith agreed to investigate the practicality of getting someone like Sir Ronnie Flanagan, HM Chief Inspector of Constabulary, to provide the analysis.

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<sup>887</sup> Minutes, 21 September 2005, Chiefs of Staff meeting.

<sup>888</sup> Letter Naworynsky to Asquith, 26 September 2005, ‘Meeting to Discuss South East Iraq: Impact of Security Incident in Basra’.

### An assessment of the Iraqi Security Forces

On 28 September 2005, the JIC assessed the security situation in the South.<sup>889</sup> On the ISF and local governance, it stated:

“This fragility of local governance is not new and is mirrored to a greater or lesser degree across the country. We have previously judged the Iraqi security forces (ISF) in the South to be brittle, largely untested and under the influence of political and tribal factions; and noted that the relationship between regional and national government is tenuous. The effectiveness of the police in particular has been a persistent concern. Policemen have been implicated in the recent murder of two journalists working for US papers; intelligence has indicated serious abuse of prisoners on political and sectarian grounds; and [...] some police were conducting assassinations on behalf of political militias [...] The scale of divided loyalty within the police, and the ISF more generally, is difficult to quantify. Most members of the ISF undoubtedly have allegiance to political factions or tribes: under pressure their reliability will be doubtful. We judge that a significant number actively colludes with Shia extremist militias.”

**943.** The Iraqi and UK authorities in Basra conducted separate investigations into the Jameat incident.<sup>890</sup> Mr Patey met Prime Minister Ja’afari to discuss the Iraqi report on 30 September. The Iraqi investigation found faults on both sides but attributed “80 percent of the blame ... to the British”, a position that was refuted by Mr Patey. When pressed on the need to take action against the militia influence at the Jameat Police Station, Mr Ja’afari claimed that the Transitional Administrative Law (TAL) gave central government very little control over the local police. Mr Patey reminded Mr Ja’afari that the worst offenders were the CIU which reported directly to the Minister of the Interior.

**944.** The UK military’s investigation into the incident concluded that no crime had been committed by the UK’s soldiers, as reported to Dr Reid by a junior MOD official on 28 November.<sup>891</sup> Two separate investigations were carried out by military officers from the regiment responsible for troops at the Jameat cordon who judged that the actions of British troops were compliant with the Rules of Engagement and their right to self defence. They deemed that no further investigation by the Special Investigation Branch was required. Those findings had been reviewed by “a higher authority” and endorsed by AM Torpy and Gen Walker.

**945.** At the Chiefs of Staff meeting on 5 October, the minutes recorded a “need to resolve differences” between the UK’s enquiry into events at Jameat and those of the Iraqi investigation team.<sup>892</sup> They hoped to close the issue with a “Joint (Iraqi/UK) statement when one could be agreed”.

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<sup>889</sup> [JIC Assessment, 28 September 2005, ‘Iraq: the Security Situation in the South’.](#)

<sup>890</sup> eGram 14641/05 Baghdad to FCO London, 1 October 2005, ‘Iraq: Basra Investigation’.

<sup>891</sup> Minute MOD [junior official] to PS/SofS [MOD], 28 November 2005, ‘Iraq: Investigation of Events in Basra on 19 September’.

<sup>892</sup> Minutes, 5 October 2005, Chiefs of Staff meeting.

**946.** The Annotated Agenda for the DOP(I) meeting on 12 October (circulated on 11 October) confirmed that a joint statement had been agreed.<sup>893</sup>

**947.** The final paper for Mr Blair was produced on 30 September by the FCO, the MOD and DFID.<sup>894</sup> It was sent to No.10 by Mr Peter Hayes, Principal Private Secretary to Mr Straw. It stated:

“The security incident on 19 September ... highlights what was previously more opaque, that we face acute challenges in achieving our objectives in the South-East region. Stability in the South-East is being threatened by intense rivalry among political parties and their militias. Criminality, jockeying for patronage and leaders’ differing political visions are being exacerbated by tribalism and increasing religiosity. Specifically, this has a severe impact on the effectiveness of the police service.”

**948.** The paper stated that negative media reporting was “wrong”:

“While militia rivalry is a fact of life in the Basra police, the behaviour of the Jameat police station ... is not representative of the police service as a whole. Some 70 out of 240 Jameat officers are pursuing primarily a militia rather than an IPS agenda. This should be set against a total southern police force of around 14,000. Police officers will continue to have dual loyalties to the state on one hand and militia/tribe on the other. It will take five, possibly 10 years to train up a sufficiently large cadre of middle management police officers loyal to state institutions.”

**949.** Although the Basra Governor and Provincial Council had “refused to do business with us”, their credibility meant that the effect was “not significant”. The “immediate problem” was whether there would be “reprisal” attacks on UK personnel, and whether police and prison mentors could safely be deployed to ISF units. Training teams had been withdrawn from Basra city and some areas beyond, but the British military were “back on the ground visiting police stations”.

**950.** On whether the UK was “on the right policy course”, the paper stated:

“**Asserting direct British control** over local government and rule of [law] institutions is out of the question. There is no legal base for this ... If, on the other hand, we were to **pull out more rapidly**, the Transitional Government and security forces would be unable to fill the vacuum. Militia rivalry would escalate. Iran’s influence would be entirely unchecked. We would be accused of ‘cutting and running’.

“**Our only realistic option is to maintain our course and see the job through.** But **we need to make adjustments to our policy**, while sticking to our strategic approach of ensuring in due course successful transition of responsibility for Rule of Law in the South-East to the Iraqis ... We should apply pressure on the Iraqi

<sup>893</sup> Annotated Agenda, 11 October 2005, DOP(I) meeting.

<sup>894</sup> [Letter Hayes to Quarrey, 30 September 2005, ‘Iraq: Basra’ attaching Paper ‘South-East Iraq: Impact of Security Incident in Basra’.](#)

authorities to take action against those who abuse and represent a threat to law and order ... they should start with firm action against Jameat personnel.”

**951.** The immediate next steps identified by Mr Hayes included to:

- “**Secure an explicit undertaking from the Governor and (new) Chief of Police** that our personnel will be able to operate in safety”;
- “**Get a clear commitment from Baghdad politicians to grip the South-East**”;
- “**Get the Interior Minister to visit Basra**, immediately”;
- “**Demonstrate to the international community (in particular, the US) that we can handle the situation**” – while the underlying problems in Basra were “serious”, they were “not new” and could be managed by the UK; and
- “Consider the **dispatch of a senior UK police officer**” to “audit the police in MND(SE)”.

**952.** Amongst the actions advised by Mr Hayes for the medium and longer term were that the UK would need to ensure an “**effective**” Chief of Police was in place (potentially replacing the incumbent with no party ties with one with “political clout”), to redeploy training teams and allocate more resources.

**953.** The paper also cautioned: “we may not be able to deliver, by next year, the minimum standards required in Rule of Law and governance.”

**954.** In response, Mr Blair agreed that there was no need to change the overall strategy but Sir Nigel Sheinwald recorded in a letter on 4 October to Mr Hayes:

“He [Mr Blair] is convinced ... that we need a major and sustained push over the next few months on the political and security lines of operation if we are to get what we need – the political process moving ahead on time and producing an effective and moderate Iraqi Government after the elections, with visible progress on the Iraqisation of security.”<sup>895</sup>

**955.** Mr Blair agreed to a review to establish “whether our police training strategy in the South-East is working, and whether the national policing strategy knits together”. He also agreed that a visit by Sir Ronnie Flanagan would be a good idea. Mr Blair wanted “a UK Minister to take ownership of our overall policing strategy, including our liaison with the US over national strategy” and that “this needs to be supported by a dedicated and sufficiently strong team in London”. The FCO was asked to work on that with the Cabinet Office and the MOD, though the letter also noted that “the Prime Minister would be grateful if the Defence Secretary could continue to oversee the overall security strategy”.

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<sup>895</sup> [Letter Sheinwald to Hayes, 4 October 2005, ‘Iraq Strategy’.](#)

**956.** In an email on 7 October to senior officials in the Home Office and the FCO, CC Kernaghan said that he was “naturally supportive” of Sir Ronnie’s appointment to review the UK’s policing contribution in Iraq.<sup>896</sup> However, he expressed concern that there was an “apparent lack of strategic vision” within the UK Government and asked whether Mr Blair had ever been briefed on his earlier reports, particularly his first report dated May 2003 (described earlier in this Section). He highlighted a number of issues that he believed a review of the UK’s strategy on policing in Iraq needed to take into account, including:

- the level of resource – finance and personnel – that the UK was willing to commit;
- an assessment of what influence the UK had with both the Iraqi Government and the US in the context of SSR; and
- whether the UK’s interest was limited to MND(SE) or applied to Iraq as a whole.

**957.** On 10 October, Mr Wheeler produced an update of policing in each of the four MND(SE) provinces.<sup>897</sup> He described both Muthanna and Dhi Qar provinces as “conducive to police reform” but highlighted more serious issues in the other two provinces. His comments on Maysan province are dealt with later in this Section.

**958.** On Basra, he said:

“In Basra the situation is most complex. The security threat is high (we are in lock-down but are reviewing whether PAT movements might happen under military escort). There is significant IPS/militia affiliation, abuse and assassinations are carried out by those in the Jameat and the Governor and Council have recently been encouraging non co-operation ...”

**959.** On 24 October, Maj Gen Dutton wrote to Maj Gen Wall, setting out his views and proposals for action to improve management of the IPS programme.<sup>898</sup> On the nature of the current problems, he stated:

“The events of 19 September 2005 in Basra brought the issue into sharp focus and to public attention, but nothing that happened in that incident will have come as a surprise to anyone who had been involved or who had followed the reporting from MND (SE) over a period of many months. The problems associated with the Jameat Police Station: the lack of control and authority of the Basra Chief of Police and the problems of the divided loyalties of many policemen who are controlled (and indeed in some places planted in the Police) by militant factions, was well known and reported. Knowledge of the problem does not of course make the situation any more

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<sup>896</sup> Email Kernaghan to Home Office [junior official], 7 October 2005, ‘Possible assessment of UK development of IPS by Sir Ronnie Flanagan’.

<sup>897</sup> Telegram 15268/05 Basra to FCO London, 10 October 2005, ‘Update on Reform of the Iraqi Police Service in Southern Iraq’.

<sup>898</sup> [Letter Dutton to Wall, 24 October 2005, ‘Policing SE Iraq’](#).

tolerable but my point is that nothing changed on 19 September and we should not therefore assume that the existing strategy for police SSR is wholly off-track or now inappropriate, nor should it overshadow the excellent work being done at the tactical level.”

**960.** In his evidence to the Inquiry Lt Gen Dutton said that the military was “certainly aware” of the reputation of Jameat police station, but:

“... did it come as a surprise? Yes, because ... it was an event that was triggered by individuals getting themselves into a fire fight and then being taken to that police station. So ... it is not as if the Jameat police station incident ... evolved from a series of other events; it was a particular thing that caused it. So it was certainly a surprise.”<sup>899</sup>

**961.** Lt Gen Dutton said that the incident had “huge effect” in London and at PJHQ but that “it calmed down quite quickly”. With hindsight, Lt Gen Dutton said that “there perhaps wasn’t as much upwards communication to Baghdad, to keep them in the picture, as would have been useful”.

**962.** Lt Gen Riley told the Inquiry that, although the Jameat incident occurred after he had left Iraq, he “would not have expected it”.<sup>900</sup> Explaining how it arose, he said:

“The Iraqi police in the South ... reflected the local political climate and the tensions, and all the tensions that were present in southern Iraqi society played out in the police ...”

**963.** In his evidence to the Inquiry, Lieutenant General John Cooper, GOC MND(SE) from December 2005 to July 2006, referred to the fall-out with the Basra Provincial Council as “the divorce”.<sup>901</sup> He said that the restricted access to Basra’s police stations that followed enabled “a series of murder squads and corruption to become endemic” and “produced a climate of lawlessness” inside Basra’s police. Lt Gen Cooper told the Inquiry:

“... because we were not allowed to go back into contact until May of 2006, it meant that we lost ground and we lost time.”

**964.** Lt Gen Cooper added that “some policemen would still allow us in, but the vast majority were following the Provincial Council direction that they weren’t to have anything to do with us”.<sup>902</sup> He said that the Council only re-engaged when a “major security incident” occurred after a Lynx helicopter was shot down in May 2006.

**965.** Lieutenant General Sir Richard Shirreff, GOC MND(SE) from July 2006 until January 2007, also told the Inquiry about restrictions on visiting Basra’s police stations.

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<sup>899</sup> Public hearing, 12 July 2010, pages 36-38.

<sup>900</sup> Public hearing, 14 December 2009, page 12.

<sup>901</sup> Public hearing, 15 December 2009, pages 20-21.

<sup>902</sup> Public hearing, 15 December 2009, pages 49-50.

He said that in the six months following the incident “there had been virtually no activity” in police stations, and many “had simply not been touched”.<sup>903</sup>

### The MOD takes the lead on policing

**966.** On 12 September 2005, a week before the Jameat incident, Dr Reid wrote to Mr Blair advising that “considerable progress” had been made in training the ISF since May.<sup>904</sup> He recommended that “consequently, an overall reduction of about 500 troops” would be possible in “October/November”.

**967.** On 10 October, Dr Reid announced in the House of Commons plans to reduce force levels in MND(SE) by “about 500”.<sup>905</sup>

**968.** In the subsequent debate, Mr Michael Ancram asked Dr Reid about the level of infiltration by “Iranian-backed insurgents” in the police. Dr Reid responded:

“In any theatre of combat in the world where competing factions have been at war with each other there is always a problem of split loyalties when rehabilitating and restructuring the police force afterwards. The question is not whether those split loyalties exist, but whether we can diminish them by human rights training and training the police to be as objective as possible ... However, although there are certain elements in the police service in Iraq about who we ought to be worried, I would not want him to believe that that is the majority or anything like it. Let us remember that every time Iraqi policemen put on their uniforms in the morning, they go out to face the threat of death. Many of them have died leading operations. Even in Basra, there were police around the Jameat Police Station trying to ensure that the 250 to 300 militant demonstrators did not approach it. So it is not the case that all the police, even in Basra, were antagonistic towards us.”

**969.** Dr Reid provided Mr Blair with a security update on 11 October.<sup>906</sup> He reported:

“Despite a lack of an Iraqi lead from Baghdad, MND(SE) have continued to build bridges with the local authorities post the Basra incident. Outside Basra city, Security Sector Reform (SSR) work has continued with little interruption, including joint patrolling. In Basra itself, our soldiers are again visiting IPS stations and we are able to talk in private to the Chief of Police ...

...

“Security Sector Reform (SSR) continues to be MNF-I’s main effort with MND(SE) focusing on the 10th Division of the Iraqi Army ... and the Department of Border

<sup>903</sup> Public hearing, 11 January 2010, pages 19-20.

<sup>904</sup> [Letter Reid to Blair, 12 September 2005.](#)

<sup>905</sup> House of Commons, *Official Report*, 10 October 2005, columns 24, 28-30.

<sup>906</sup> [Paper Reid, 11 October 2005, ‘Iraq: Security Update’.](#)

Enforcement (DBE) ... whilst playing a supporting role in the training and mentoring of the Iraqi Police Service (IPS) ...

“Progress on Iraqiisation continues. There are now 190,000 members of the Iraqi Security Forces trained and equipped ...

“SSR for the Iraqi Army continues to be on track for our transition plans ...

“On policing, the situation is less satisfactory. We need to do further work between MOD, FCO, DFID and the Home Office to improve support to IPS development at the strategic level ... Problems of divided loyalties and militia links can only be dealt with by the political will of an effective Iraqi Government ...

...

“We need to review our strategy on policing ... at two levels ... In Baghdad ... there would be a good case for providing a senior Home Office official with the right experience to work with the MOI ... Sir Ronnie Flanagan [will] visit MND(SE) soon to carry out an audit of the effectiveness of [the] police training programme ... Part of this work might include an assessment of the Italians’ programme in Dhi Qar province.”

**970.** Dr Reid’s paper sought clarification of whether or not it was intended there should be a re-assignment of Ministerial responsibilities for policing, noting that DOP(I) would need to take a collective view on the issue and that “there would be resource implications if MOD were to take this on”.

**971.** Gen Jackson visited Iraq from 10 to 13 October.<sup>907</sup> His visit report noted that, of the four key strategic areas (SSR, governance, reconstruction and counter-insurgency work), he “only saw encouraging signs of progress in one: SSR” though that progress was still “patchy”, with the UK’s “undoubted success with the Iraqi Army” contrasting with the position of the Iraqi police:

“The events of 19 September in Basra are merely indicative of a wider malaise across the IPS as a whole. We are where we are, but it is not to our credit that we have known about the inadequacies of the IPS for so long and yet failed to address them. We must do so now ... Whatever the eventual remedial plan is, it must be resourced and led properly. It must also address the specific needs of an Iraqi police force facing Iraq’s current security climate. More UK Police trainers are not the answer. I have heard not one complimentary word about their involvement during my last two visits. We, the military, must be prepared to shoulder an extra training burden here.”

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<sup>907</sup> Minute CGS to CDS, October 2005, ‘CGS Visit to Iraq: 10-13 Oct 05’.

**972.** At the meeting of DOP(I) on 12 October, the Committee discussed the need “to do more to speed up the development of police” but considered that “the plan for ISF development that was in place was largely sound”.<sup>908</sup>

**973.** The Committee agreed that the MOD would take the lead on “police issues in Iraq” as “the Iraqi policing situation called for a para-military, rather than a civilian, style of policing”.

**974.** Although the MOD would take responsibility for police issues, the FCO continued to administer the police secondments to Iraq and to manage the contract with ArmorGroup for IPAs.<sup>909</sup>

**975.** In his evidence to the Inquiry, Lt Gen Dutton commented on the move of responsibility for policing to the MOD:

“I didn’t get the impression that it had a great deal of effect at all, because what did it actually mean? On the ground it didn’t really mean anything; it meant that one particular Secretary of State felt he was now responsible for the police as well ... but it didn’t produce more resources, it didn’t, to my mind, sort out the structural problem we have ... about being able to train those sorts of policemen.”<sup>910</sup>

**976.** On 31 October, an MOD paper about the reform of the IPS described the number of UK civilian personnel devoted to policing.<sup>911</sup> It totalled over 200 and comprised:

- 105 UK police officers funded through the [FCO’s] Peacekeeping Fund at a cost of £3.3m for financial year 2005/06:
  - 61 UK staff based in Jordan, delivering eight-week Basic Recruit Training;
  - 26 serving and retired UK police officers in MND(SE) mentoring, liaising and conducting specialist training courses with the Iraqi police; and
  - 18 serving and retired UK police officers in Baghdad, including the UK Chief Police Adviser focusing on: IPS development, planning and mentoring the Police Minister, forensics, criminal intelligence, training at the staff officer college.
- 106 UK International Police Advisers provided by ArmorGroup, funded by the GCPP (£11.1m for financial year 2005/06) and by the Dutch and Japanese governments; five of those contractors were based in Baghdad and the remainder in MND(SE), acting as advisers, mentors (including to each Provincial Chief of Police in MND(SE)) and trainers.

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<sup>908</sup> Minutes, 12 October 2005, DOP(I) meeting.

<sup>909</sup> Letter Howard to Asquith, 5 January 2006, [untitled].

<sup>910</sup> Public hearing, 12 July 2010, page 39.

<sup>911</sup> [Paper MOD, 31 October 2005, ‘Iraq – UK Policy for Police Security Sector Reform \(SSR\)’](#).

**977.** Additionally, in Dhi Qar province the Italian brigade was responsible for IPS training and mentoring, employing their Carabinieri. Royal Military Police (RMP) and other coalition troops (including Danes and Czechs) were involved in mentoring and follow-up training in the other three provinces. CPATT also provided International Police Liaison Officers (IPLOs) to MND(SE) to conduct training and mentoring, and to ensure that training in MND(SE) was consistent with efforts elsewhere in Iraq.

**978.** In total, including the spend on equipping the police under Project OSIRIS (described earlier in this Section), police SSR spending represented less than two percent of the annual spend by the UK on Iraq – estimated to be £1bn in financial year 2005/06.

**979.** The Chiefs of Staff considered SSR on 18 October.<sup>912</sup> They concluded: “The military effort was well resourced compared to the commitments by other Government departments.” Now that Dr Reid would be responsible for SSR in Iraq, it would be “important to calculate the resources needed to deliver [this] and to secure appropriate HMT [Treasury] funding”.

**980.** On 24 October, Maj Gen Dutton sent a paper with proposals on how to reform the IPS programme in MND(SE) to Maj Gen Wall.<sup>913</sup> He wrote that:

“As time has gone by, it has become clear that the aspirations in the existing plan are unachievable. We need to be realistic about what we can expect to achieve: we should be aiming for a police force that is relevant and ‘good enough’ for this region.”

**981.** Maj Gen Dutton stated: “We must dismiss any ideas of starting again: it is reform that is required, not complete re-design.” He proposed “a three-point plan”:

- removal of those senior elements of the IPS who were engaged in serious crime, acknowledging that that may require the MNF to act if it could not be achieved by the ITG;
- dismissal of uncommitted IPS officers (estimated by the Basra Chief of Police to number around 6,000 in a total force of 30,000); and
- “redoubling efforts on training the remaining police, so that eventually the ‘good’ outweighs the ‘bad’”.

**982.** On 25 October, Mr Tansley submitted recommendations along similar lines to the FCO, also proposing the three-point plan.<sup>914</sup> He wrote that a “key part” of the plan would be for “joint teams” from PATs and MND(SE) conducting “surges” on police districts and stations that were “exposed as the weakest or of most importance”.

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<sup>912</sup> Minutes, 18 October 2005, Chiefs of Staff meeting.

<sup>913</sup> [Letter Dutton to Wall, 24 October 2005, ‘Policing SE Iraq’](#).

<sup>914</sup> Telegram 16521/05 Basra to FCO London, 25 October 2005, ‘Reform of the Iraq Police Service in South-East’.

**983.** Although the two papers were broadly the same, Mr Tansley suggested that the dismissal of IPS officers would require the implementation of a planned MOI redundancy package whereas Maj Gen Dutton saw that as desirable but not essential. Mr Tansley also suggested that a suitably qualified senior civil servant should be deployed to assist MOI reform.

**984.** Both papers suggested that the numbers of military personnel dedicated to support police reform should be increased (to include an extra two infantry companies, RMP personnel and administrative staff) and that restrictions on movement of police officers and contractors should be eased to allow them to move with the military.

**985.** Mr Tansley suggested that there should be joint responsibility for delivery between the Senior Police Adviser and the Task Force Commander in each province, with ArmorGroup personnel directly managed by the Senior Police Adviser. Maj Gen Dutton's paper did not suggest a formal command structure but did cite "lack of unity of command" as a major part of the problem.

**986.** Lt Gen Dutton told the Inquiry that there was "nothing particularly magical" about the three-point plan:

"It was a very simple plan, but it was designed in some ways to counter what I thought was a feeling from elsewhere, that the only answer to the Basra police force was to disband it completely and start again from scratch."<sup>915</sup>

**987.** On 27 October, Dr Reid reported to Cabinet that the build-up of Iraqi security forces was "going well" but that they "were generally not yet capable of operating on their own".<sup>916</sup> He stated that he and Mr Straw were looking at ways of addressing militia infiltration in the Iraqi police.

**988.** On 31 October, the MOD produced a paper about the UK's policy on the IPS to be considered at the next DOP(I).<sup>917</sup> The paper outlined the approach advocated by Mr Tansley and Maj Gen Dutton but proposed that all police reform in MND(SE) should be consolidated "under unified military direction ... enabling the GOC to deploy additional (civil and military) resources as necessary". The MOD stated:

"... the utility of the civil police contingent ... is limited by their contractual terms of service and civilian working practices ... If they were brought under military direction (the command and control issues would need to be finessed) the policing component would be employed to meet the priorities of operational transition, with its output reported through the established military chain."

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<sup>915</sup> Public hearing, 12 July 2010, page 20.

<sup>916</sup> Cabinet Conclusions, 27 October 2005.

<sup>917</sup> [Paper MOD, 31 October 2005, 'Iraq – UK Policy for Police Security Sector Reform \(SSR\)'](#).

**989.** The minutes of the DOP(I) meeting on 3 November recorded:

“... there was considerable concern ... among British police at the prospect of police advisers in Iraq being placed under military command ...”<sup>918</sup>

**990.** Ministers agreed:

“Departments, notably the FCO, MOD and Home Office, should work together to agree a way forward on command and control of the policing effort ... Paul Kernaghan should also be consulted.”

**991.** The DOP(I) minutes did not record any discussion of increasing military resource or lifting movement restrictions. See the Box earlier in this Section, ‘Security restrictions on UK police officers’, for more detail on civilian security restrictions.

**992.** On 9 November, Maj Gen Dutton reported that a new Police Strategic Steering Group had met for the first time that week.<sup>919</sup> That brought together the Consul General, GOC MND(SE), the Senior Police Adviser and members of the GOC’s staff. Maj Gen Dutton wrote:

“I am confident that we are now approaching a situation where we can make best use of the different capabilities which the civil police, contractors and my own soldiers, including Royal Military Police, can provide. The Consul General and I expect to set out our proposed solution to London shortly.”

**993.** The first meeting of a new cross-Whitehall SSR Group<sup>920</sup> was held on 17 November.<sup>921</sup> It was chaired by Mr Howard, reflecting the transfer of responsibility for policing to MOD. The meeting addressed what that transfer meant and the command and control issues in MND(SE). In an email to DCC Smith, CC Kernaghan summarised:

“Lead status remains to be defined but no one argued that you were in a line of command relationship with the GOC or that your professional judgement could be over-ruled by anyone else in theatre.”

**994.** In a report dated 20 November, DCC Smith was critical of military co-ordination with police in MND(SE):

“Despite reassurances from London it is quite clear, to myself and senior CivPol officers on the ground in Basra, that the military are initiating changes in their relationship with CivPol. This is unfortunate as it is increasingly becoming obvious

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<sup>918</sup> Minutes, 3 November 2005, DOP(I) meeting.

<sup>919</sup> Report Dutton, 9 November 2005, ‘CG MND(SE) – Southern Iraq Update – 9 November 2005’.

<sup>920</sup> The cross-Whitehall Iraq SSR Group replaced the Security Sector Reform Meeting.

<sup>921</sup> Email Kernaghan to Smith, 18 November 2005, ‘Cross-Whitehall Security Sector Reform [SSR] Group – Iraq Inaugural Meeting 17/11/05’.

that ‘partnership’ is a one-sided (CivPol) concept. Clarification from London would be welcome.”<sup>922</sup>

## Strategic considerations in late 2005

**995.** The MOD produced a paper entitled ‘Strategy for the UK’s contribution to Iraq Security’ for DOP(I) on 15 November.<sup>923</sup> It described three key outcomes:

- security up to the December elections;
- activity up to the handover of security responsibility; and
- achievement and maintenance of ISF self-reliance.

**996.** Four supporting objectives were detailed:

- establishment of a secure environment;
- transition to tactical, operational and strategic oversight;
- development of an effective, self-sufficient IPS: “Although wholesale national reform of the IPS is beyond the scope of UK influence, the provision of a technically competent IPS at a local level within MND(SE) is possible with the appropriate resource and is fundamental to an enduring handover. Mindful of the endemic nature of divided loyalty and militia involvement, the UK must continue to pursue IPS reform within MND(SE) to a level that will support handover – nothing more/nothing less”; and
- governance and capacity-building in key Ministries (MOI and the IMOD) within the security sector.

**997.** Security was discussed at the meeting but the minutes do not refer to the MOD’s paper.<sup>924</sup>

**998.** The report produced by DCC Smith on 20 November was an update of his May ‘Next Steps on Policing’ review, assessing progress in both Baghdad and Basra.<sup>925</sup> In the South, he judged that the “key area to address was militia influence in the Basra IPS and the lack of real MOI authority into the province”. To achieve that, he identified four elements that would need to be addressed:

- a strong Chief of Police;
- clear direction and support from the Deputy Minister for Police;
- good support infrastructure; and
- the removal of the unacceptable “bad eggs” in Basra.

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<sup>922</sup> [Paper Smith, 20 November 2005, ‘Next Steps on Policing – Review’.](#)

<sup>923</sup> Paper MOD, 11 November 2005, ‘Strategy for the UK’s Contribution to Iraq Security’.

<sup>924</sup> Minutes, 15 November 2005, DOP(I) meeting.

<sup>925</sup> [Paper Smith, 20 November 2005, ‘Next Steps on Policing – Review’.](#)

**999.** On 12 December, Maj Gen Dutton submitted his Hauldown Report to AM Torpy.<sup>926</sup> He wrote that the threat from IEDs had “radically affected our freedom of manoeuvre and consequently inhibited” SSR work (see Section 14.1 for detail on the IED threat).

**1000.** On the Iraqi Army, Maj Gen Dutton reported:

“The development of the Iraqi Army is the ‘jewel in the crown’ of our SSR effort and we must not let up now. The MiTT [Military Transition Team] system has been a great success ... their contribution to the ‘conceptual’ and ‘moral’ development of 10th Division has been enormous ... I acknowledge the desire to shift responsibility to the Iraqis themselves to prevent over-dependence, but the structure is built on ‘foundations of sand’ and will require support for some time yet.”

**1001.** On the IPS, Maj Gen Dutton wrote:

“I have written more than enough on this. I believe that, over time, the IPS can be reformed to an acceptable level, but there is no simple quick solution, which is, I sense, what London wants. In fact, it will be a long hard slog and will need unwavering commitment. The one critical point I must stress is that the UK should never again expect to be able to undertake police restructuring and reform in this sort of environment using UK police: they do not have the institutional structure or expertise to cope, nor can they be compulsorily deployed.”

**1002.** In his evidence to the Inquiry, Lt Gen Dutton said:

“We had some excellent policemen but simply not sufficient to take on the role of police training, which is why it had to be done in ... a very poor way, but as best we could, by the military.”<sup>927</sup>

**1003.** Lt Gen Dutton said that there was “nothing wrong” with the policemen, “there just weren’t enough of them”.<sup>928</sup> He continued:

“My criticism of the UK’s policing – expeditionary policing effort has never been aimed at the individual policemen who do it, simply the fact that I don’t believe we, in the UK, have a system for expeditionary policing that will work in the sort of environment of Iraq or Afghanistan.”

**1004.** On 21 December, AM Torpy wrote to Lt Gen Fry to highlight the key issues for 2006.<sup>929</sup> On the police he reiterated the need to “maintain momentum and our commitment, pushing ahead quickly with any new work recommended by Ronnie Flanagan”. He then drew attention to Maj Gen Dutton’s Hauldown Report and stated: “Jim [Maj Gen Dutton] has hit the nail on the head and we must not repeat this painful mistake in Afghanistan.”

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<sup>926</sup> [Minute Dutton to Torpy, 12 December 2005, ‘June to December 2005 – Hauldown Report’.](#)

<sup>927</sup> Public hearing, 12 July 2010, page 20.

<sup>928</sup> Public hearing, 12 July 2010, pages 21-22.

<sup>929</sup> Minute CJO to DCDS(C), 21 December 2005, ‘Key Operational Issues for Early 2006’.

## SIR RONNIE FLANAGAN'S REVIEW

**1005.** On 18 October, a meeting was held at the Home Office to discuss the terms of reference for Sir Ronnie Flanagan's visit to Iraq, attended by Sir Ronnie, CC Kernaghan and senior representatives from the FCO, the MOD and the Home Office.<sup>930</sup> Some of the points made included:

- the FCO wanted to understand the progress in MND(SE) and how that could be improved upon, considering how this fitted with work in Baghdad and London;
- the MOD felt that current IPS training could be more efficient; and
- “much of Whitehall [was] not aware of elements that are beyond UK control. It would be helpful if Sir Ronnie could highlight these as part of his report”.

**1006.** CC Kernaghan circulated the terms of reference on 10 November and summarised Sir Ronnie's task as to “concentrate on assessing the resourcing and effectiveness of the UK's IPS Security Sector Reform (SSR) programme in MND(SE) and its linkage to the shape and effectiveness of MNF-I national policing policy in Baghdad”.<sup>931</sup> There were 12 areas specifically highlighted, including the effectiveness of IPS training, police officer and ArmorGroup contract management, IPAs and the relationship between UK structures and those of the US and Iraq.

**1007.** Sir Ronnie Flanagan visited Iraq between 20 and 24 November 2005 to conduct an initial review of the UK policing effort in Iraq.<sup>932</sup> He submitted an interim report to Dr Reid on 13 December, who briefed the DOP(I) on 15 December.

**1008.** Sir Ronnie's interim report identified:

- There was no single strategy for SSR at a national level – he had uncovered “references to at least four”, and “many of these” existed in isolation of one another.
- There was “a loss of corporacy and a disconnect with MNSTC-I and CPATT in Baghdad”.
- There had been insufficient counter-insurgency preparation.
- There was an inadequate focus on intelligence – he referred to US\$1m worth of computers for the National Information and Investigation Agency (NIIA) being held at Basra Airport because of “apparently insufficient funds to transport and then assemble it”.
- Only 5 percent of military activity was currently focused on SSR.
- “Within MND(SE), the biggest issue remain[ed] militia (and criminal) infiltration of security forces”.

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<sup>930</sup> Minutes, 18 October 2005, ‘Meeting at the Home Office: Tuesday 18 October 2005: to discuss the Prime Minister's request to HMCIC to visit Iraq’.

<sup>931</sup> [Email Kernaghan to Home Office \[junior official\], 10 November 2005, ‘Flanagan's TORs’ attaching Note ‘TORs for the Assessment by Sir Ronnie Flanagan of the Iraqi Police Service \(IPS\)’.](#)

<sup>932</sup> Minutes, 16 December 2005, DOP(I) meeting.

- The “biggest source of friction” between the military and UK police officers had been the inconsistent restrictions on movements but “significant progress” had been made during his visit to harmonise these, both operating on the basis of military risk assessments (subject to FCO and ACPO confirmation).<sup>933</sup>

**1009.** Sir Ronnie visited Iraq again from 3 to 8 January 2006 and submitted his final report on 31 January.<sup>934</sup>

**1010.** Sir Ronnie wrote that the original terms of reference had evolved into three overarching issues:

- The strategic direction and integration of the SSR (policing) effort;
- The efficiency and effectiveness of the SSR (policing) effort, including the Carabinieri, in MND(SE);
- The effectiveness of the existing training arrangements.”

**1011.** Sir Ronnie was “encouraged” to learn that since his previous visit “a broad strategic plan” was now being prepared and that the “disconnect” he had identified was “already becoming a thing of the past”. In MND(SE), he noted “a high level of co-operation” between UK police officers and that SSR now accounted for 47 percent of the military’s work. He added:

“Nevertheless tensions, both in theatre and within Whitehall, still exist over where primacy for SSR (policing) effort rests. Put simply, the shift in thinking that should have followed the assumption by MOD of primacy for SSR in Iraq has not permeated all activity.”

**1012.** Sir Ronnie made 17 recommendations, including:

- The Iraqis should be encouraged to develop a robust vetting system for IPS recruits as soon as possible and to take immediate action to “root out” corrupt and sub-standard elements within the IPS. In progressing this the UK will need to provide support and expert guidance.
- The UK should encourage MNF-I to transfer responsibility for criminal and counter-insurgency intelligence to CPATT.
- For Iraq and future deployments, a senior police officer of Chief Superintendent rank should be embedded within PJHQ.
- The US and UK should use whatever influence is available to them to ensure that the next Minister of the Interior has a sound appreciation of the scale of the challenges and, moreover, is willing to take decisive action to address them.

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<sup>933</sup> Report Flanagan, 13 December 2005, ‘Interim Report on Policing in Iraq’.

<sup>934</sup> [Report Flanagan, 31 January 2006, ‘An Assessment of the UK’s Contribution to Security Sector Reform \(Policing\) in Iraq’.](#)

- The US should be encouraged to allow the Iraqi Government lead responsibility for the National Policing Plan. That should be led by the new Minister of Interior in consultation with the 18 provincial Chiefs of Police. In progressing that, the coalition must of course provide expert advice and guidance and perhaps the suggested draft.
- The CPA-I's successor should be re-deployed and should function within the MND(SE) command structure where he or she will be able to direct the SSR (policing) effort.
- The judicial dimension should be fully integrated within the SSR effort.
- The Strategic Taskforce should be re-convened with the goal of creating a genuine police expeditionary capability operating within a framework that provides maximum support to overseas SSR (policing) deployments.
- The UK should exert its influence to further embed and encourage the concept of joint operating between the IPS and the Iraqi Army in areas where the security situation makes this appropriate.

**1013.** Sir Ronnie Flanagan stated:

“In many respects the challenge facing us in Iraq appears more daunting from London than it does in theatre. This I attribute to the inevitable difficulty that exists in grasping some of the key contextual factors.”

**1014.** Sir Ronnie wrote that his recent visit had given him “a greater appreciation” of the significant threat from “rogue elements” in the Basra intelligence agencies and “pop up battalions” that could jeopardise SSR if not addressed. He stated that “the ultimate solution” rested with the MOI and that “the key to success” would be “the creation of effective governance structures”.

**1015.** Sir Ronnie concluded:

“Notwithstanding the reservations I have expressed about the quality of training, intelligence and other factors that inhibit the SSR (policing) effort, Iraq is on the right path and there is a good news story to be told. From an admittedly low base, Iraq's security forces are now recognisable as such and early signs of self-sufficiency are becoming apparent ... The UK can take pride in its contribution.”

**1016.** A junior FCO official sent Dr Howells a copy of Sir Ronnie's report on 17 February.<sup>935</sup> The note also enclosed a matrix listing each recommendation and the department responsible for its progress alongside it, including an additional 16 “other recommendations” from the report. Out of the total 33 recommendations, five were complete and 11 others were in progress or being considered.

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<sup>935</sup> Minute FCO [junior official] to Howells, 17 February 2006, ‘Review of UK Policing Reform Work in Iraq by Sir Ronnie Flanagan’.

**1017.** The Baghdad SSR Working Group met on 19 February to discuss Sir Ronnie's report.<sup>936</sup> The Group commented or identified action against all of recommendations, including:

- how critical the MOI and its Minister would be in delivering change;
- the practical difficulties encountered while trying to establish effective vetting procedures which were constrained by a lack of resources;
- that the National Policing Plan needed to be written by the Iraqi Government and not by the coalition; and
- that there were cost and duty of care issues in implementing Sir Ronnie's recommendation that recruits visited theatre.

**1018.** A summary of the Baghdad SSR Committee on 27 April listed progress against the six "Baghdad-related recommendations" from Sir Ronnie's report.<sup>937</sup> Discussions were ongoing with CPATT on how to implement those; those had been some difficulties engaging "the right people at the right levels" and the National Policing Plan was "still too military-dominated". It was recorded that there were insufficient resources to undertake an audit of training at that time.

**1019.** On 16 May, Mr Patey wrote to Mr Stephen Pattison, FCO Director International Security, with recommendations on how to ensure the staffing of the UK's police effort was right.<sup>938</sup>

**1020.** In his response on 24 May, Mr Pattison said that the FCO was taking forward recommendations from Sir Ronnie's review, but did not provide further details.<sup>939</sup> The letter focused on attracting more UK police officers to postings in Iraq, and enabling those postings.

## Reforming the Iraqi Police Service: Operation CORRODE

**1021.** On 30 November 2005, Maj Gen Dutton reported that the Iraqi authorities had taken the first step towards reforming the IPS by disbanding the Department of Internal Affairs (DIA).<sup>940</sup>

**1022.** On 25 January 2006, Major General John Cooper, GOC MND(SE) from December 2005 until July 2006, reported that two former members of the DIA who were implicated in "numerous allegations of corrupt and criminal activity including attacks against MNF and involvement in the events of Sep 19" had been arrested by UK and Danish troops.<sup>941</sup>

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<sup>936</sup> Email FCO [junior official] to Cunningham, 21 February 2006, 'Baghdad SSR Working Group' attaching Paper 'BE Baghdad Comments – Sir Ronnie Flanagan's Report'.

<sup>937</sup> Email FCO [junior official] to Mcgurgan, 30 April 2006, 'Cross-Whitehall SSR Meeting, 27 April'.

<sup>938</sup> Letter Patey to Pattison, 16 May 2006, 'Re: Policing in Iraq'.

<sup>939</sup> Letter Pattison to Patey, 24 May 2006, 'Policing in Iraq'.

<sup>940</sup> Minute Dutton, 30 November 2005, 'GOC MND(SE) – Southern Iraq – 30 November 2005'.

<sup>941</sup> Minute Cooper, 25 January 2006, 'GOC MND(SE) – Southern Iraq Update – 25 Jan 06'.

**1023.** On 8 March, Maj Gen Cooper reported:

“We have intelligence that the recidivists within the IPS have resumed their criminal activity, and the population at large is beginning to question our commitment. Absent buy-in from the MOI, I am clear about the need for us to press ahead unilaterally with [Operation] CORRODE, before the IPS regress to a position from which they cannot be redeemed.”<sup>942</sup>

**1024.** The following week, Maj Gen Cooper reported that Mr Jabr had given the “green light” for MNF to continue with arrest operations under Op CORRODE.<sup>943</sup> He said that the next target was a “relatively junior player”. Mr Jabr was also reported to have endorsed plans to establish a new DIA based at Basra Air Station.

**1025.** On 15 May, a junior official from PJHQ provided briefing to Mr Ingram about IPS members detained by MND(SE) as part of Op CORRODE.<sup>944</sup> He stated that Op CORRODE was established in conjunction with the MOI after the Jameat incident on 19 September and aimed to:

- remove corrupt individuals in key positions of responsibility;
- replace those individuals with suitable personnel from outside Basra province; and
- reform the remaining officers.

**1026.** The official wrote that the operation had been constrained because of “problems with political disengagement in Basra” and “nervousness amongst senior political figures in Baghdad”. PJHQ assessed that there were currently ten policemen detained in Shaibah, a military airfield seven miles southwest of Basra. They were likely to remain at the facility “for the foreseeable future”, because the intelligence against detainees was not admissible as evidence. Also, the detainees had connections which meant that Basra judges would be reluctant to try them, or be susceptible to intimidation if they did try them.

**1027.** In his weekly report on 24 May, Maj Gen Cooper described two enemies in Basra: rogue JAM and – “most dangerous” – the “corrupt IPS elements ... which have murdered so many Basrawis”.<sup>945</sup> He wrote that he needed political cover from the Iraqi Government to tackle IPS reform and would be grateful for UK political pressure.

**1028.** Maj Gen Cooper’s report on 8 June stated that Op CORRODE had re-started and, on 4 June, there had been the first successful targeting and detention of a serving Basra police officer for more than three months.<sup>946</sup> There would now be “a succession of

<sup>942</sup> Minute Cooper, 8 March 2006, ‘GOC MND(SE) – Southern Iraq Update – 8 March 2006’.

<sup>943</sup> Minute Cooper, 16 March 2006, ‘GOC MND(SE) – Southern Iraq Update – 16 March 2006’.

<sup>944</sup> Minute PJHQ [junior official] to PS/Min(AF), 15 May 2006, ‘Iraqi Police Service (IPS) Detainees Held by MND(SE)’.

<sup>945</sup> Minute Cooper, 24 May 2006, ‘GOC MND(SE) – Southern Iraq Update – 24 May 2006’.

<sup>946</sup> Minute Cooper, 8 June 2006, ‘GOC MND(SE) – Southern Iraq Update – 8 June 2006’.

detention ops targeting IPS and N Basra leadership”. Maj Gen Cooper reported that a total of three IPS officers had been detained within Op CORRODE since 17 May 2006.

**1029.** The JIC’s Assessment of 9 June described the disbanding of the DIA as “remedial action” resulting from “MNF pressure”.<sup>947</sup> However, the JIC stated that “the personnel have been reassigned rather than sacked”.

**1030.** This JIC Assessment considered whether the ISF was “fit for duty”. It reported:

“The ISF in the South reflect the deep-rooted local tribal and political influences. The Army’s 10th Division in MND(SE) is rated by the MNF as increasingly effective. It has performed basic tasks such as patrols and static guard duties successfully, but remains untested in counter-insurgency operations without MNF support. The Police in the South are a cause for much greater concern. Many local Police officers, in Basra and Maysan in particular, remain loyal to their political faction or militia rather than to formal command structures. Both Badr and JAM retain support among the ISF in different parts of the South. We judge that these divided loyalties would affect the ability and willingness of the Police to cope in the event of an intensified campaign of violence by Shia militias against the MNF, or fighting between Shia factions ... Baghdad’s central institutions have been unable to exert any control over the police in Basra.”

### Iraqi Navy progress

On 9 June 2006, a JIC Assessment stated that, by 1 May, 800 Navy personnel had been “trained and equipped”, increasing from 750 on 4 October 2005.<sup>948</sup>

In September, the Iraqi Navy transferred to Iraqi control, under the command and control of the Joint Headquarters.<sup>949</sup>

In November, the Private Secretary to Mr Des Browne, Defence Secretary from May 2006, briefed No.10 officials that progress on the Iraqi Navy had “lost early momentum due to failure of the Iraqi procurement process” but stated that contracts had recently been awarded and that the Iraqi Navy had plans to fund and build critical infrastructure during 2007.<sup>950</sup> He concluded: “this momentum must be sustained”.

On 6 September, an Independent Commission reported to Congress its conclusion that:

“The Iraqi Navy is small and its current fleet is insufficient to execute its mission. However, it is making substantive progress in this early stage of development: it has a well-thought-out growth plan, which it is successfully executing. Its maturation is hampered by the [Iraqi] Ministry of Defence’s understandable focus on ground forces and counterinsurgency operations, as well as by bureaucratic inefficiency. The Iraqi

<sup>947</sup> [JIC Assessment, 9 June 2006, ‘The Iraqi Security Forces: Fit for Duty?’.](#)

<sup>948</sup> [JIC Assessment, 9 June 2006, ‘The Iraqi Security Forces: Fit for Duty?’.](#)

<sup>949</sup> [JIC Assessment, 17 January 2007, ‘Iraqi Security Forces: Prospects in 2007’.](#)

<sup>950</sup> Letter McNeil to Banner, 9 November 2006 attaching Minute DJC, 9 November 2006, ‘Strengthening the Iraqi Military Forces’.

Navy will continue to rely on coalition naval power to achieve its mission for the foreseeable future.”<sup>951</sup>

At that time, there were around 35 UK naval personnel working in Naval Assistance Training Teams.<sup>952</sup>

**1031.** Mr Des Browne became Defence Secretary in May 2006. He visited Iraq from 18 to 22 June.<sup>953</sup> His Assistant Private Secretary recorded that Mr Jawad Boulani, the new Minister of the Interior, told Mr Browne he was very clear about the need to reform the police, particularly in Basra.

**1032.** Major General Muhammed Latif, the Commander of the 10th Division, had told Mr Browne that there were 15,000 police in Basra, but you could never find them on the streets. If necessary, he was prepared to put a soldier in every police car to force them to do their jobs. They failed to carry out even the most perfunctory investigations into murders. Maj Gen Latif had started to use his own intelligence officers to follow up cases and monitor police progress. When his staff asked questions about inaction, the police would say that murders were “big boys’ issues”, usually a reference to the specialist police organisations that Mr Boulani sought to disband.

**1033.** During a meeting with UK representatives, Mr Browne was told by the police advisor that “we [the UK] had originally set our sights too high; teaching forensics instead of the basics”. Adjustments had now been made and the programme seemed to be working well. The police advisor rejected the outright criticism from Maj Gen Latif and said that there were “areas that had the start of an effective policing service”.

**1034.** Air Chief Marshal Jock Stirrup, CDS, briefed DOP(I) in July:

“... the main issue affecting the population was sectarian murders. To see progress on that we needed to take action against corrupt police officers and militia groups.”<sup>954</sup>

**1035.** ACM Stirrup described progress with the Iraqi Army as “on track” but stated that “the situation of the police was more difficult”.

## Further reduction in troops

**1036.** During early 2006, substantial effort was dedicated to preparation for the transfer of lead responsibility for security in Muthanna and Maysan provinces. That effort is detailed in Section 9.4.

<sup>951</sup> Report, 6 September 2007, ‘Independent Commission on the Security Forces in Iraq’.

<sup>952</sup> Report, 5 July 2007, ‘PJHQ Manning Tables’.

<sup>953</sup> Minute APS/SoS [MOD] to DCDS(C), 28 June 2006, ‘Secretary of State’s Visit to Iraq – 18-22 June 2006’.

<sup>954</sup> Minutes, 6 July 2006, DOP(I) meeting.

**1037.** In a meeting of DOP(I) on 15 February, Mr Blair made clear that the UK should be able clearly to demonstrate that the conditions for transition had been met, and that this was as a result of the increasing capacity of the ISF.<sup>955</sup> The UK should not be handing over for solely political reasons.

**1038.** During a video conference between Mr Blair and President Bush on 22 February, Lt Gen Houghton assessed that there had been good progress with the ISF in the South which should allow security transfer in Maysan and Muthanna provinces by late spring.<sup>956</sup> He assessed that Basra was “less promising, given the collusion between police and militia, aided by local politicians” and that arrests of police “rapidly became confrontations over political and sovereignty issues”.

**1039.** On 9 March, Dr Reid wrote to Mr Blair explaining that, as a result of the latest Force Level Review, troop levels would be reduced in May 2006, from approximately 8,000 to around 7,200 (see Section 9.4).<sup>957</sup> That reduction was made possible because of the “completion of various Security Sector Reform tasks, a reduction in the support levels for those tasks, and recent efficiency measures in theatre”.

**1040.** In his statement to the House of Commons on 13 March, Dr Reid stated that the completed tasks included training of trainers and Iraqi troops being capable of guarding their own establishments.<sup>958</sup>

**1041.** On 15 March, a JIC Assessment stated:

“The Iraqi security forces [in Southern Iraq] can cope with the low level of threat posed by the Sunni Arab nationalist insurgents and jihadists. Their readiness to deal with the activities of Shia extremists or intra-Shia violence is more uncertain. Army command, control and logistics capabilities are all still developing, making major operations without MNF support difficult. The police are a greater concern: they have multiple loyalties and have taken sides in intra-Shia clashes. A minority of police, particularly in Basra, is involved in attacks on the MNF, the assassination of Sunnis and organised crime.”<sup>959</sup>

**1042.** On 20 April, Mr Robin Lamb, Consul General in Basra, provided an assessment of the security situation in Basra and its impact on the ability for UK civilian staff to operate effectively (see Section 15.1).<sup>960</sup> He stated:

“Our LE [locally employed] staff regard the Iraqi Police Service as at best ineffective, and at worst complicit in the assassinations. We would support that assessment.”

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<sup>955</sup> Minutes, 15 February 2006, DOP(I) meeting.

<sup>956</sup> Letter Banner to Siddiq, 22 February 2006, ‘Prime Minister’s VTC with President Bush, 22 February: Iraq’.

<sup>957</sup> Letter Reid to Blair, 9 March 2006, ‘Iraq: Force Level Review and Announcement’.

<sup>958</sup> House of Commons, *Official Report*, 13 March 2006, columns 1152-1153.

<sup>959</sup> [JIC Assessment, 15 March 2006, ‘Iraq: the Security Situation in the South’](#).

<sup>960</sup> Letter Lamb to Murgan, 20 April 2006, ‘Basra: Security and Drawdown’.

## Policing reviews: ACC Barton and a Strategic Task Force

**1043.** Acting ACC Dick Barton took over from DCC Smith as Chief Police Adviser-Iraq on 27 March 2006 and was based in Basra (as opposed to Baghdad) in line with Sir Ronnie’s recommendation described earlier in this Section.<sup>961</sup>

**1044.** For his first task, ACC Barton was commissioned by the FCO to conduct a review of the UK police mission in Iraq, focusing on three main areas: strategic priorities, personnel structure of UK police in Iraq and “other work required (in support of Strategic Priorities)”.<sup>962</sup>

**1045.** ACC Barton’s review was completed on 20 April and sought “to avoid replicating areas already covered” by Sir Ronnie’s review four months earlier. He wrote that his “review theme” was to “keep it basic”, stating that basic principles sat under many complex policing issues. He highlighted three strategic priorities:

- The mission must focus on building links with the criminal justice system.
- The mission must be engaged in developing the new Internal Affairs, Major Crime [Unit] and National Information and Investigation Agency (NIIA).
- The mission must identify a realistic working model which facilitates draw-down and eventual complete handover to the Iraqi Police Service.”

**1046.** ACC Barton made 12 recommendations for change in the way the UK police mission was staffed including:

- creating an Assistant Chief Police Adviser post with a focus on major crime and criminal justice;
- creating a post to focus on developing an effective Internal Affairs capability, warning that overt corruption in the police was “crippling”;
- reducing the number of contracted police officers; and
- designating a Senior Police Adviser at Chief Superintendent level to be territorial lead for Baghdad now that the CPA-I role had relocated.

**1047.** Mr Straw wrote to Mr Charles Clarke, Home Secretary, on 17 October 2005 about findings from a Strategic Task Force established to “take a fresh look” at how the UK contributed to international operations.<sup>963</sup> Mr Straw wrote that assisting in international missions was “vital” for the UK’s foreign policy priorities and also created “direct operational benefits” for the UK when officers returned with experience of “working in the field”.

**1048.** The Strategic Task Force assessed that there was no need to increase the overall numbers provided by the UK, but suggested increasing the proportion of senior officers

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<sup>961</sup> Statement Barton, 7 June 2010, page 3.

<sup>962</sup> [Report Barton, 20 April 2006, ‘Situational Review of the United Kingdom Civilian Police Mission in Iraq’.](#)

<sup>963</sup> Straw to Home Secretary, 17 October 2005, ‘International Policing’.

and those with specialist skills. It proposed that “more use” was made of police staff. The Task Force also advised ensuring that the spread of officers was more evenly distributed across the forces (meaning a reduction in PSNI officers), and that the transition should be made easier for returning officers by guaranteeing interviews for posts for which they are qualified.

**1049.** On 4 May 2006, Mr Howard submitted a draft response for Dr John Reid, who became the Home Secretary on 5 May 2006, to send to Mr Straw.<sup>964</sup> Mr Howard said the draft emphasised that “recent operational experience ha[d] demonstrated the need for a robust expeditionary policing capability, ideally acting as part of an international force” but also made clear that the matter was “constrained by issues that can only be resolved by the police itself.”

**1050.** Mr Patey wrote to Mr Pattison on 16 May, highlighting concerns that “our effort on SSR and the Rule of Law in Iraq will suffer if we do not get staffing of our policing effort right”.<sup>965</sup> Mr Patey noted that there was a risk the UK would “continue to lose credibility in the eyes of the US as a key partner” if that issue could not be addressed, citing the frequent turnover of staff (recommending tours of more than one year) and gaps between posting of senior staff as contributing to problems. He acknowledged that those were manifestations of a wider problem in recruiting, and that there was “little benefit to the police service for their good police officers to deploy to Iraq” requiring “more radical solutions ... In the short and longer term”. The letter concluded by recommending that the FCO “should engage with the new Home Secretary, about the need for appropriate career and reward packages to be in place for deployed officers and the need for all police services to contribute to the effort”.

**1051.** Mr Pattison’s reply agreed with the premise that “good quality police staffing is central to delivery of the UK’s objectives in Iraq” but noted that that needed to be seen in the wider context, in particular that all UK police secondees were volunteers.<sup>966</sup>

## SSR across Iraq: summer 2006 to summer 2009

### Formation of the Iraqi Government

**1052.** On 1 April, Mr Blair wrote to President Bush outlining his views on the steps required to achieve success in Iraq.<sup>967</sup> He suggested a strategy that involved pressing hard for a unity government and stated:

“This must include a top quality, neutral figure in the Ministry of Interior. It is perfectly obvious to me that a lot of the Shia violence is now being organised out of there and there has to be a definite statement going throughout the police, it won’t be tolerated.”

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<sup>964</sup> Minute DG Op Pol to PS/SofS, 4 May 2006, ‘International Policing in Peace Support Operations’.

<sup>965</sup> Letter Patey to Pattison, 16 May 2006, ‘Policing in Iraq’.

<sup>966</sup> Letter Pattison to Patey, 24 May 2006, ‘Policing in Iraq’.

<sup>967</sup> Letter Sheinwald to Hadley, 1 April 2006 attaching [Note \[Blair\], 1 April 2006](#).

**1053.** Mr Nuri al-Maliki was nominated as Prime Minister on 21 April 2006.<sup>968</sup> Reporting the news, an eGram from the British Embassy Baghdad stated that Prime Minister Maliki had been a “driving force” as Deputy Chair of the de-Ba’athification Committee and had “a strong anti-militia stance”. He favoured “the dissolution of all militias and [did not] believe in their reintegration into Iraqi security forces”.

**1054.** Sir Nigel Sheinwald and Mr Nick Banner, a Private Secretary to Mr Blair, visited Iraq shortly after Prime Minister Maliki’s nomination.<sup>969</sup> In a report of the visit, Sir Nigel told Mr Blair:

“The two litmus tests ahead are:

- (i) Choice of Interior and Defence Ministers and willingness/ability to clean out their ministries and make them work;
- (ii) Disbanding the militias ... some can be integrated in the ISF, but others will need to be demobilised and retrained.

There will need to be a major DDR and jobs package which we should try to get the international community involved in. Even if we do, this is a massive task. Militias abound – from personal protection, to Badr and JAM, through to the Facilities Protection Service.”

**1055.** Mr Blair spoke to Prime Minister Maliki on 28 April.<sup>970</sup> Prime Minister Maliki stressed his commitment to “remove weapons from all the militias” and requested UK support to accelerate the training of the ISF.

### Iraqi appointments

On 8 June 2006, the Iraqi security ministers were appointed:

- Minister of the Interior: Mr Jawad Boulani (Shia Independent);
- Minister of Defence: Lieutenant General Abdel Qadir (Sunni); and
- Minister for National Security: Mr Sherwan al Wa’ali (Shia Da’wa Tanzeem).<sup>971</sup>

## Improving Iraqi Security Force build-up

**1056.** Mr Blair met Prime Minister Maliki on 22 May during his visit to Iraq.<sup>972</sup> A minute from Mr Banner about the meeting reported that Prime Minister Maliki “expressed concern about the readiness of the Iraqi Security Forces, in terms of numbers, training

<sup>968</sup> eGram 13011/06 Baghdad to FCO, 24 April 2006, ‘Iraq: Formation of the New Government: Al-Maliki Nominated by UIA as Prime Minist’ [sic].

<sup>969</sup> Minute Sheinwald to Prime Minister, 27 April 2006, ‘Visit to Iraq’.

<sup>970</sup> Letter Banner to Siddiq, 28 April 2006, ‘Nouri al-Maliki’.

<sup>971</sup> eGram 22963/06 Baghdad to FCO London, 8 June 2006, ‘Iraq: Ministers of Interior, Defence and National Security Appointed’.

<sup>972</sup> Minute PS/PM to PS/FS, 22 May 2006, ‘Iraq: Prime Minister’s Meeting with Nouri al-Maliki’.

levels and, in particular, equipment”. Prime Minister Maliki had said that “the ISF were outgunned”, citing an example in Najaf where he had been told by the Chief of Police that his 13,000 officers “had only 5,000 rifles between them”.

**1057.** Following his visit, Mr Blair wrote to President Bush stating that ISF build-up “must be improved”.<sup>973</sup> He continued:

“... the basic point is: we need better, stronger ISF build-up. A strong centre will be a big help. But they also need equipment and intensive support. Therefore we need to do this even better and more strongly and test the robustness of the build-up. Iraqi MOI and MOD need real capability to make it happen. If we don’t do this, we can’t defeat the terrorists.”

**1058.** Sir Nigel Sheinwald wrote to Mr Hayes on 23 May reporting Mr Blair’s conclusions as a result of his visit.<sup>974</sup> On SSR, Mr Blair wanted action including:

- Drawing up a timetable with conditions setting out the potential path to MNF withdrawal. This should address the desire of Iraqis for clarity over two issues: that the MNF will stay until Iraqi security forces are capable of acting independently; and that the MNF will go once that has been achieved. Any timetable should include dates, but each one should be conditional on ISF build-up of capability and overall violence levels ...
- We need to make sure that Iraqi forces really are capable of dealing with the threat, including from AQ ... The Prime Minister heard a number of disquieting comments on this score from Iraqis and others. We therefore need a candid analysis of the gap between current capabilities and future requirements ... and a plan for closing the gap ...
- ...
- Turning around the situation in Basra ... This will require ... a larger role and presence for the Iraqi forces, working alongside UK forces ... The Prime Minister hopes that the Defence Secretary will personally supervise the military aspects of this.
- ...
- Capacity-building for Iraqi Ministries. We need a paper setting out our and the US’s current assistance to them, in terms both of advisers and equipment, and a plan for addressing additional gaps.”

**1059.** DOP(I) met on 25 May.<sup>975</sup> Mr Blair said that the UK should focus on the development of the ISF, seeing progress in Basra, and support to the Iraqi Government

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<sup>973</sup> Letter Sheinwald to Hadley, 22 May 2006, ‘Iraq’ attaching [Note Prime Minister to President Bush](#).

<sup>974</sup> [Letter Sheinwald to Hayes, 23 May 2006, ‘Iraq’](#).

<sup>975</sup> Minutes, 25 May 2006, DOP(I) meeting.

on security and electricity provision in Baghdad. On the development of the ISF, he stated:

“... the Ministry of Defence needed to look closely at the level of capability of the Iraqi forces. This should also look at the quality of training and provision of equipment ... ensuring the ISF did have sufficient capability could make a very big difference to our strategic progress in Iraq.”

**1060.** The MOD was asked to provide a paper on the capability and requirements of the ISF.

**1061.** On 25 May, during a working dinner with Dr Rice and Mr Steve Hadley, US National Security Advisor, Sir Nigel Sheinwald said that urgent action was needed on ISF capacity:

“The numbers used by the MNF were suspect as they did not take account of substantial desertions. It was disappointing that there were still problems over equipment, as well as the known gaps in terms of command and control and running their own operations.”<sup>976</sup>

**1062.** On 2 June, Sir Nigel chaired a meeting of the Iraq Strategy Group.<sup>977</sup> The Group had reviewed progress against the tasks commissioned by Mr Blair:

- Gen Casey was “preparing an Iraqi-fronted security statement in mid/late June” that “would announce the first wave of provinces to transition”. The UK “favoured” an indication of what could be expected “over the next 18-24 months, but the US was cautious”.
- The MOD was working on a “robust assessment of where things stood” with the ISF.
- Gen Casey was preparing a Security Plan for Basra (described later in this Section).
- GOC MND(SE) “intended to start detention operations in the next few days, and was working to increase the Iraqi face on security using the Iraqi Army”. The Iraqis were currently participating in 40 percent of all patrols in Basra.
- The “FCO was pursuing a US analysis of the gaps in their support to the key ministries and DFID was pulling together an overview of UK support”.

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<sup>976</sup> Letter Sheinwald to Hayes, 26 May 2006, ‘Dinner with US Secretary of State and National Security Adviser, 25 May’.

<sup>977</sup> Minute Cabinet Office [junior official] to Sheinwald, 5 June 2006, ‘Iraq Strategy Group’.

**1063.** On 7 June, the MOD submitted its assessment of the ISF's progress to the Cabinet Office.<sup>978</sup> Some of the key points were:

- The programme was on target to complete by December 2006 with 80 percent of the ISF trained and equipped (less the forces in Anbar province and the Air Force and Navy capability).
- Higher-level command and control, logistics, equipment husbandry and intelligence remained immature, but "significant improvement" was expected during 2006. MND(SE) had "some of the same issues" but they were "less acute" with 10th Division having received 97 percent of its "critical items".
- Of the Iraqi Army battalions and brigade/divisional headquarters, 50 percent were capable of planning, executing and sustaining counter-insurgency operations. The Iraqi people held the Iraqi Army "generally in high regard".
- The police were "some way behind" but "significant progress" was expected by the end of the year. Their effectiveness rested on their credibility with the Iraqi people, which was "increasing but remain[ed] an issue".
- Equipment shortfalls in the police were attributed to MOI "over-recruiting" police forces, by "possibly 9,000 to 10,000 ... in the South alone". That was "reportedly to combat unemployment".
- "The ISF in MND(SE) should be capable of managing the threat that they will face but could be quickly undermined by poor leadership." The UK had trained 22,000 IPS officers out of an agreed number of 29,000.

**1064.** On the Basra Security Plan, the MOD wrote that "in seeking efficiencies to resource the new initiatives proposed in the Basra paper, it would be counter-productive to disrupt established projects in MND(SE) ... to then re-invest in the same sectors". The FCO was exploring options to reduce the UK's commitment to the Jordan International Police Training College, which had the potential to save £3.5m "with minimal impact upon ISF capacity-building" although it "may meet with opposition in US quarters".

**1065.** Writing about the way ahead, the MOD report stated:

"As the Iraqi security forces mature, Iraq's partners will need to put additional resources into areas such as the judiciary and courts which have been relatively neglected but which are critical to enforcing law and order as security forces. We need to caution against further growth in the size of the ISF whose size/shape has been designed to be affordable in the long run ...

"On the whole, the advice of the UK personnel is appreciated by not only the US, but more importantly the Iraqis. We must build on this influence, without negating the current good work that is being planned and will soon be implemented in

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<sup>978</sup> [Minute DJC/Iraq to Cabinet Office \[junior official\], 7 June 2006, 'Iraq: Strategy Group Workstrands' attaching Paper 'Update on Progress of the Iraqi Security Forces \(ISF\)'](#).

Iraq. Additional resources (civilian official and extra CivPol) to aid Ministerial capacity-building, particularly in the Ministry of Interior, would be a key place to add value.”

### Iraqi Air Force progress

A Report by the Independent Commission on the Security Forces in Iraq published on 6 September 2007 stated that the Iraqi Air Force had a “meagre beginning and late start” compared with the Iraqi Army.<sup>979</sup> Development of the Iraqi Air Force was led by the Coalition Air Force Transition Team (CAFTT) which was part of MNSTC-I.

In June 2004, Maj Gen Houghton recorded that 148 air force personnel were in training.<sup>980</sup> Initially, the force would be 500 strong. An agreement had been established for the transfer of air transport and helicopters from Jordan.

In July 2005, Lt Gen Brims reported that it was “a long term project” and that there were “insufficient funds to even forecast when a plan might be considered”.<sup>981</sup>

On 7 June 2006, the MOD produced an update on ISF progress.<sup>982</sup> On the Iraqi Air Force, progress had been made in the adoption of new structures and procedures. However, operational tasks were limited to reconnaissance and air transport, and equipment procurement had proved a challenge.

Initial recruits to the Iraqi Air Force were people who had served in the Air Force prior to the invasion.<sup>983</sup>

The main objectives of the Iraqi Air Force were:

- to organise, train and equip air operations;
- to conduct day/night/all-weather counter-insurgency operations; and
- to provide homeland capabilities to the Government of Iraq.

The Iraqi Air Force operated out of four bases:

- Al Muthanna Air Base which operated the Air Force’s fixed wing capability;
- Taji Air Base which housed an interim Air Force Academy as well as most of the rotary wing assets; and
- Basra and Kirkuk Air Bases which focused on intelligence, surveillance and reconnaissance capabilities.

The Iraqi Air Force transferred to Iraqi control in September 2006, under the command and control of the Joint Headquarters.<sup>984</sup>

<sup>979</sup> Report, 6 September 2007, ‘Independent Commission on the Security Forces in Iraq’.

<sup>980</sup> [Minute ACDS\(Ops\) to Rycroft, June 2004, ‘How Best to Progress the Iraqiisation of the Security Sector’.](#)

<sup>981</sup> Letter Naworynsky to Quarrey, 21 July 2005, ‘Update on Progress of Iraqi Security Forces’.

<sup>982</sup> [Minute DJC/Iraq to Cabinet Office \[junior official\], 7 June 2006, ‘Iraq: Strategy Group Workstrands’ attaching Paper, ‘Update on Progress of the Iraqi Security Forces \(ISF\)’.](#)

<sup>983</sup> Report, 6 September 2007, ‘Independent Commission on the Security Forces in Iraq’.

<sup>984</sup> [JIC Assessment, 17 January 2007, ‘Iraqi Security Forces: Prospects in 2007’.](#)

On 21 November, the Chiefs of Staff were briefed that the Iraqi Air Force would not be capable of external air defence until 2013.<sup>985</sup> Although funding was not an issue there were difficulties with poor quality personnel, anti-corruption mechanisms and bureaucracy in the IMOD. To increase the rate of development, the US was planning to double its CAFTT team to 232 personnel. The UK was contributing one Group Captain to the CAFTT and had provided some places on courses in the UK. An earlier request from MNSTC-I for the UK to provide flying instructors had been turned down as a result of airworthiness and safety concerns. The paper recommended increasing UK support to CAFTT and providing an RAF officer to the Iraqi JHQ.

**1066.** On 9 June, the JIC assessed:

“The new government will take time to agree critical strategic security policy. Even if the Ministers of Defence and Interior prove capable and non-partisan, robust administrative capacity in these Ministries will take time to build. We judge there is likely to be only limited progress during the rest of this year in the face of a virulent insurgency and continuing sectarian violence. The need to absorb Shia militias will add to the challenges and could exacerbate sectarian tensions; but a failure to do so would undermine the authority of the government.”<sup>986</sup>

### An Iraqi security strategy

**1067.** Mr Browne visited Iraq from 18 to 22 June (as described earlier in this Section).<sup>987</sup> His Assistant Private Secretary recorded that “the main players from a security perspective (Maliki, Boulani (MOI) and Qader (MOD)) all seem determined to tackle problems previously skirted: corruption, militias, sectarianism”.

**1068.** On 25 June, *BBC News* reported that Prime Minister Maliki had announced his plan for national reconciliation.<sup>988</sup> Some of the points dealing with SSR were:

- preventing human rights violations, reforming prisons and punishing those responsible for acts of torture;
- measures to strengthen Iraq’s armed forces so they would be ready to take over responsibility for national security from the MNF;
- review of the armed forces to ensure they were being run on “professional and patriotic” principles;
- ensuring the political neutrality of Iraq’s armed forces and tackling Iraq’s militia groups; and
- review of the de-Ba’athification Committee to ensure it respected the law.

<sup>985</sup> Minute ACDS(Ops) to COS, 21 November 2006, ‘Update on UK Engagement with Iraqi Air Force (IzAF)’.

<sup>986</sup> [JIC Assessment, 9 June 2006, ‘The Iraqi Security Forces: Fit for Duty?’](#).

<sup>987</sup> Minute APS/SoS [MOD] to DCDS(C), 28 June 2006, ‘Secretary of State’s Visit to Iraq – 18-22 June 2006’.

<sup>988</sup> *BBC News*, 25 June 2006, *Main points of Iraq’s peace plan*.

**1069.** On 17 July, Lt Gen Fry reported that MNSTC-I had made recommendations for changes to the ISF structures following concerns expressed by Prime Minister Maliki about the ISF's ability to tackle the current security situation.<sup>989</sup> Mr Maliki was reported to have:

“... little confidence in the police and [he] thinks that the army should be greatly expanded. The view from MNF-I and MNSTC-I is that the currently planned ISF force structure is about the right size and properly balanced between the [Iraqi] MOD and the MOI.”

**1070.** The main changes proposed were:

- The Iraqi Army should have a second Divisional HQ in Baghdad; one additional brigade in each of Diyala and Anbar; two additional battalions for 10th Division in Basra; an additional Special Operational battalion in Baghdad plus 400 armoured vehicles and a mobile armoured strike force.
- The National Police should have a “near-term reconstitution, to restore standards of training, discipline and leadership, and a two-year plan to reorganise and retrain them so that they evolve into a Carabinieri/gendarmerie force”.
- To bring together existing units into a rapid response national counter-terror force overseen by the IMOD and a national strike force comprising a mechanised brigade, a Special Forces commando battalion and a National Police brigade.

**1071.** Lt Gen Fry reported that the key theme of the recommendations was “a better not bigger ISF, within budget” and that “we are close to an agreed ISF size and shape, revised in the light of experience to address the developing operational challenges”.

**1072.** On 20 July, Mr Patey sent a valedictory prior to leaving Iraq.<sup>990</sup> He wrote:

“Maliki knows he must reduce and eventually eliminate the power of the militias but does not feel he has sufficient forces at his disposal or cover within his political circles to do so whilst terrorism and the insurgency show no signs of abating. We are in a Catch 22; those insurgents who might consider joining the political process are unlikely to do so until the militias have been disbanded or disarmed. As long as AQ-I and other groups are bombing Shia markets and mosques the militias will continue to pose as a better security option than the ISF and to assuage the desire for revenge ...

“But the position is not hopeless ... Our strategy must be to get the Iraqis to increasingly take the lead and responsibility. This will produce some uncomfortable

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<sup>989</sup> Minute Fry to PSO/CDS, 17 July 2006, ‘Development of the Iraqi Security Forces’.

<sup>990</sup> [eGram 31514/06 Baghdad to FCO London, 20 July 2006, ‘Iraq: Valedictory’](#). This is the corrected version of his valedictory; the original was 31444/06.

moments but in the long run is the only solution. Considerable progress has been made in building up Iraqi military capability and further significant milestones will be achieved by the end of the year. It should be possible to ensure that the Iraqi Government has a near monopoly of force by the time the coalition withdraws the bulk of our forces. Our ability to help them transform the National Police into a capable non sectarian force will be dependent on tackling the issue of militias. This in turn will be the key to bringing local police forces up to snuff although the civil institutions they report to will require considerably more work.”

**1073.** On 27 July, the Iraq Strategy Group discussed whether there was “any better alternative to the current MNF-I strategy for building up the ISF and progressively transferring security to the Iraqis”.<sup>991</sup> It agreed with the MNSTC-I view that they “should not give up on the Iraqi Police, notwithstanding the obvious problems”; that MOI reform remained a critical and urgent task; and that the Iraqi Army’s ranks should be overfilled to bring them closer to 100 percent effective strength.

### DEALING WITH THE MILITIAS

**1074.** Gen Jackson visited Iraq from 15 to 18 May 2006.<sup>992</sup> On the various unofficial and semi-official armed groups, he said:

“Although not wholly in the purview of SSR, these armed groupings must either be disbanded or integrated into the national security structure. The militias pose by far the hardest challenge and before there is any chance of DDR or integration into the ISF, formal political engagement with the associated political leaders of these groups is required: a priority task for the new government.”

**1075.** When they met on 22 May, Mr Blair asked Prime Minister Maliki how the issue of militias could be best addressed.<sup>993</sup> Mr Maliki “favoured extensive dialogue, including with extremists, so long as they had not shed Iraqi blood”; terrorists should “be dealt with forcefully”. There was “a consensus on militias, which all parties had now agreed to disband” but it would be necessary to find alternative employment for current militia members.

**1076.** Mr Maliki also said that he recognised the importance of the Ministries of Interior and Defence being seen to be independent and non-sectarian. He hoped to have soon appointed independent Ministers “without militia links”.

**1077.** During a wider discussion on ISF at DOP(I) on 6 July, the following point was raised:

“While the numbers of ISF looked good on paper, anecdotal reports suggested that absenteeism and desertion brought those numbers down considerably. The Prime

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<sup>991</sup> Minute Blake to Sheinwald, 27 July 2006, ‘Iraq Strategy Group, 27 July’.

<sup>992</sup> Minute CGS to CDS, 22 May 2006, ‘CGS Visit to Iraq: 15-18 May 06’.

<sup>993</sup> Minute PS/PM to PS/FS, 22 May 2006, ‘Iraq: Prime Minister’s Meeting with Nouri al-Maliki’.

Minister had some sympathy with the view of Maliki and the US that we should consider increasing the size of the Iraqi Army. The countervailing argument was that it was the ability to use troops available effectively that was the real constraint on the ISF's effectiveness. In either case, there was a political argument for absorbing some of the militia forces into the ISF. The US was exploring the options but the potential costs had yet to be established."<sup>994</sup>

**1078.** No.10 wrote to the MOD on 10 July to report that Mr Blair was “very concerned at the recent attack statistics” from Iraq, particularly the “widely reported sectarian killings” in Baghdad.<sup>995</sup> Mr Blair judged that “overcoming the evident lack of engagement against the militias by the Iraqi Government and security forces is a major strategic task”. As well as continuing to press the Iraqi Government to take action, it was important for the UK to “have a clearer view of what action is required, to complement and make up for the shortcomings of the current Baghdad and Basra security plans”. In addition, he was concerned that the evidence demonstrated that the ISF were not as capable as had previously been assessed. No.10 asked for advice on addressing both of those issues.

**1079.** Mr Browne's Private Secretary replied to No.10 suggesting that the UK should press Prime Minister Maliki to:

- “re-emphasise publicly the theme of national unity”;
- conduct a vigorous internal reform of the MOI;
- agree a four-step “militia engagement plan” comprising political engagement of figures with militia links, public engagement to establish popular support, military engagement to neutralise militia presence on the streets and a DDR process to absorb ex-militia members”;
- overhaul the Baghdad Security Plan; and
- work with Muqtada al-Sadr to make him choose between politics and “populist adventurism”.<sup>996</sup>

**1080.** On 16 July, Lt Gen Fry reported continuing concerns that in the MOI “the insidious effects of political and militia affiliations are beginning to compromise any claim it might have for institutional integrity”.<sup>997</sup>

**1081.** Lt Gen Fry thought that Mr Boulani would need help to address those issues and reported that Gen Casey had commissioned the development of an internal reform programme for the Ministry.

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<sup>994</sup> Minutes, 6 July 2006, DOP(I) meeting.

<sup>995</sup> Letter Banner to McNeil, 10 July 2006, ‘Iraq: Security’.

<sup>996</sup> Letter McNeil to Banner, 11 July 2006, ‘Iraq: Security’ attaching Paper, [undated], ‘Summary – Update on Progress of the Iraqi Security Forces (ISF)’.

<sup>997</sup> Minute Fry to PSO/CDS, 16 July 2006, ‘SBMR-I Weekly Report (218): 16 July 2006’.

**1082.** On 23 August, a JIC Assessment of the militias stated:

“Violence in Iraq is part of a vicious circle: deteriorating security has led to a proliferation of militias, in turn fuelling further violence. Prime Minister Maliki is [...] unable to confront the militias, fearing a violent backlash that would threaten the break-up of the Shia political coalition (the UIA). Without significant progress on the National Reconciliation Plan and a sustained improvement in the security situation there will continue to be little appetite for the MNF plan for the Disarmament, Demobilisation and Reintegration of the Iraqi militias.

“Many militias are sectarian based and competing with the Iraqi state’s security forces to provide security and protection for their own communities. They are undermining government authority. Some elements are engaged in violent attacks against their political and sectarian opponents and coalition forces. In some cases, the distinction between the armed gangs and the Iraqi Security Forces (ISF) is blurred.”<sup>998</sup>

### Who were the militias?

Table 6: The main militias recognised in Iraq in 2006

Name	Associated political party	Size
Patriotic Union of Kurdistan*	Patriotic Union of Kurdistan	80,000 to 90,000
Kurdistan Democratic Party*	Kurdistan Democratic Party	
Badr*	SCIRI then later ISCI <sup>999</sup>	10,000 to 13,000
Jaysh al-Mahdi	Office of the Martyr Sadr	10,000
Iraqi Islamic Party*	Iraqi Islamic Party	1,900
Iraqi Hizballah*		1,000
Jaysh al-Dawa*	Dawa	1,000
Army of the Guardians		500
Thar Allah		200

\* Denotes a militia recognised in CPA Order No.91 as having accepted the terms and timetable for reintegration, the process of which was expected to be completed by September 2005.<sup>1000</sup>

<sup>998</sup> JIC Assessment, 23 August 2006, ‘Iraq: The Problem With Militias’.

<sup>999</sup> Supreme Council for Islamic Revolution in Iraq, then Islamic Supreme Council in Iraq.

<sup>1000</sup> Telegram 290 Iraq Rep to FCO, 7 June 2004, ‘Iraq: Militias Order’.

**1083.** A US Report to Congress on 30 November stated that, in early October, Prime Minister Maliki had said that political parties should eliminate their militias or leave the government.<sup>1001</sup> It added:

“However, personnel with sectarian agendas remain within key ministries, especially the Ministry of Interior. In addition, rivalries for the control of key resources and the central government’s limited influence outside Baghdad undermine the Government of Iraq’s ability to disband the militias ...

“Despite these legal and political prohibitions, militias and other small armed groups operate openly, often with popular support, but outside formal public security structures. These militias provide an element of protection for the populace, generally on a sectarian or political basis. This is especially true in areas where there is a perception that the Government of Iraq is unwilling or unable to provide effective security for the population. Some militias also act as the security arm of an organisation devoted to social relief and welfare, lending these armed groups further legitimacy. Their continued existence challenges the legitimacy of the constitutional government and provides a conduit for foreign interference. Controlling and eventually eliminating militias is essential to meeting Iraq’s near- and long-term security requirements.”

### Transition to Iraqi control of security begins

**1084.** On 1 September, an eGram from the British Embassy Baghdad reported an “important step psychologically” for the Iraqi military: the Iraqi Ground Forces Command and IMOD would commence “a staggered handover” of command and control functions from MNF-I on 3 September.<sup>1002</sup> It would begin with the 8th Division and other divisions would follow at a rate of one every two weeks until the end of the year. The transfer of 10th Division was planned for January 2007 and the final transfer, of the Ramadi Division, was planned for April. MNF-I forces were expected to retain responsibility for logistical support and development.

**1085.** The British Embassy Baghdad reported that “while the assumption of responsibility looks gradual and sensibly phased, in reality the pace will be demanding to both MNF-I and the IGFC [Iraqi Ground Forces Command]”. As “life support and logistics capabilities” were “developing at their own, much slower, pace”, it predicted that “IA Divisions will remain dependent on MNF-I for some time to come”.

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<sup>1001</sup> Report to Congress, 30 November 2006, *Measuring Stability and Security in Iraq*.

<sup>1002</sup> eGram 38264/06 Baghdad to FCO, 1 September 2006, ‘Iraq: Iraqis to Take Over Command and Control of its First Army Division’.

### Ethno-sectarian diversity in the Iraqi Ministry of Defence

In its Reports to Congress, the US DoD monitored ethno-sectarian diversity in the IMOD.<sup>1003</sup> On 26 May 2006, it stated that the leadership of the IMOD, selected with MNSTC-I co-ordination, was majority Sunni.

On 29 August, Sunnis and Kurds were over-represented, in relation to the population, at higher command levels, though Shia commanders held the majority of command positions.<sup>1004</sup> That was reported to reflect the requirement for military experience, which Sunnis had obtained in the Iraqi Army before the invasion and Kurds had obtained through years of experience in the Peshmerga.

The composition of Iraqi Army divisions could be divided into two groups. The nationally recruited divisions (those with an odd number) were roughly representative of the country.<sup>1005</sup> The even numbered divisions, which had been recruited locally, initially as ICDC personnel then ING, were more homogenous.

Describing the composition of Iraqi Army divisions, the JIC recorded that “of the 10 Army divisions, three are heavily Shia (over 90 percent), a further three are Shia-dominated, two are mostly Kurdish and one is relatively mixed, which is unsurprising given that five are based on National Guard divisions recruited locally in 2003. Among the top three senior Army officer grades, representation broadly reflects the national confessional breakdown: Sunnis 20 percent; Shia about 50-60 percent; the Kurds 20-30 percent.”<sup>1006</sup>

To increase diversity in the odd numbered divisions, the intent was for replacements from a national recruiting pool to join these units.<sup>1007</sup> Further army recruitment was done at the national level with IMOD policy strictly prohibiting unit commanders from hiring their own personnel and clearly requiring enlisted and commissioned personnel to attend national training schools to receive certification of their rank and duty speciality.<sup>1008</sup>

**1086.** On 3 November, the British Embassy Baghdad reported that a video conference between President Bush and Prime Minister Maliki had resulted in agreement to accelerate the pace of training the ISF, their assuming command and control and the transfer of security responsibility to the Iraqi Government.<sup>1009</sup>

**1087.** A High Level Working Group with three sub-committees was established to report on whether and how acceleration could take place in each area. The Working Group consisted of Gen Casey and Ambassador Khalilzad, along with the Iraqi National Security Adviser, Minister of the Interior and Minister of Defence.

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<sup>1003</sup> Report to Congress, 26 May 2006, *Measuring Stability and Security in Iraq*.

<sup>1004</sup> Report to Congress, 29 August 2006, *Measuring Stability and Security in Iraq*.

<sup>1005</sup> Report to Congress, 26 May 2006, *Measuring Stability and Security in Iraq*.

<sup>1006</sup> [JIC Assessment, 9 June 2006, 'The Iraqi Security Forces: Fit For Duty?'](#).

<sup>1007</sup> Report to Congress, 29 August 2006, *Measuring Stability and Security in Iraq*.

<sup>1008</sup> Report to Congress, 17 February 2006, *Measuring Stability and Security in Iraq*.

<sup>1009</sup> eGram 48788/06 Baghdad to FCO London, 3 November 2006, 'Accelerating Security Transition'.

**1088.** The Embassy reported that “Maliki is frustrated at what he feels is his lack of control over Iraqi security” but also that Gen Casey feared that “forcing the pace risks putting too much pressure on immature Iraqi systems and capabilities”.

### **Iraqi Security Force assessments in late 2006**

**1089.** Lt Gen Fry submitted his End of Tour Report on 28 August.<sup>1010</sup> He wrote:

“The key indices of the development of the Iraqi Security Forces (ISF) are regularly reported and show steady progress. There are some structural problems which, in the IA, will require an additional 52,000 soldiers to be trained, and in the IPS, will require the process of internal reform to be seen through. But these are regarded as running repairs to structures which are fundamentally sound in design and institutionally well-conceived. Given this positive background, the successive IA battalions which have disintegrated when placed under orders or actually deployed to operations outside their divisional area is disappointing. Disappointing, but probably not surprising. The month on month increase of numbers trained conceals organisations which remain very immature ... Seen from MNSTC-I, this is entirely predictable at the 18 month point of a three year process and [Lieutenant General] Dempsey [Commander MNSTC-I] would assert that the ISF project is on track, so long as too much is not asked of it too soon ...”

**1090.** Lt Gen Fry thought that the ISF would be tested over the next month. If they were successful he judged:

“... the campaign will have negotiated a tricky period ... But the stakes are high and failure would have implications for campaign progress, the place of the ISF in Iraqi society and the authority of the Maliki government. It is difficult to predict the outcome ...”

**1091.** On 15 November, the JIC assessed:

“MNF operations under the Baghdad security plan have had only temporary and local impacts: violence has been displaced and has increased overall. The ISF have been unable to sustain any improvements. Operations have exposed the patchy nature of Iraqi Army capability and the ineffectiveness of the Iraqi police. Prime Minister Maliki is attempting to address some of the problems: diplomatic reporting indicates he has ordered a purge of officers within the security Ministries involved in sectarian violence. The MOI claims that 3,000 police have been relieved of duty – although most are likely to be re-deployed elsewhere.”<sup>1011</sup>

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<sup>1010</sup> [Minute Fry to PSO/CDS, 28 August 2006, ‘SBMR-I End of Tour Report’.](#)

<sup>1011</sup> [JIC Assessment, 15 November 2006, ‘Iraq: Risk of Deepening Sectarian Division’.](#)

**1092.** A further JIC Assessment on 24 November stated:

“The UIA [United Iraqi Alliance] recognises the need to build ISF capabilities, but ISF credibility as impartial, national forces is being damaged by the main Shia factions entrenching their influence – and in some cases control – over state security structures. [...] SCIRI’s Badr Organisation is the most organised, placing its members in important positions within the Ministries [...]. The Jaysh al Mahdi (JAM), largely under the control of Sadr, has been less systematic, but controls the police in many Shia areas through infiltration and intimidation. The relative influence of SCIRI/ Badr and JAM in the ISF varies across the Shia areas of central and southern Iraq; their rivalry has led to serious violence in places, most recently in al-Amara.

“Shia militias provide protection and leverage to Shia political parties. In a climate of poor security and political uncertainty, we see no prospect that SCIRI/Badr, Sadr/ JAM and others will willingly give up their power. Maliki has made some attempts to get rid of sectarian elements within the ISF [...]. He says he is pursuing a strategy with the Sadrists to bind them more tightly into the political process while gathering the necessary political backing to take tough action against renegade JAM elements. [...] By aligning himself with the Sadrists, Maliki risks alienating SCIRI/Badr.”<sup>1012</sup>

### **Enabling the police to tackle crime**

A Report to Congress on 30 November 2006 stated that the MOI’s emphasis on tactical skills meant that little resource was left for training for or conducting criminal investigations.<sup>1013</sup> As a result, corruption and smuggling were becoming more organised and entrenched. The CPATT was seeking to address that by strengthening the Iraqi Major Crimes Task Force and the Major Crimes Unit. In addition, there were discussions between the MOI and MNSTC-I about improving Iraq’s forensic investigative capabilities by adding several thousand forensic specialists to the police forces.

In November 2006, the British Embassy Baghdad produced a ‘Police Forward Look’ that suggested the UK’s aim was to move its “assistance increasingly to higher-level mentoring and support”.<sup>1014</sup> It identified seven work strands in Baghdad, a number of which were expected to transfer to an Iraqi lead during 2007:

- TIPS – CPATT was likely to move the hotline to the MOI “in the next few months”. Without a significant increase in resources, the UK contribution (ArmorGroup) was judged to be unsustainable and it was recommended that it be drawn down by March 2007 “at the latest”. Despite being “the UK’s biggest success story”, it “was not part of our original remit”. TIPS is described earlier in this Section in the Box, ‘TIPS hotline’.
- Forensics – the Baghdad laboratory and training academy were open with “significant” support from UK police officers and ArmorGroup. They aimed to be completely Iraqi-led by the end of 2007; the Basra equivalent was “now the priority”.

<sup>1012</sup> [JIC Assessment, 24 November 2006, ‘Iraq: What do the Shia want?’](#).

<sup>1013</sup> Report to Congress, 30 November 2006, *Measuring Stability and Security in Iraq*.

<sup>1014</sup> [Paper BE Baghdad, November 2006, ‘Police Forward Look’](#).

- Intelligence – the NIIA should be “running successfully” by early 2009. It was currently “still in its infancy and was heavily dependent on British assistance”. One UK police officer oversaw the entire programme.
- Capacity-building at the MOI – the UK would continue to provide Rule of Law and policing advice at a strategic level to the MOI through one or more high-level advisors.
- CPATT slots – to continue “for as long as is required”. British officers held two positions in CPATT and a further two were desired over the next year.
- Hostage affairs – one officer whose role was to provide links into the Hostage Working Group and other US and MNF-I hostage recovery groups. It was a post that the UK could not “manage without” and any departing officer should be replaced “as rapidly as possible with another police officer from the UK with the relevant skill set”. The role was described as “not a heavily loaded slot until hostage issues arise (as at present),<sup>1015</sup> when it involves long hours and a heavy workload”.
- Chief Police Adviser – recommended that that role be returned to Baghdad following the transition to Provincial Iraqi Control in Basra “to oversee what should be a smaller and more strategic policing team”. His role could double up with a senior role in CPATT.

## Developing the Ministry of Interior and Iraqi Ministry of Defence

**1093.** Lt Gen Houghton described the focus on IMOD development (compared with the focus on the Ministry of Oil) in his 8 January 2006 weekly report to Gen Walker:

“A coalition engagement plan that has 103 advisers in the MOD yet only six in the Ministry of Oil is not properly balanced.”<sup>1016</sup>

**1094.** Mr Straw asked FCO officials for advice on Lt Gen Houghton’s comments on the imbalance between coalition support for the Ministries of Defence and Oil.<sup>1017</sup>

**1095.** Mr Asquith replied to Mr Straw on 18 January.<sup>1018</sup> He advised that the IMOD had indeed received a “disproportionately” larger number of advisers than other ministries, for three reasons:

- unlike other ministries, the IMOD had been torn apart by the coalition and needed rebuilding from scratch;
- the importance of security issues; and
- its location in the Green Zone, which meant that advisers could work there relatively uninterrupted.

<sup>1015</sup> This may be a reference to the kidnapping of up to 150 employees and visitors of an Education Ministry building in Baghdad.

<sup>1016</sup> Minute Houghton to CDS, 8 January 2006, ‘SBMR-I Weekly Report (194) 08 January 06’.

<sup>1017</sup> Minute Asquith to Foreign Secretary, 18 January 2006, ‘Iraq: Capacity-building in Ministries’.

<sup>1018</sup> Minute Asquith to Foreign Secretary, 18 January 2006, ‘Iraq: Capacity-building in Ministries’.

**1096.** A Cabinet Office paper on 13 June reported that the UK contribution to the Ministerial Transition Teams was:

- MOI: five international consultants (working in rotation) and two military officers. The focus was on management and administrative capacity-building, including strategic planning, improving administrative controls and accountability, clarifying the legal and constitutional framework and human resource management.
- IMOD: seven full-time advisers (MOD), including the Team Leader/Senior Advisor who was responsible for directly advising the Minister. The team focused on establishing a functional Secretariat, strengthening contracting procedures and developing the Inspector General Group.<sup>1019</sup>

**1097.** A Report to Congress on 30 November stated that the MOI “was currently assessed as being partly effective overall”.<sup>1020</sup> The MOI Transition Team had “just over 100 advisers”:

- Seven were from the US State Department.
- Three were from the US Department of Justice.
- 45 were from the US military.
- “just over a third” were contractors (Military Professional Resources Inc).
- The rest were non-US military and civilian personnel.

**1098.** The IMOD Transition Team contained “just under 50 advisers”:

- The majority were contractors (Military Professional Resources Inc).
- Six were US military personnel.
- 12 were civilian advisers.

**1099.** A “similarly scaled effort” was provided at Joint Headquarters, with US military personnel making up roughly half and the rest split between US contractors and personnel from coalition countries.

**1100.** On 17 January 2007, the JIC repeated its concerns about the IMOD and the MOI but did note some small signs of improvement in the Ministries, stating:

“The Ministerial Committee for National Security – chaired by [Prime Minister] Maliki – is taking on more strategic planning. The MOD has benefited from MNF engagement, performing better than the MOI. We judge that both ministries are better able to direct their forces, albeit inconsistently. Some efforts have been made to correct deep-seated problems. But the lack of united national political direction is reflected in Iraq’s security machinery which remains largely un-coordinated and, we

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<sup>1019</sup> [Paper Cabinet Office, 13 June 2006, ‘Follow-up to the Prime Minister’s visit, including Delivering a Step-Change in Basra’ attaching Annex B ‘Capacity-building Assistance \(Excluding Direct Support from UK Missions in Iraq\)’.](#)

<sup>1020</sup> Report to Congress, 30 November 2006, *Measuring Stability and Security in Iraq*.

judge, only partially effective: undermined by personal and party rivalries, endemic corruption and the absence of a capable bureaucracy. This is unlikely to change significantly in the foreseeable future. [...]

“Both the MOI and MOD still face significant difficulties in effectively administering their rapidly expanding forces ... Corruption and sectarianism still permeate the MOI.”<sup>1021</sup>

**1101.** Reports to Congress between November 2006 and March 2007 highlighted the work being undertaken to tackle corruption in the MOI:

- Internal Affairs: By the end of September 2006, 650 out of a total of around 1,000 MOI Internal Affairs officers had received specialised training. Training for all personnel was expected to be completed by March 2007.<sup>1022</sup>
- “Quicklook”: A coalition-initiated, MOI-led police reform programme called “Quicklook” was launched in December 2006.<sup>1023</sup> It aimed to review all aspects of the performance and effectiveness of Iraqi police stations, beginning in Baghdad. It comprised visits by representatives from Police Affairs, Internal Affairs, Human Resources, Training and Administrative Directorates and was complemented by the PTTs.
- Dismissals: By August 2006, over 230,000 MOI employees had been screened by the Iraqi Police Screening Service, against Ba’ath Party records and Saddam Hussein-era criminal records.<sup>1024</sup> Possible positive hits numbered 5,300, leading to the dismissal of 74 personnel. By March 2007, there had been 1,228 dismissals with a further 2,143 dismissals pending.<sup>1025</sup> The screening process was severely hampered by its inability to check for militia links; to counter that, IPS recruits were required to take an oath of office denouncing militia influence and pledging allegiance to Iraq’s Constitution.<sup>1026</sup>

### The National Police

The DoD reported to Congress on 26 May 2006 that the Iraqi National Police had been created on 1 April 2006.<sup>1027</sup> The Minister of Interior signed an order to reorganise and merge the Police Commandos, the Public Order and Mechanised Police and the Emergency Response Unit to form a single force under a single headquarters.

An eGram from Mr Asquith on 7 December explained that the intention behind the National Police was to create a mixed ethno-sectarian force, filling the gap between the “provincial” IPS and the Iraqi Army in dealing with serious civil disorder and internal

<sup>1021</sup> JIC Assessment, 17 January 2007, ‘Iraqi Security Forces: Prospects in 2007’.

<sup>1022</sup> Report to Congress, 30 November 2006, *Measuring Stability and Security in Iraq*.

<sup>1023</sup> Report to Congress, 2 March 2007, *Measuring Stability and Security in Iraq*.

<sup>1024</sup> Report to Congress, 29 August 2006, *Measuring Stability and Security in Iraq*.

<sup>1025</sup> Report to Congress, 2 March 2007, *Measuring Stability and Security in Iraq*.

<sup>1026</sup> Report to Congress, 30 November 2006, *Measuring Stability and Security in Iraq*.

<sup>1027</sup> Report to Congress, 26 May 2006, *Measuring Stability and Security in Iraq*.

emergencies.<sup>1028</sup> The planned number of officers was 25,000 but it was currently staffed to “around 19,000”. Almost all National Police personnel were deployed in Baghdad.

Mr Asquith reported that the National Police’s first major deployment in June had been “disappointing” and the second “somewhat better” but capability concerns remained. In response, MNF-I and the MOI had initiated a comprehensive retraining and leadership programme, resulting in a reshuffle that attracted local and international press coverage. It was now in the second phase of retraining which was scheduled to run until September 2007. Officers would be retrained in police (as opposed to military) skills and “not released for duties until they are able to meet the required standard”.

The MNF-I hoped that the retraining would also make “the NP [National Police] less susceptible to the influence and infiltration of the militias” but Mr Asquith noted: “Indeed, as so often with the ISF as a whole, leadership will be the key.”

While the National Police’s future role was undecided, the aim was to turn it into a “more aggressive, responsive, paramilitary-style force over the next five years”, similar to the Italian Carabinieri (National Military Police). Plans for regionalising the force were dependent on the security situation in Baghdad, where the National Police would be crucial in maintaining public order once the US drawdown began.

A JIC Assessment issued on 9 June 2006 reported:

“The more capable National Police, largely confined to the Baghdad region, have provided effective support to MNF counter-insurgency operations. But we judge that there are serious problems of corruption, criminality, and divided loyalties; elements have taken part in sectarian attacks and are prone to Shia militia influence.”<sup>1029</sup>

A Report to Congress on 30 November 2006 stated that while the National Police had “proven useful in fighting the insurgency”, frequent allegations of abuse and other illegal activities affected their credibility.<sup>1030</sup> A report in June 2007 stated that a four-phase transformation programme began in October 2006 to reorient the National Police towards police (as opposed to paramilitary) functions:

- Phase I: “Quicklook” inspections to improve overall readiness.
- Phase II: Standardised collective training, including added emphasis on human rights, Rule of Law and police ethics. Extensive re-vetting of currently serving officers, including ID checks, fingerprints, biometrics, a literacy test, and criminal intelligence background checks. There was no specific screening for militia affiliation.
- Phase III: An Italian led training plan based on the tactics, techniques and procedures of the Carabinieri.
- Phase IV: Forward positioning to train on contingencies such as security for pilgrimages, natural disasters and national emergencies.<sup>1031</sup>

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<sup>1028</sup> eGram 54506/06 Baghdad to FCO, 7 December 2006, ‘Iraq: The National Police’.

<sup>1029</sup> [JIC Assessment, 9 June 2006, ‘The Iraqi Security Forces: Fit for Duty?’](#)

<sup>1030</sup> Report to Congress, 30 November 2006, *Measuring Stability and Security in Iraq*.

<sup>1031</sup> Report to Congress, 7 June 2007, *Measuring Stability and Security in Iraq*.

By September 2007, the National Police Commander had relieved commanders of both of the divisions, all nine brigades and 17 of 27 battalions.<sup>1032</sup> The Report to Congress stated that despite those changes, sectarianism remained a significant problem within the National Police.

## Reform of the Facilities Protection Service

**1102.** Facilities Protection Service (FPS) personnel were also implicated in violent crimes and other illegal activity.<sup>1033</sup> On 24 August 2006, Prime Minister Maliki announced that the majority of the FPS would be consolidated into a unified organisation accountable to the MOI.<sup>1034</sup> An early test case review of the Central Bank of Iraq's Protection Service suggested that 800 of the 1,800 employees on the payroll were either ghost employees or otherwise unfit for such employment.

**1103.** On 27 December, Prime Minister Maliki signed a consolidation directive that provided instructions to place all FPS personnel under the MOI, with the exception of the Ministry of Oil, the Ministry of Electricity and the Higher Juridical Council forces.<sup>1035</sup>

**1104.** Many Ministries resisted central control over their guard forces and continued to use the FPS as an employment opportunity for militia and sectarian interests.<sup>1036</sup>

**1105.** The draft Facility Protection Service Reform Act was still in limbo between the Council of Ministers and the Committee of Representatives at the point of UK military withdrawal more than two years later.<sup>1037</sup>

### Creation of the Iraqi national counter-terrorism capability

On 10 October 2006, Prime Minister Maliki approved the establishment of an Iraqi national counter-terrorism capability, comprising:

- The development of a National Counter-Terrorism Bureau separate from the ministries, to act as the principal adviser to the Prime Minister on counter-terrorism matters.
- The establishment of a separate major command equivalent to the Iraqi Ground Forces Command to provide support to the National Counter-Terrorism Bureau in intelligence and targeting areas.

<sup>1032</sup> Report to Congress, 14 September 2007, *Measuring Stability and Security in Iraq*.

<sup>1033</sup> Report to Congress, 29 August 2006, *Measuring Stability and Security in Iraq*.

<sup>1034</sup> Report to Congress, 30 November 2006, *Measuring Stability and Security in Iraq*.

<sup>1035</sup> Report to Congress, 2 March 2007, *Measuring Stability and Security in Iraq*.

<sup>1036</sup> Report to Congress, 7 June 2007, *Measuring Stability and Security in Iraq*.

<sup>1037</sup> Report to Congress, 23 July 2009, *Measuring Stability and Security in Iraq*.

- The expansion of the Iraqi Special Operations Forces that would be commanded by the new counter-terrorism command. That expansion would include an additional commando battalion with forward-based commando companies in Basra, Mosul and al-Asad.<sup>1038</sup>

## Iraq Forward Plan

**1106.** Following a discussion in the Iraq Strategy Group,<sup>1039</sup> a draft of a Forward Plan was sent to Mr Blair's Private Secretary by Mr Simon McDonald, FCO Director Iraq, on 24 November 2006.<sup>1040</sup> It was also sent in parallel to the FCO, the MOD and to SIS. The Forward Plan considered what more needed to be done to improve the chances of successful transition (there is more detail on the Forward Plan in Section 9.5).

**1107.** The Forward Plan assessed the key weaknesses of the ISF as:

- A lack of capacity and ineffective command and control arrangements, particularly at strategic and operational levels.
- Militia infiltration of the Iraqi Security Forces, in particular the Iraqi police force and other Ministry of Interior forces.
- The inability of Iraqi Ministry of Defence to apportion and release funding.
- Strategic and tactical level intelligence capabilities.
- Lack of Iraqi Security Forces logistic capacity and protected mobility.
- Lack of some heavier weapons such as machine guns.”

**1108.** To address those concerns over three, six and 12 months, at both the national and the MND(SE) level, the proposals included:

- providing subject matter experts to the security Ministries;
- encouraging the Iraqi Government to address issues such as sectarianism;
- reforming corrupt elements of the police;
- enhancing the UK commitment to monitoring and mentoring 10th Division; and
- providing niche equipment.

**1109.** Responding to Mr McDonald, Mr Blair's Private Secretary reported that he had described the Forward Plan as “an excellent piece of work”.<sup>1041</sup> The Private Secretary asked for it to be finalised and implemented.

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<sup>1038</sup> Report to Congress, 30 November 2006, *Measuring Stability and Security in Iraq*; Report to Congress, 2 March 2007, *Measuring Stability and Security in Iraq*.

<sup>1039</sup> Minute Cabinet Office [junior official] to Sheinwald, 27 November 2006, 'Iraq Strategy Group, 24 November'.

<sup>1040</sup> [Minute McDonald to Banner, 24 November 2006, 'Iraq Forward Plan' attaching Draft Paper, \[undated\], 'Iraq: Forward Plan'](#).

<sup>1041</sup> [Letter Banner to McDonald, 27 November 2006, 'Iraq: Forward Plan'](#).

**1110.** On 29 November, Vice Admiral Charles Style, Deputy Chief of the Defence Staff (Commitments), told the Chiefs of Staff that the Forward Plan had received Mr Blair's approval over the weekend.<sup>1042</sup>

**1111.** At DOP(I) on 7 December, Mr Browne reported that the security aspects of the Forward Plan were being implemented and that weaknesses in ISF capacity and in the Basra police were being addressed.<sup>1043</sup>

**1112.** The Inquiry has seen no other record of implementation against the Forward Plan's proposals.

### Iraqi Air Force progress

In September 2007, the US Independent Commission on the Security Forces in Iraq (led by General James L. Jones and described later in this Section) concluded:

"The Iraqi Air Force's relatively late establishment hampers its ability to provide much-needed air support to ground operations. It is well designed as the air component to the existing counterinsurgency effort, but not for the future needs of a fully capable air force. Though limited by the availability of properly skilled personnel, and by an inclination to value force size and acquisition over operational effectiveness, it is nonetheless progressing at a promising rate during this formative period."<sup>1044</sup>

In September 2007, the Iraqi Air Force numbered 1,100 personnel with 45 aircraft.<sup>1045</sup> There were plans to increase personnel to 3,000 and for the number of aircraft to increase to 80 by the end of 2007. Although the target of 3,000 personnel by the end of 2007 was not met (there were only 1,200), long-term ambitions grew and plans were developed to create an Iraqi Air Force of 12,000 personnel operating from 10 main bases and five secondary bases.

By 31 May 2010, there were 5,600 personnel with 106 aircraft.<sup>1046</sup> The US assessed that the "Minimum Essential Capability" required when US forces left in December 2011 was "to establish the capability to support COIN operations and put in place the building blocks necessary for the achievement of air sovereignty".<sup>1047</sup> The US assessed in August 2010 that the Iraqi Air Force was on track to meet this capability in all areas with the exception of airspace control and fixed wing airlift.<sup>1048</sup>

<sup>1042</sup> Minutes, 29 November 2006, Chiefs of Staff meeting.

<sup>1043</sup> Minutes, 7 December 2006, DOP(I) meeting.

<sup>1044</sup> Report, 6 September 2007, 'Independent Commission on the Security Forces in Iraq'.

<sup>1045</sup> Report to Congress, 14 December 2007, *Measuring Stability and Security in Iraq*.

<sup>1046</sup> Report to Congress, 20 August 2010, *Measuring Stability and Security in Iraq*.

<sup>1047</sup> Report to Congress, 29 April 2010, *Measuring Stability and Security in Iraq*.

<sup>1048</sup> Report to Congress, 20 August 2010, *Measuring Stability and Security in Iraq*.

## Focus on the Iraqi Army

**1113.** On 29 October 2006, Mr Blair wrote a minute to staff in No.10 entitled 'Iraq Plan'.<sup>1049</sup> On ISF development he suggested:

"Rectify any weaknesses in training, equipment, pay and capacity of the Iraqi Army. This should be built up as a major force which everyone knows is superior to any other force. If we need to embed more of our officers to help, we should do it. We need to make the Iraqi MOD effective in paying soldiers.

"A plan to pay off the worst aspects of the police, slim them down and change the command and control. All this is easier to do in the context of the growing Army power."

**1114.** In a Note to President Bush on 20 December, Mr Blair suggested three ways in which to support Prime Minister Maliki, the first of which was to:

"... increase the speed of Iraqi Army command and control; training and equipment. They are the one reasonably solid force structure the Iraqi Government has. All our effort must be directed to building its capability."<sup>1050</sup>

**1115.** On 6 January 2007, Prime Minister Maliki delivered what Mr Asquith described as a "robust" speech at Iraq's Army Day event.<sup>1051</sup> Mr Maliki called for armed forces that were without political bias, cohesive in the national interest and protected from political interference and militia. Mr Maliki said:

"We will not allow anybody to be an alternative to the state, whether the militias or anybody else, regardless of their affiliations ... We will confront them firmly."

**1116.** On 14 January 2007, Mr Blair met Mr Robert Gates, US Secretary of Defence.<sup>1052</sup> Mr Blair was recorded as stating that the Iraqis needed "at least one institution of power which worked and supported the government". His advice to the US was to place a high value on building up Iraqi military capability.

## Expansion of the Iraqi Security Forces

**1117.** On 10 January 2007, President Bush announced a change of strategy for Iraq, often referred to as "the Surge".<sup>1053</sup> This is explained in more detail in Section 9.5.

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<sup>1049</sup> Note Blair, 29 October 2006, 'Iraq Plan'.

<sup>1050</sup> [Note Blair to Bush, 20 December 2006, 'Note'](#).

<sup>1051</sup> eGram 534/07 Baghdad to FCO London, 7 January 2007, 'Iraq: Prime Minister al-Maliki, 7 January'.

<sup>1052</sup> Letter Sheinwald to Forber, 15 January 2007, 'Prime Minister's Meeting with US Defence Secretary, 14 January: Iraq and Afghanistan'.

<sup>1053</sup> The White House archive, 10 January 2007, *President's Address to the Nation*.

As well as increasing the number of US and Iraqi troops in Baghdad, President Bush announced a further focus on SSR:

“In keeping with the recommendations of the Iraq Study Group [described in Section 9.5], we will increase the embedding of American Advisors in Iraqi Army units, and partner a coalition brigade with every Iraqi Army division. We will help the Iraqis build a larger and better-equipped army, and we will accelerate the training of Iraqi forces, which remains the essential US security mission in Iraq.”

**1118.** On 17 January, the JIC produced an Assessment commissioned by the Iraq Senior Officials Group.<sup>1054</sup> It stated:

“The success of new US plans will depend in part on the willingness of the Iraqi Government to take on sectarian and political militias. Maliki will not take action which risks breaking the Shia United Iraqi Alliance (UIA) and bringing down his government. Only a small proportion of the ISF are currently both willing and able to take on the Shia militias. In Baghdad the ISF will need support from MNF combat units beyond 2007. Similar support will be required in the Sunni Arab heartlands if *de facto* control of large areas is not to pass to the insurgents.”

**1119.** The US view of what was necessary to stabilise the situation in Iraq was reflected in an assessment produced and published in January 2007 by the US National Intelligence Council.<sup>1055</sup> On the ISF it stated:

“Despite real improvements, the Iraqi Security Forces (ISF) – particularly the Iraqi police – will be hard pressed in the next 12-18 months to execute significantly increased security responsibilities, and particularly to operate independently against Shia militias with success. Sectarian divisions erode the dependability of many units, many are hampered by personnel and equipment shortfalls, and a number of Iraqi units have refused to serve outside of the areas where they were recruited.”

**1120.** It also judged that if a rapid drawdown of coalition forces were to occur, the ISF “would be unlikely to survive as a non-sectarian national institution”.

**1121.** Mr Blair met General David Petraeus, the new Commander MNF-I on 6 February.<sup>1056</sup> They discussed Iraq’s security institutions and agreed that there were still problems with funding, equipment and key enablers such as intelligence. They also discussed the loyalty of the ISF and agreed that it was vital that the Iraqi Government was able to impose its authority. Gen Petraeus agreed to lobby the Government on matters such as a replacement commander for 10th Division if a solution was not forthcoming. Mr Blair said that the UK would stay in Basra Palace and do more training and mentoring.

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<sup>1054</sup> [JIC Assessment, 17 January 2007, ‘Iraqi Security Forces: Prospects in 2007’.](#)

<sup>1055</sup> [US] National Intelligence Estimate, [approved] 29 January 2007, *Prospects for Iraq’s Stability: a Challenging Road Ahead (Key judgments)*.

<sup>1056</sup> Letter Banner to McNeil, 6 February 2007, ‘Prime Minister’s Meeting with David Petraeus’.

**1122.** The DoD reported to Congress on 2 March that over 40 Joint Security Stations in Baghdad would be established to “facilitate co-operation between coalition and Iraqi Forces and to build trust and confidence with the local population”.<sup>1057</sup>

**1123.** The Report to Congress stated that the generation of MNSTC-I-agreed force levels as mandated under the Petraeus Plan was considered complete. Both the IMOD and the MOI had assumed control of most force generation tasks.

**1124.** A letter from Mr Browne, circulated to DOP(I) members ahead of a meeting on 10 May, commented that “we must build on examples like Anbar, once considered all but lost, where tribal leaders are now working with the coalition to drive out Al Qaida”.<sup>1058</sup>

**1125.** Mr Browne said in discussion at the DOP(I) meeting that, in Anbar: “young Sunnis were queuing up to join the Iraqi Security Forces”.<sup>1059</sup>

### Machinery of Government under Mr Brown

Mr Gordon Brown took office as Prime Minister of the UK on 27 June 2007. In his initial Cabinet reshuffle, he appointed Mr David Miliband as Foreign Secretary and Mr Douglas Alexander as Development Secretary. Mr Des Browne remained as Defence Secretary until 3 October 2008.

Mr Brown reorganised the structure of Cabinet Committees. As well as discussions in Cabinet, Iraq business was formally addressed in the Overseas and Defence Sub-Committee of the Committee on National Security, International Relations and Defence (NSID(OD)). An additional sub-committee specifically on Iraq (NSID(IR)) was also established, but never met.

**1126.** In June, a proposal agreed by Prime Minister Maliki established an additional light infantry division, bringing the total planned force structure to 13<sup>1060</sup> divisions.<sup>1061</sup> That expansion was funded by the Iraqi Government, bringing the total IMOD expansion budget to US\$950m. The development of the 14th Division which was to be raised in Basra is described further in Box, ‘A new Iraqi Army division for Basra’, later in this Section.

**1127.** Commenting in his valedictory on 16 August 2007, Mr Asquith said:

“The surge has failed to create the space for politics to work because the military (tactical) successes (local security structures loyal to the MNF) conflict directly with the political objective (inclusive and integrated national Iraqi authority).”<sup>1062</sup>

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<sup>1057</sup> Report to Congress, 2 March 2007, *Measuring Stability and Security in Iraq*.

<sup>1058</sup> [Letter Browne to Blair, 5 May 2007, ‘Iraq: Reconciliation’](#).

<sup>1059</sup> Minutes, 10 May 2007, DOP(I) meeting.

<sup>1060</sup> The new division would be called the 14th Division, because the number 13 was not used.

<sup>1061</sup> Report to Congress, 14 September 2007, *Measuring Stability and Security in Iraq*.

<sup>1062</sup> [Letter Asquith to Miliband, 16 August 2007, ‘Iraq: Valedictory’](#).

**1128.** Mr Asquith told the Inquiry:

“Personally, I was sceptical that the surge would be effective and was unsure whether the real objective of agreeing the local cease-fires with some of the Sunni Arab areas’ tribal leaders was designed to minimise the casualties of US forces or was really designed to build them into the political process. My suspicions were that the first objective ... was probably a more important one in the minds of the military planners, and I was sceptical that they would be successful in persuading, particularly the Sunni Arab tribal leaders, to be loyal to a Shia-led government in Baghdad.

“I think in retrospect I was wrong and I think the surge did produce what General Petraeus was seeking to achieve by it, not just to create the sort of breathing space for some politics to work, but that it did, more sustainably than I assumed, quieten those areas which were extremely violent.”<sup>1063</sup>

### Iraqi border police progress

The DoD reported on 2 March 2007 that MNSTC-I had trained 28,400 Department of Border Enforcement (DBE) and Port of Entry (POE) personnel and that the DBE was supported by 28 Coalition Border Transition Teams.<sup>1064</sup>

Later in the year a joint DBE and MNSTC-I five-year plan was developed to bring the total number of constructed border forts and annexes to 723<sup>1065</sup> and to increase the personnel requirement to 46,000.<sup>1066</sup>

On 6 September, the Independent Commission on the Security Forces in Iraq reported to Congress its conclusion that:

“Iraq’s border security forces are generally ineffective and need more equipment, training, and infrastructure before they can play a significant role in securing Iraq’s borders. The Department of Border Enforcement suffers from poor support from the Ministry of Interior. Overall border security is undermined by the division of responsibilities between the Ministry of Interior and the Ministry of Transportation. Corruption and external infiltration of the border security forces are widespread, and the borders are porous.”<sup>1067</sup>

On 18 December 2008, the JIC assessed that the DBE “suffer from departmental underinvestment and corruption” and “are unable to protect Iraq’s borders”.<sup>1068</sup>

By August 2010, the DBE had 40,000 personnel and operated out of 657 forts and annexes.<sup>1069</sup> It was estimated that over 60,000 personnel would be required to staff the planned number of forts.

<sup>1063</sup> Public hearing, 4 December 2009, page 30.

<sup>1064</sup> Report to Congress, 2 March 2007, *Measuring Stability and Security in Iraq*.

<sup>1065</sup> Report, 6 September 2007, ‘Independent Commission on the Security Forces in Iraq’.

<sup>1066</sup> Report to Congress, 7 March 2008, *Measuring Stability and Security in Iraq*.

<sup>1067</sup> Report, 6 September 2007, ‘Independent Commission on the Security Forces in Iraq’.

<sup>1068</sup> [JIC Assessment, 18 December 2008, ‘Iraqi Security Forces: Mixed Abilities’](#).

<sup>1069</sup> Report to Congress, 20 August 2010, *Measuring Stability and Security in Iraq*.

## The justice sector

**1129.** The minutes of DOP(I) on 30 March 2006 recorded that in discussion it was stated:

“Work was needed to identify what was required to build Iraqi judicial capacity ... Building up the Iraqi judicial system would take significant commitment and resources. Was it currently assigned a high enough priority in HMG’s [Her Majesty’s Government’s] long term plans?”<sup>1070</sup>

**1130.** On 23 May, a junior official in IPU emailed the British Embassy Baghdad to ask if there were any “gaps” that could be addressed in the justice sector through the 2007/08 GCPP bid.<sup>1071</sup> The official wrote that the FCO, the MOD and DFID agreed it could become “the weak link in the Rule of Law chain” and undermine the SSR effort.

**1131.** A junior official in Baghdad replied on 25 May, agreeing that “the justice sector has been and continues to be ‘the missing link’”.<sup>1072</sup> He wrote that the US was “looking to spending hundreds of millions of dollars in the justice sector”, covering judicial personal security, courthouse security and administration, expanding Central Criminal Court of Iraq capacity and forensic training for judges. The EU JustLex programme (see Box, ‘EU integrated police and Rule of Law mission for Iraq’, earlier in this Section) had been extended recently and the EU Commission had €40m for “Governance” programmes.

**1132.** Looking at what the UK could provide, the official wrote that a Rule of Law Sectoral Working Group, chaired by the Chief Justice, had produced a “unified” strategy. The Chief Justice had advised that the Iraqi system did not want:

- more “short training courses in generic human rights issues in foreign locations” – those took judges “away from their day jobs” for too long and further training for existing judges should be considered;
- “more Western advisers” – due to language and access barriers; or
- more “soft” assistance – the UK had “published at great expense a number of pamphlets, CDs, training packages and other materials. Often these have not been used effectively, if ... at all”.

**1133.** The official added:

“In essence, the Iraqis don’t want to be told what they should do, or what their rights are: they want concrete assistance to help them do what they know they should do, or help make those paper rights a reality.”

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<sup>1070</sup> Minutes, 30 March 2006, DOP(I) meeting.

<sup>1071</sup> Email IPU [junior official] to FCO [junior official], 23 May 2006, ‘Rule of Law – The Justice Sector’.

<sup>1072</sup> Email FCO [junior official] to IPU [junior official], 25 May 2006, ‘Rule of Law – The Justice Sector’.

**1134.** The official’s view was that nothing “meaningful” had been done since the 2004 International Legal Assistance Consortium (ILAC) project (described in Box, ‘International Legal Assistance Consortium’, earlier in this Section). The official recommended funding an expansion of the Judicial Training Institute to improve the capacity and quality of training for new judges. Current facilities were too small to accommodate enough students, textbooks were “insufficient”, there were no computers and most lecturers did not receive payment.

**1135.** A junior official in DFID reported to Mr Benn on 30 June that the success of the Rule of Law Sectoral Working Group had been “limited”:

“The Working Group struggles to function effectively under a weak chair (the Chief Justice). He lacks the resources to manage the administrative workload and has requested support from donors.”<sup>1073</sup>

**1136.** To help overcome that, the official wrote that DFID was providing £93,000 for an experienced Iraqi lawyer to support the Chief Justice, as recommended by the FCO in Baghdad, believing that that “modest investment” could “have a significant impact across the sector”.

**1137.** On 8 January 2007, Mr Banner wrote to Mr Irfan Siddiq, Private Secretary to Mr David Miliband, the Foreign Secretary, to commission advice on the current state of the Iraqi justice system, including the degree of governmental interference and how that might realistically be addressed.<sup>1074</sup>

**1138.** Mr Siddiq replied with a paper produced by the IPU and the British Embassy Baghdad on 16 February.<sup>1075</sup>

**1139.** The paper reported that there were 850 judges in Iraq; 150 of those were in Baghdad. There was “widespread recognition” that that number needed to increase by between 500 and 600 to “alleviate the backlog of cases”. There were 178 judges expected to graduate from the Judicial Training Institute in June 2007 and another 58 in June 2008.

**1140.** Governmental interference with the judiciary remained a concern. Citing recent examples of that, it was recommended that the UK and the US should “protest vigorously” in such circumstances. The UK had part-funded two upcoming conferences in Iraq that would promote the principles of the Rule of Law and the importance of judicial independence.

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<sup>1073</sup> Note DFID [junior official] to PS/SofS [DFID], 30 June 2006, ‘Iraq: Support to the Rule of Law Sector Working Group’.

<sup>1074</sup> Letter Banner to Siddiq, 8 January 2007, ‘Iraq’.

<sup>1075</sup> Letter Siddiq to Banner, 16 February 2007 attaching Paper British Embassy Baghdad/Iraq Policy Unit, ‘Iraqi Justice System’.

**1141.** Militia influence and intimidation remained “a grave threat”; 23 judges had been killed in the past three years and “many more” had been kidnapped or threatened. Security measures were being provided to the judiciary and other measures were being installed at courthouses. FPS had proved “ineffective”, having been infiltrated by militias.

**1142.** The FCO paper sent by Mr Siddiq was provided to members of DOP(I) for their meeting on 8 March.<sup>1076</sup> It stated that there were issues related to judicial capacity, security, a backlog of cases (with between 7,500 and 12,500 detainees being held pre-trial by the Iraqi authorities) and governmental interference. It made a series of recommendations, including those mentioned in the Better Basra Mark III plan (described later in this Section). Other recommendations included:

- making it clear that governmental interference was not acceptable (when there is evidence of it having occurred);
- a visit to Baghdad by Lord Goldsmith to emphasise the importance of the Rule of Law;
- EU and UN action to support the principles of the Rule of Law and judicial independence; and
- the provision of security to judicial officials and witnesses.

**1143.** In discussion at DOP(I) it was suggested that the UK should:

- find ways to address as a matter of urgency the large numbers of detainees;
- take advantage of being able to act under the UNSCR mandate while it was still in place;
- consider what assistance the UK could give to the Rule of Law Green Zone<sup>1077</sup> initiative; and
- increase efforts on the Rule of Law and police reform in Basra.<sup>1078</sup>

**1144.** A Report to Congress on 2 March referred to the US-funded “criminal justice complexes” which comprised a courthouse, detention facilities, forensic labs and judicial housing within the same secure perimeter.<sup>1079</sup> The first complex was to be developed at Rusafa in Baghdad.

**1145.** The following day, Mr Asquith recorded a request from Gen Petraeus for a UK military/government lawyer and a criminal investigator to assist in the Rule of Law Green Zone.<sup>1080</sup>

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<sup>1076</sup> Paper British Embassy and IPU, 6 March 2007, ‘The Iraqi Judicial System’.

<sup>1077</sup> The Rule of Law Green Zone was a relatively safe area for justice actors (such as judges and prosecutors) to carry out their functions.

<sup>1078</sup> Minutes, 9 March 2007, DOP(I) meeting.

<sup>1079</sup> Report to Congress, 2 March 2007, *Measuring Stability and Security in Iraq*.

<sup>1080</sup> eGram 9559/07 Baghdad to FCO London, 8 March 2007, ‘Iraq: Weekly Assessment’.

**1146.** The establishment of the Rule of Law Green Zone was discussed at a meeting between Mr Miliband, Lord Goldsmith and Mr Browne on 7 March and was described as “promising”.<sup>1081</sup>

**1147.** Baroness Scotland, Lord Goldsmith’s successor, visited Iraq from 19 to 21 November.<sup>1082</sup> The purpose of her visit was to “emphasise the importance of the Rule of Law and the independence of the judiciary”. She summarised that there was “a long way to go to establish the Rule of Law in Iraq” and although her message was well received there was a need to “ensure that those words are met with action”. She stated:

“I was very much struck that there was a genuine lack of leadership and understanding of where the responsibility for driving forward the Rule of Law agenda lies within the Government of Iraq. It seemed to be the responsibility of everyone and the responsibility of no-one!”

**1148.** A Report to Congress on 14 December 2007 stated that the previous September, Prime Minister Maliki had signed an executive order requiring humane treatment of detainees and more expeditious processing of their cases.<sup>1083</sup> The order directed a Ministerial Committee for Rule of Law and Detention, consisting of senior representatives from the relevant ministries, to meet weekly and address issues.

**1149.** On 20 December, a junior FCO official submitted advice to Mr Miliband about working more closely with the US to reduce the number of their Iraqi detainees.<sup>1084</sup> The official wrote that the Ministerial Committee had “been taking steps to improve Iraqi procedures for detainee handling, but progress [was] slow”.

**1150.** The official stated that detainees were “frequently subject to abuse”, mainly in MOI facilities, “often to obtain confessions”. The Ministry of Justice’s prisons suffered from “severe overcrowding”. The official wrote:

“Through a combination of negligence, incompetence, poor co-ordination and lack of adequate facilities it can take a long time to process detainees through the investigative, judicial and correctional systems.”

**1151.** The Stabilisation Fund was introduced in July 2007, effectively replacing the GCPP for the funding of SSR projects in Iraq (see Section 13.1).<sup>1085</sup> The Stabilisation Fund was owned by the MOD but was jointly managed with the FCO and DFID.

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<sup>1081</sup> Email PS/SoS [FCO] to Brind, 12 March 2007, ‘Foreign Secretary’s Meeting with Attorney General and Defence Secretary, 7 March’.

<sup>1082</sup> Letter Scotland to Miliband, 3 December 2007, ‘Iraq’.

<sup>1083</sup> Report to Congress, 14 December 2007, *Measuring Stability and Security in Iraq*.

<sup>1084</sup> Minute FCO [junior official] to PS/SofS [FCO], 20 December 2007, ‘Iraq: Detention and Reconciliation: UK Approach for 2008’.

<sup>1085</sup> [Minute Treasury \[junior official\] to Chief Secretary, 23 July 2007, ‘CSR2007 – Conflict Prevention and Post-Conflict Stabilisation’](#).

**1152.** In a bid prepared for the Iraq Stabilisation Programme Board in February 2008, £3.18m was proposed for the justice sector:

- £1.65m assisting the US-led Rule of Law complex – a senior political adviser, a court administrator and a defence counsel;
- £1.04m supporting the Ministerial Committee – one senior adviser and a support officer; and
- £0.49m for a Basra justice adviser.<sup>1086</sup>

### **Mid-2007 assessments of the Iraqi Security Forces**

**1153.** On 27 June 2007, the JIC provided an update on the ISF.<sup>1087</sup> It recorded little change from the January paper described earlier in this Section. Development of the Iraqi Army was still described as “slow” and the IPS remained “ineffective”. The security Ministries were also judged to be “underperforming”. The assessment recorded:

“Work is under way by Prime Minister Maliki’s government to develop a national security strategy, but it is unlikely to make a difference to Iraq’s security as long as the government remains factionalised and fails to make progress on national reconciliation [...]”

**1154.** On 4 July, a DIS paper looked at future Iraqi security structures.<sup>1088</sup> It said:

- “The plethora of security groupings with unique command and control mechanisms will continue to expand, and could destabilise the complex national security environment. This expansion provides an opportunity for furthering sectarian agendas and potential higher levels of intra-ISF conflict.
- Duplication of responsibilities and expanding remits of strategic authorities will continue as incumbent Prime Ministers seek practical solutions to national security threats. Sectarian bias will shape these bodies and they will circumvent the chain of command.
- The amalgamation of Shia militias into national security structures ensures that future Iraqi security strategy will be overwhelmingly Shia-based. This will lead to continued Sunni marginalisation, a justification for Sunni nationalist insurgents and a spur for AQ-I intent.”

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<sup>1086</sup> Report Iraq Stabilisation Programme Board, February 2008, ‘Iraq Stabilisation Aid Fund 2008-11: Strategy Summary’ attaching Paper ‘Strategic Context for the Iraq Stabilisation Aid Fund Bid: 2008-11’.

<sup>1087</sup> [JIC Assessment, 27 June 2007, ‘Iraqi Security Forces and Structures: Quantity not Quality’](#).

<sup>1088</sup> Paper DIS, [undated, stamped 4 July 2007], ‘Future Iraqi Security Structures and Environment’.

**1155.** The JIC Assessment of 6 September included an update on ISF performance.<sup>1089</sup> It reported that:

“We judge Iraqi confidence, both among Ministers and more generally, has been damaged by the popular perception that security has not significantly improved.

“... The government has taken some steps to address human rights abuses: sacking 23 senior National Police Commanders and disbanding an entire battalion accused of complicity in sectarian acts. But other individuals accused of sectarian abuses remain in positions of responsibility.”

### Counting the police

With the passage of time it was becoming increasingly difficult to know how many police officers trained by CPATT were still employed by the MOI, or what percentage of police on the MOI payroll were trained and equipped by CPATT.<sup>1090</sup> That was caused by a number of factors:

- the lack of an effective personnel management system in the MOI;
- a high attrition rate (about 20 percent per year, with the MOI reporting paying death benefits for more than 6,000 police officers since May 2003); and
- burgeoning local recruitment.

Provincial Governors had authority to hire more IPS officers than MNSTC-I had agreed to train and equip. In those areas, the MOI and the Provincial Governors were responsible for the extra training and equipment requirements. As police were generally unwilling to move areas, it was not possible for extra officers to be moved to areas where there was a deficit.<sup>1091</sup>

Many of the additional police had received little or no training.<sup>1092</sup>

## US views on the progress of Iraqi Security Forces

**1156.** In May 2007, the Independent Commission on the Security Forces in Iraq was established in the US. It was led by General James L. Jones, a retired US Marine, who had previously served as the Supreme Allied Commander Europe and subsequently held the post of US National Security Advisor from 2009 to 2010. Included in the team of 20 was ACC Duncan McCausland, a serving PSNI officer.<sup>1093</sup> The Commission was tasked with assessing the capability of the ISF; their ability to maintain Iraq’s territorial integrity, deny international terrorists safe haven, reduce sectarianism and bring greater security in the next 12 to 18 months.

<sup>1089</sup> JIC Assessment, 6 September 2007, ‘Baghdad Security Plan: Impact and Prognosis’.

<sup>1090</sup> Report to Congress, 29 August 2006, *Measuring Stability and Security in Iraq*.

<sup>1091</sup> Report to Congress, 30 November 2006, *Measuring Stability and Security in Iraq*.

<sup>1092</sup> Report to Congress, 2 March 2007, *Measuring Stability and Security in Iraq*.

<sup>1093</sup> Report, 6 September 2007, ‘The Report of the Independent Commission on the Security Forces of Iraq’.

**1157.** On 6 September, the Commission reported that the ISF's progress was "uneven" but "that there should be increasing improvement in both their readiness and their capability for the internal security of Iraq". The ISF "would not be able to secure Iraqi borders against conventional military threats in the near term". Whilst assessed as "severely deficient" in combat support, there was "clear evidence of developing the baseline infrastructure that leads to the successful formation of a national defense capability".

**1158.** The Commission judged that the Iraqi Army was capable of taking over an increasing amount of combat responsibilities from coalition forces, but the ISF would be "unable to fulfil their essential security responsibilities independently over the next 12-18 months".

**1159.** The Commission's conclusions on the MOI and its forces were less positive:

"The Ministry of Interior is a ministry in name only. It is widely regarded as being dysfunctional and sectarian, and suffers from ineffective leadership. Such fundamental flaws present a serious obstacle to achieving the levels of readiness, capability, and effectiveness in police and border security forces that are essential for internal security and stability in Iraq."

**1160.** The Report went on describe the IPS as "fragile", "underequipped" and "compromised by militia and insurgent infiltration", although it assessed that the IPS could improve rapidly should the MOI become more functional. Of the National Police, the Report stated that it was "not viable in its current form".

**1161.** On 10 and 11 September, Gen Petraeus testified to Congress, warning of the dangers of handing over to ISF too early.<sup>1094</sup> He did note that "despite their shortages, many Iraqi [Army] units across Iraq now operate with minimal coalition assistance".<sup>1095</sup>

**1162.** A Report to Congress on 14 September stated that, by July 2007, Iraqi Army divisions had been at about 103 percent of authorised strength, but that masked the extremely low proportion that were present for duty.<sup>1096</sup> Officer ranks were a particular concern, with manning levels of only 69 percent.

**1163.** A Report to Congress on 14 December 2007 stated that authorised ISF personnel numbers were increasing as a result of three factors:

- successful offensive operations and local awakenings providing a new pool of recruits in a wider range of communities;
- the incorporation of around 100,000 FPS personnel; and

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<sup>1094</sup> Testimony to Congress Petraeus, 10-11 September 2007, 'Report to Congress on the Situation in Iraq'.

<sup>1095</sup> Congressional Hearing, S. HRG. 110-490, 11 September 2007, 'Iraq: The Crocker/Petraeus Report'

<sup>1096</sup> Report to Congress, 14 September 2007, *Measuring Stability and Security in Iraq*.

- the number of required forces assessed to match Iraq’s security problems increasing.<sup>1097</sup>

**1164.** The Report said that nearly 500 officers and 2,000 non-commissioned officers from the former regime had been vetted successfully and had rejoined the Iraqi Army. Those personnel had to undergo a three-week “rejoining” course. Up to 1,500 former officers and 13,000 former non-commissioned officers were expected to re-enter the force.

**1165.** Those additions brought the total ISF planned strength to over 550,000.

**1166.** The DoD stated that analysis of future force structure requirement projects at the end of 2007 suggested the following force sizes in 2010:

- Iraqi Army – 261,000 to 268,000;
- Iraqi Air Force – 5,000;
- Iraqi Navy – 1,500;
- Iraqi Special Forces – 4,000;
- MOI Forces – 307,000 to 347,000;
- Total: 601,000 to 646,000.

### **Multi-National Security Transition Command – Iraq reorganisation**

On 1 January 2008, MNSTC-I reorganised into the following directorates and teams:

- Directorate of Defence Affairs, led by a US Air Force Brigadier. It incorporated the IMOD and JHQ Transition Teams, CMATT (renamed as CArmyATT), the Coalition Air Force Transition Team (CAFTT), and the Maritime Strategic Transition Team (MaSTT).
- Directorate of Internal Affairs, led by a US Army Major General.
- Intelligence Transition Team, led by a DoD civilian intelligence professional.
- Iraqi National Counter-Terrorism Transition Team, led by a US Navy Rear Admiral.
- Functional Capabilities Directorate focusing on developing Iraqi capacity and providing subject matter experts on force management, personnel acquisition and management, material acquisition, resource management, sustainment, training and development.<sup>1098</sup>

The UK continued to provide two one-star military officers to MNSTC-I, in addition to the civilian team in the IMOD and the contractors in the MOI.

<sup>1097</sup> Report to Congress, 14 December 2007, *Measuring Stability and Security in Iraq*.

<sup>1098</sup> Report to Congress, 7 March 2008, *Measuring Stability and Security in Iraq*.

## Improvements in Iraqi Security Force capability during 2007 and 2008

**1167.** From late 2007 onwards the security situation across Iraq improved, as detailed in Section 9.6. Alongside that reduction in threat, ISF capability began to grow, as judged by the JIC in its 20 December Assessment.<sup>1099</sup> Although it reiterated previous concerns about the MOI and the ISF, it judged:

“... the Iraqi Security Forces (ISF) are in a much better position than six months ago, partly because of an overall improvement in capability and partly because of a reduction in threat. The prospects for them being able to successfully manage security outside Baghdad, without MNF ground support, by the end of 2008 will continue to be patchy across Iraq and depend heavily on progress being made on national reconciliation and the maintenance of MNF-led security gains. Neither is guaranteed.”

**1168.** On 5 June 2008, the JIC judged that the ISF were “much better placed to manage security through 2008”.<sup>1100</sup> On Prime Minister Maliki’s influence on the ISF, the JIC wrote:

“In the last year he has been increasingly dictating where, when and how Iraqi Security Forces (ISF) are deployed. Security policy decisions more widely are increasingly being taken without reference to the coalition ...

“We assess that Maliki maintains a firm grip on decision making within Iraq’s security Ministries. He has further increased his personal control of ISF ...

“We judge that in most cases this greater autocracy has increased overall ISF cohesiveness and responsiveness.”

**1169.** On 10 September, the JIC assessed the future of JAM:

“... military pressure and Sadr’s order for his followers to avoid further conflict with Iraqi Security Forces (ISF) in March forced JAM to surrender its control of the streets in large parts of Basra, Baghdad and Al Amara. ISF now dominate the vast majority of these areas, in many cases for the first time in years.”<sup>1101</sup>

**1170.** On 18 December, the JIC described the Iraqi Army as “an increasingly effective force at all levels”, with the National Police approaching a similar capability.<sup>1102</sup> However, despite general improvements, the JIC judged:

“... local police remain ineffective, due to a lack of resources, militia infiltration and corruption. Law enforcement is also undermined by an overstretched and under performing judiciary. These weaknesses will inhibit the normalisation of Iraqi society and real stability for years to come.”

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<sup>1099</sup> [JIC Assessment, 20 December 2007, ‘Iraqi Security Forces: Two Steps Forward’.](#)

<sup>1100</sup> [JIC Assessment, 5 June 2008, ‘Iraqi Security Forces: More Able, Less Challenged’.](#)

<sup>1101</sup> [JIC Assessment, 10 September 2008, ‘Iraq: the Future of Jaysh al-Mahdi’.](#)

<sup>1102</sup> [JIC Assessment, 18 December 2008, ‘Iraqi Security Forces: Mixed Abilities’.](#)

**1171.** On the balance of power between the police and the army, the JIC stated:

“The army cannot provide local security or enforce the law while it remains focused on COINOPS [counter-insurgency operations], and its method of operation – checkpoints, barriers, destruction of property – are unsuited to the task. Until the IPS and the justice system are improved and purged of militia influence and corruption, Iraq will need to choose between army methods and a police force that is incapable.”

## The Sons of Iraq

**1172.** From 2006, a number of local militias and neighbourhood watches began co-operating with the MNF in Baghdad and Anbar province, acting as additional security forces in the fight against AQ-I. They were known originally as “Concerned Local Citizens” and subsequently as the “Sons of Iraq” (described in more detail in Section 9.6). In a report to Congress, the DoD stated:

“The Sons of Iraq are a key component of the counterinsurgency fight due to their knowledge of the local populace and their ability to report activity that might otherwise escape the attention of coalition and Iraqi forces.”<sup>1103</sup>

**1173.** On 25 April 2007, an eGram from Mr Asquith reported that AQ was “determined to prove that they can still operate (against Shia and Sunni targets) and to exacerbate sectarian violence” in Baghdad.<sup>1104</sup> They were yet to feel the “full effect” of the Baghdad Security Plan;<sup>1105</sup> that was expected by the end of June.

**1174.** Outside Baghdad, Mr Asquith said, the success of turning the Sunni resistance and tribal groups against AQ had been “more rapid than expected”. He reported that the groups were confronting AQ with increasing aggression, and “whereas previously the whole eastern aspect of [Ramadi, the capital of Anbar province] was AQ controlled, this is now reduced to a few blocks”.

**1175.** Mr Asquith wrote that Emergency Response Units had been established to help maintain security, with three units in Ramadi so far and a further 14 planned later in the year. There was also local appetite for the creation of similar resistance groups in other regions; the Baghdad district of Abu Ghraib had seen around 1,200 individuals reporting for recruitment in a single weekend.

**1176.** On 22 April, it was agreed at the MCNS that Prime Minister Maliki would chair a group (to include MNF-I) to determine what the Iraqi Government would be prepared to offer to opposition and resistance groups in exchange for renouncing violence.<sup>1106</sup>

<sup>1103</sup> Report to Congress, 7 March 2008, *Measuring Stability and Security in Iraq*.

<sup>1104</sup> eGram 16933/07 Baghdad to FCO, 25 April 2007, ‘Iraq: Scen setter for Visit by Secretary of State for Defence, 30 April’.

<sup>1105</sup> The Baghdad Security Plan is also referred to as Operation Fardh al-Qanoon, Arabic for ‘Enforce the Rule of Law’. It is described in greater detail in Section 9.5.

<sup>1106</sup> eGram 16933/07 Baghdad to FCO, 25 April 2007, ‘Iraq: Scen setter for Visit by Secretary of State for Defence, 30 April’.

**1177.** Acting Assistant Chief Constable Michael Colbourne became the Chief Police Adviser in autumn 2006. In his bi-weekly report on 31 May 2007, he wrote that Prime Minister Maliki had passed an order permitting the creation of Police Support Units, attempting to win the allegiance of “middle of the road militias”.<sup>1107</sup> Members of a Police Support Unit were paid 75 percent of a policeman’s wage and were provided with uniforms. They were not armed as Mr Maliki reportedly believed that they had “enough weapons of their own”. The new units did not receive the full basic recruit training and were expected to be in place for a maximum of 18 months.

**1178.** In his bi-weekly report on 18 June, ACC Colbourne wrote that Police Support Units had been created “in the usual rushed and hurried way”.<sup>1108</sup> He commented:

“The Iraqis are not on board with this and our MOI counterparts are opposed to it.

“The reputation of the police as a whole may be badly damaged by the arming of the militia and calling them policemen. The MOI are not equipped to undertake yet another ‘good idea’ that the coalition is trying to push through.”

**1179.** ACC Colbourne suggested that the Police Support Units could be moved under the IMOD’s control and trained as a “National Guard”: “There are many positives to separating this from the MOI and putting it under the [Iraqi] MOD.”

**1180.** On 14 June, Mr Banner reported to Mr Blair:

“The US are ... focused on the Anbar model, but this is creating real tension with Maliki. Violence continues to be down in Anbar, but the motivations of the tribes remain unclear, and they continue to express their opposition to the Government of Iraq. Nor do they tie in to any convincing, wider, Sunni leadership ... Maliki is ... coming under pressure from other Shia over the creation of a well-armed Sunni militia, particularly as the US now propose to extend the model to areas of Baghdad ...

“The Pentagon this week also released its now regular quarterly report on progress in Iraq. This noted that overall levels of violence in the country had not decreased since the start of the surge, noted that the Gol’s delivery had been ‘uneven’, and that it had made ‘little progress’ on the political front – reconciliation was described as a ‘serious unfulfilled objective’.”<sup>1109</sup>

**1181.** In an interview with *Newsweek* on 15 June, Prime Minister Maliki said:

“Now, some field commanders make mistakes since they do not know the facts about people they deal with. They make mistakes by arming tribes sometimes, and this is dangerous because this will create new militias ... I believe that the

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<sup>1107</sup> Minute Colbourne, 31 May 2007, ‘Bi-weekly Report of the UK Chief Police Adviser in Iraq’.

<sup>1108</sup> Minute Colbourne, 18 June 2007, ‘Bi-weekly Report of the UK Chief Police Adviser in Iraq’.

<sup>1109</sup> Minute Banner to Prime Minister, 14 June 2007, ‘Iraq Update, 14 June’.

coalition forces do not know the backgrounds of the tribes. It is a job of the [Iraqi] government.”<sup>1110</sup>

**1182.** In his evidence to the Inquiry, Mr Asquith recalled:

“From the second half of 2006 and certainly through 2007, the American attitude moved ... to engage some Sunni Arab tribes in the Sunni Arab provinces to throw off the militias and Al Qaida groups that were positioned there, and to engage in local cease-fires, with the aim, in time, of those local cease-fires spreading more broadly across the country.”<sup>1111</sup>

**1183.** In an email to the FCO on 14 June 2007, Mr Asquith wrote that Mr Blair and ACM Stirrup had requested further advice from Baghdad on coalition support for the Anbar tribes.<sup>1112</sup> He wrote:

“... I do not doubt the tactical benefit of engaging those in Anbar and other Sunni areas in which AQ operate with the purpose of persuading them to turn against AQ. Nor do I have any reason to doubt MNF-I assessments that this engagement has delivered significant results in terms of identifying AQ operatives and caches, restricting AQ operating capabilities and reducing attacks ... against coalition forces. Engaging with local armed, militant, insurgency or opposition groups was of course what I and others were engaged in throughout 2005. I am not opposed to the principle.”

**1184.** Nevertheless, Mr Asquith questioned whether those groups had turned against AQ for wholly ideological reasons. He thought the groups were more strongly motivated by a power struggle with AQ, which was encroaching on the tribes’ territory, by money or by a desire – under the protection of US forces – to rearm and prepare for a future campaign against Iran and/or the “Shia government”.

**1185.** Mr Asquith considered that that had had an adverse effect on the Coalition’s broader reconciliation strategy. It increased Prime Minister Maliki’s concerns and put him “under severe pressure from his Shia constituency who pose the question: why is he tolerating the creation of what effectively are Sunni militias who pose a threat (now or later) to Shia communities, while at the same time tolerating regular coalition attacks on Shia militias?”

**1186.** Mr Asquith acknowledged:

“Given the imperative for [Gen] Petraeus to deliver something by 13 September ... we can’t halt the engagement process. We should instead seek to shape it in a way that reduces the risk.”

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<sup>1110</sup> *Newsweek*, 15 June 2007, *CFR: What are Iraq’s Benchmarks?*

<sup>1111</sup> Public hearing, 4 December 2009, page 16.

<sup>1112</sup> Email Asquith to Casey, 14 June 2007, ‘Anbar Engagement’.

**1187.** Mr Asquith suggested a number of approaches to reduce the risk of Anbar tribes derailing reconciliation efforts. They included support for an Executive Council (through which the integration of militia groups should be managed), establishing political tests for the militia to demonstrate support for the Iraqi Government, and enforcing clear time limits for their existence before being disbanded or incorporated into the IPS.

**1188.** On 16 June, Mr Asquith reported that he had discussed those proposals with Dr Mowaffak al-Rubaie, Iraqi National Security Adviser, at a meeting that day and that Dr al-Rubaie had agreed with the approach.<sup>1113</sup>

**1189.** On 21 June, Mr Asquith reported that the concept of an Executive Committee was “beginning to take on substance with Maliki in receipt of a Presidency paper setting out how they propose it should work to which he will respond”.<sup>1114</sup>

**1190.** In his weekly report on 24 June, Lieutenant General Graeme Lamb, SBMR-I from September 2006 to July 2007, wrote:

“An increasing number of tribes, neighbourhoods, Sunni insurgents and just local people are choosing to reject, occasionally terminally, AQ-I. This is seen particularly in the Southern Baghdad belts where, for example in one area there has been an 80 percent reduction in IEDs ... This ‘people power’ is extending to Salah ad Din, Diyala, Ninawa and of course is already in full effect in Al Anbar. In smaller, but notable cases, we are seeing the same effect in Baghdad itself, so the broader ‘awakening’ continues to make ground.”<sup>1115</sup>

**1191.** On 4 July, a DIS report stated:

“Central government will remain extremely sceptical of Sunni tribal initiatives in provinces with mixed sectarian demographics. The Shia-dominated government fears these could lead to the return of Sunni rule, and will ensure there are mechanisms to minimise this risk.”<sup>1116</sup>

**1192.** In his weekly report on 6 August, Lieutenant General William Rollo, SBMR-I from July 2007 to March 2009, wrote that the Government of Iraq had accepted 1,700 former Sunni fighters in Abu Ghraib into the IPS.<sup>1117</sup> That was the first time that the government had taken steps to incorporate the Sunni militia from areas outside the Sunni tribal regions into the MOI. Lt Gen Rollo described that as a “significant concession by the GOI [Government of Iraq] ... [and] potentially a major win that will reassure other Sunnis who have come into the fold that the GOI genuinely intends to ‘see them right’”.

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<sup>1113</sup> eGram 25998/07 Baghdad to FCO, 16 June 2007, ‘Iraq: Call on National Security Adviser, 16 June’.

<sup>1114</sup> eGram 26684/07 Baghdad to FCO, 21 June 2007, ‘Iraq: Weekly Assessment’.

<sup>1115</sup> Minute Lamb to Stirrup, 24 June 2007, ‘SBMR-I Weekly Report (258) 24 June 07’.

<sup>1116</sup> Report DIS, [undated but stamped 4 July 2007], ‘Future Iraqi Security Structures and Environment’.

<sup>1117</sup> Minute Rollo to CDS, 6 August 2007, ‘SBMR-I’s Weekly Report (264) 6 Aug 07’.

**1193.** On 20 December, the JIC assessed:

“77,000 Concerned Local Citizens (CLCs) and other tribal ‘awakenings’, drawn from the Sunni insurgency and, to a much lesser extent, from Shia militias, are now acting as force multipliers for MNF and ISF in Baghdad and along the Euphrates and Tigris valleys north of Baghdad. The MOI continue to resist assuming formal responsibility for these volunteers (including paying them). If their payments stopped we judge that many would resume attacks on the MNF and ISF. Their loyalty to central government is likely to remain patchy in the absence of broader national reconciliation; we judge they are likely to become an increasingly attractive target for infiltration by both Sunni and Shia extremists.”<sup>1118</sup>

**1194.** On 8 January 2008, Air Marshal Stuart Peach, Chief of Defence Intelligence, briefed the Chiefs of Staff that there were plans to integrate 20 percent of the Concerned Local Citizens into the ISF, with the remainder being available for hire by other ministries for public works programmes.<sup>1119</sup> US funding was due to expire in January 2008 and future funding arrangements were unclear. He noted that failure to address the issue could lead to resentment and a return to violence among former Sunni fighters but that provision for Concerned Local Citizen salaries would probably be opposed by a number of Shia groups.

**1195.** On 5 June, the JIC assessed that, of the approximately 106,000 (mainly Sunni) Sons of Iraq, around 16,300 had been recruited into the ISF, mainly in Anbar province.<sup>1120</sup> Elsewhere, relations between ISF and the Sons of Iraq were described as “tense”. The creation of a Sons of Iraq programme in Basra in 2008 is described later in this Section. Considering the future, the JIC assessed:

“MNF reporting suggests that at least a quarter of Sol [Sons of Iraq] members expect jobs in the ISF: for others, some form of continued stipend or civil service job would probably suffice. The GoI is unlikely to be willing or able to meet either expectation; or assume responsibility for commanding and paying the Sol this year. So long as it does not, we judge that Sol rejection of AQ-I, tolerance of MNF and willingness to refrain from anti-government violence will be fragile. [...]”

**1196.** An eGram from Baghdad on 7 October reported that the Iraqi Government had taken responsibility for paying the Sons of Iraq located in Baghdad, (50 percent of the 103,000 total) from 1 October.<sup>1121</sup> Responsibility for the other half would follow later that month. The Iraqi Government and the Sons of Iraq did, however, remain suspicious of one another: the Iraqi Government believing that the number of the Sons of Iraq had been “inflated by the various leaders in order to line their own pockets”, and the Sons

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<sup>1118</sup> [JIC Assessment, 20 December 2007, ‘Iraqi Security Forces: Two Steps Forward’](#).

<sup>1119</sup> Minutes, 8 January 2008, Chiefs of Staff meeting.

<sup>1120</sup> [JIC Assessment, 5 June 2008, ‘Iraqi Security Forces: More Able, Less Challenged’](#).

<sup>1121</sup> eGram 39659/08 Baghdad to FCO, 7 October 2008, ‘Iraq: the Awakening Movement and the Sons of Iraq’.

of Iraq seeing the Iraqi Government “as a sectarian government determined to persecute them when the protective US hand [was] removed”.

**1197.** After “detailed examination of the lists”, the IMOD had accepted that “most of the SOI” existed and was putting procedures in place to enable payment to foot soldiers directly (reducing group leaders’ income). Standardising pay was still a problem and recruitment of the Sons of Iraq into the ISF was slow; only 12,000 members had been recruited so far.

**1198.** The British Embassy Baghdad reported that AQ had sought to “exploit the situation by increasing pressure in Baghdad and Anbar through violent activity”. There was “some evidence” that AQ was trying to lure back some Sons of Iraq by attempting to outbid the Iraqi Government. The US and the Iraqi Government recognised their continued financial support would be necessary to keep the Sons of Iraq “on side”.

**1199.** The JIC assessed that standardising and distributing pay was still an issue in their report on 18 December.<sup>1122</sup> The Iraqi Government had agreed to recruit 20 percent of the Sons of Iraq into the ISF, with the remainder to be employed in other ministries.

**1200.** The JIC stated that some Sons of Iraq groups had been infiltrated by extremists and media reporting indicated that some Sunni Sons of Iraq commanders saw “Shia militias as a target second only to Al Qaida”.

## The UK’s future bilateral relationship with Iraq

**1201.** On 27 May 2008, Lieutenant General John Cooper, the then SBMR-I, raised the matter of the UK’s longer-term relationship with Iraq with AM Stirrup.<sup>1123</sup> He stated:

“I am aware of current staffing on how a future training mission might be funded and manned (including the involvement of NATO) and the relative importance of this against other operational priorities. I would simply observe that we have a real opportunity here – both in terms of the UK long-term relationship with Iraq and how we ‘sell’ our post-TELIC posture to the US.”

**1202.** Commenting on that paragraph in Lt Gen Cooper’s report, Mr Edward Ferguson, Mr Browne’s Private Secretary, wrote:

“This is a bit of a concern. Although your intent on this is clear it seems that this hasn’t yet got out of the starting blocks ... I gather that the main issues are a view that the Army can’t afford the manpower (because of other priorities) and that Defence cannot afford it (since it may not be funded by the Reserve).”<sup>1124</sup>

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<sup>1122</sup> JIC Assessment, 18 December 2008, ‘Iraqi Security Forces: Mixed Abilities’.

<sup>1123</sup> Minute Cooper to CDS, 27 May 2008, ‘SBMR-I’s Weekly Report (302) 27 May 08’.

<sup>1124</sup> Manuscript comment Ferguson on Minute Cooper to CDS, 27 May 2008, ‘SBMR-I’s Weekly Report (302) 27 May 08’.

**1203.** The details of negotiating the UK's continued presence in Iraq following the expiry of resolution 1790 on 31 December 2008 is dealt with in Section 9.7. Ahead of a visit to Iraq in late October, Mr John Hutton, the Defence Secretary from October 2008, was advised by the British Embassy Baghdad:

“The UK's wish to develop a broader based bilateral relationship, but with a continued defence element focused on training, fits with [Prime Minister] Maliki's own professed aims. But he remains deeply suspicious of us and feels politically besieged ... The US/coalition are still needed to support, train and mentor Iraqi Security Forces as they take on more responsibility. Failure to deliver a legal base for this to continue beyond the end of 2008 would be destabilising.”<sup>1125</sup>

**1204.** A key issue with respect to SSR was the provision of a combat role for UK forces; the MOD judged that to be essential to mentor 14th Division but Prime Minister Maliki was reported to be reluctant to authorise it.<sup>1126</sup>

**1205.** In his end of tour report, Lt Gen Cooper wrote about the UK's future strategic defence relationship with Iraq:

“As I depart I confess to a sense of frustration that we have yet to confirm the nature, scale and resource of our long-term military relationship with Iraq, particularly with the Iraqi Armed Forces. The Gledhill Report<sup>1127</sup> on officer training reported a year ago, as I arrived, yet we have yet to confirm what we are offering. The Iraqi MOD is very keen, desperate almost, to establish links with its former mentoring nation. Thus far, we have promised something but not yet delivered it. I acknowledge the financial pressure which the UK Defence budget faces, but we have an opportunity to cement a strategic relationship with a major regional power which sits astride the second or third largest oil reserves in the world.”<sup>1128</sup>

## The strategy for 2009

**1206.** The National Security, International Relations and Defence Committee (NSID(OD) – the creation of which is described in the Box, ‘Machinery of Government under Mr Brown’, earlier in this Section) met on 9 December 2008, and agreed that the FCO should seek agreement on a new long-term strategy for Iraq out-of-committee.<sup>1129</sup> The strategy was circulated on 13 January 2009 and subsequently agreed. One of the key elements of the desired the bilateral relationship was “security”:

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<sup>1125</sup> eGram 41161/008 Baghdad to FCO London, 16 October 2008, ‘Iraq: Visit by the Defence Secretary to Baghdad: Scenesetter’.

<sup>1126</sup> Minute Cabinet Office [junior official] to Prime Minister, 14 November 2008, ‘Iraq: Update’.

<sup>1127</sup> The MOD has been unable to provide the Inquiry with a copy of this report.

<sup>1128</sup> Report Cooper, [undated], ‘End of Tour Report 4 Mar 08 to 3 Mar 09’.

<sup>1129</sup> [Letter Hickey to Catsaras, 13 January 2009, ‘Iraq: Strategy’ attaching Paper ‘Iraq: a Review of Strategy’](#).

“We should contribute to Iraq’s stability and security by helping it to develop professional, accountable, non-sectarian security forces which can deal effectively with both external and internal threats. This will involve MOD support to the Iraqi military through officer training and capacity-building support to IMOD and its JHQ, and a continuation of training, mentoring and capacity-building support to the Iraqi Police Service, Ministry of Interior and criminal justice system through SAF [Stabilisation Aid Fund]<sup>1130</sup> projects and the civilian police mission.”

**1207.** During the financial year 2008/09, both the Stabilisation Aid Fund and the Peacekeeping Budget<sup>1131</sup> were used to fund the UK’s non-military contribution to SSR (including the UK police mission, support to the MOI and the UK contribution to EU JustLex). In the following financial year it was likely that the Peacekeeping Budget funding would be withdrawn so the MOD, the FCO and DFID were “agreeing a reprioritised programme” from the Stabilisation Aid Fund allocation of £15m focusing on:

- initiatives which would support key Prime Ministerial deliverables and provide conditions for a successful transition from Basra;
- Rule of Law initiatives which would form a central pillar of the UK’s strategy in Iraq; and
- international support to the United Nations Development Programme and EU JustLex as key partners in security and economic reforms in Iraq which would support a transition of the UK’s programme work in future.

**1208.** Overall SSR activities for 2009 would be:

- leading the Coalition Naval Training Team, to help develop the capacity of the Iraqi Navy until it became fully operational and able to ensure the security of its territorial waters and two oil platforms, expected to be around 2012 – that would comprise around 60 personnel;
- leading a NATO-badged Iraqi Army officer training and education programme with the intent to create a self-sustaining Iraqi training capacity by 2014 – that would require 50 NATO personnel of which around 30 would be from the UK;
- providing training places for around six Iraqi officers per year at UK training establishments;
- capacity-building in the IMOD and JHQ – precise numbers were unknown;
- training and mentoring for the IPS in targeted areas such as senior leadership and forensics (no figures were provided);
- capacity-building support for the MOI in planning and management; and
- training and advice to other elements of the Iraqi criminal justice system (no figures were provided).

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<sup>1130</sup> The Stabilisation Aid Fund was jointly owned by the MOD, the FCO and DFID.

<sup>1131</sup> The Peacekeeping Budget was formally part of the Global Conflict Prevention Pools, and was jointly owned by the MOD, the FCO and DFID. It was managed by the FCO.

**1209.** General Richard Dannatt, Chief of the General Staff, visited Iraq from 23 to 25 March 2009.<sup>1132</sup> In his visit report he said:

“... we must decide and then act with regard to our training support to the Iraqis ... I know that work is ongoing to determine the nature of this support but my short visit gave me the impression that both the Officer Academy and the Staff College appear to be standing still, caught in a mire of NATO indecision, and we may have become too focused on the narrow issue of force protection rather than the wider point of why we are there. We need to generate momentum and ensure that the manpower we commit is of appropriate quality, quantity and has a degree of coherence. If we get this right we will deliver strategic effect – I consider it important that we do so.”

**1210.** The UK remained in protracted negotiations with the Iraqi Government until early June over the size and role of the future UK military presence and the legal basis under which it would operate (see Section 9.7). On 6 June, a Government-to-Government agreement was signed and passed to the Iraqi Parliament for ratification.<sup>1133</sup>

**1211.** On 15 October, Mr Christopher Prentice, British Ambassador to Iraq, reported to the FCO in London that the UK/Iraq “training and maritime support agreement” had completed its third and final reading in the Council of Representatives.<sup>1134</sup> It passed with 99 votes in favour and 40 votes against or abstaining. Mr Prentice wrote:

“All the elements of our broad-based relationship are now in place. Symbolically, the ratification by the Iraqi Parliament of this agreement confirms the will of a majority of Iraqi political groups to continue a special relationship with the UK, including in the security field.”

## SSR AFTER THE WITHDRAWAL OF UK TROOPS

**1212.** In Lt Gen Cooper’s end of tour report dated March 2009, he commented on ISF progress:

“Boulani has transformed the Ministry of Interior, although much remains to be done. The MOD deserves credit for its growth of the IA [Iraqi Army], and the possibility exists that a generation of bright Iraqi two star commanders may yet replace the old nepotistic and biased leadership with some degree of professionalism.”<sup>1135</sup>

**1213.** On 31 March, the UK handed over division command of MND(SE) to the US.<sup>1136</sup> Mr Hutton reported to Mr Brown that “excellent progress by UK and Iraq forces

<sup>1132</sup> Minute CGS to PS/SofS [MOD], 25 March 2009, ‘CGS Visit to Iraq – 23-25 Mar 09’.

<sup>1133</sup> Letter Ferguson to Fletcher, 23 July 2009, ‘Iraq: UK Military Presence After 31 July 2009’.

<sup>1134</sup> eGram 35899/09 Baghdad to FCO, 15 October 2009, ‘UK/Iraq: Training and Maritime Support Agreement Ratified by the CoR, 13 October’.

<sup>1135</sup> Report Cooper, ‘End of Tour Report 4 Mar 08 to 3 Mar 09’.

<sup>1136</sup> Minute Johnstone to PS/SofS [MOD], 1 April 2009, ‘CDS Visit to Iraq (Basra) to Attend the MND(SE) Transfer of Authority Ceremony – 31 Mar 09’.

means that 30 April will now ... see the completion of our current military mission".<sup>1137</sup> That process is described in greater detail in Section 9.7.

**1214.** On 15 June, Mr Brown announced details of the UK's new bilateral relationship with Iraq, stating:

"On the day of the last combat patrol in April, I welcomed Prime Minister Maliki and most of his Cabinet to London. We signed together a declaration of friendship, partnership and co-operation defining the new relationship between our two countries for the future. At the request of the Iraqi Government, a small number of British Navy personnel – no more than 100 – will remain in Iraq for long-term training of the Iraqi Army. Royal Navy ships will continue to protect the oil platforms on which Iraq's exports depend, and we will continue to offer training to the Iraqi Army as part of a wider NATO mission. We will also offer training opportunities at Sandhurst and elsewhere in the United Kingdom for Iraqi officers of high potential."<sup>1138</sup>

**1215.** In April 2009, the MOI capacity-building programme was transferred to the US.<sup>1139</sup> The UK continued work on policing under the Criminal Investigations and Policing project, funded by the Middle East and North Africa Conflict Fund. The programme in 2009 had a budget of £7.1m and comprised three elements:

- the civilian police mission in Baghdad with four officers, working with the Baghdad Police Academy to help the IPS develop investigative techniques;
- the civilian police mission in Basra with three officers; and
- the forensics element in Basra, Baghdad and Erbil with two officers.

## SSR in the South: summer 2006 to summer 2009

### State of emergency

**1216.** On 23 May 2006, Ms Aldred wrote to UK staff in Basra asking them for advice on how to improve the situation in Basra.<sup>1140</sup> Attached to the letter was "a strategic agenda for action". The paper gave a series of policy objectives (see Section 9.5) and stated that to achieve them there would need to be continuing UK Government engagement on SSR to ensure that the ISF were capable of:

- tackling criminality;
- bearing down on militias;

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<sup>1137</sup> Letter Hutton to Brown, 20 April 2009, 'Iraq: End of Current Military Mission'.

<sup>1138</sup> House of Commons, *Official Report*, 15 June 2009, columns 21-22.

<sup>1139</sup> Paper Stabilisation Unit [junior official] and Howlett-Bolton, 27 November 2009, 'Review of the support to the Ministry of Interior and Iraqi Police Service Programme'.

<sup>1140</sup> [Letter Aldred to Lamb, Cooper & Kavanaugh, 23 May 2006, 'Basra: The Way Forward' attaching Note, \[undated\], 'Getting Basra Better: A Strategic Agenda for Action'](#).

- purging malign elements in the ISF (both those that are corrupt and those which are aligned to political groupings); and
- working with MNF-I on higher end military tasks relating to the insurgency, and gradually taking over these tasks.”

**1217.** The Iraqi Government would need to demonstrate its grip on Basra through:

- “• serious and visible engagement from Baghdad;
- if necessary, an appropriate show of strength by the ISF, reflecting their growing capabilities; and
- encouraging and co-operating in the process of security transition.”

**1218.** On 31 May, Prime Minister Maliki visited Basra and declared a state of emergency, after which he placed a five-man Emergency Committee in charge of delivering a plan to address security in the city.<sup>1141</sup> That Committee then appointed Governor Mohammed Waili as responsible for the security plan.

**1219.** On 18 June, the MCNS endorsed the Basra Security Plan and recommended:

- expanding the Basra Security Committee to include a number of Basrawis;
- appointing a new overall security co-ordinator for Basra; and
- that the Iraqi Ministries of the Interior and Defence should increase the forces available for Basra, even if this was to the detriment of policing and military operations elsewhere.<sup>1142</sup>

**1220.** The Committee had also considered whether the Basra Chief of Police and the Commander of 10th Division should be removed from post but had concluded they should remain for the time being.

**1221.** Major General Richard Shirreff took over as GOC MND(SE) from mid-July. At this time there had not yet been agreement on the implementation arrangements of the Basra Security Plan.<sup>1143</sup> In particular, there was no overall Iraqi security co-ordinator. The Provincial Council, however, had voted to replace the Basra Chief of Police.

**1222.** Maj Gen Shirreff’s first weekly report as GOC MND(SE) set out his initial reflections on the situation facing him.<sup>1144</sup> He wrote:

“The issue in Basra is the lack of security and until we establish this there can be no PIC [Provincial Iraqi Control]. We can only generate freedom of movement by mounting specific operations, often up to company level, and we are effectively fixed by the lack of concentrated force. The lack of security means that we cannot conduct the SSR needed to transform the police, nor apply the economic inducements

<sup>1141</sup> Minute Cooper, 8 June 2006, ‘GOC MND(SE) – Southern Iraq Update – 8 June 2006’.

<sup>1142</sup> Minute [junior officer] to MA/CJO, 22 June 2006, ‘MND(SE) – Southern Iraq Update – 22 June 2006’.

<sup>1143</sup> Minute Cooper, 13 July 2006, ‘GOC MND(SE) – Southern Iraq Update – 13 July 2006’.

<sup>1144</sup> Minute Shirreff, 21 July 2006, ‘GOC MND(SE) – Southern Iraq Update – 21 July 2006’.

needed to isolate the militants from the majority of militiamen who are only there because the militia can pay them. Thus the enemy, militant JAM and the death squads linked to the Basra police ... are able to operate with relative impunity ...

“In my view, the only way we will achieve mission success is by winning the battle for Basra and defeating militant JAM and the death squads (whether by capturing, or, if necessary, by killing them in accordance with our ROE (Rules of Engagement)). But we must be clever about it. A blunt, solely kinetic approach risks getting sucked into a series of running tactical battles against JAM that will get us nowhere. We must isolate militant JAM from mainstream JAM and build the intelligence picture in order to target them and the death squads connected to the police in Basra. The key to this is energetic and sustained effort along the governance and economic lines of operation, both of which remain inadequate ... (the comprehensive approach did not exist). Progress on these lines is essential to create and maintain tolerance for our operations in Basra. It will also underwrite success on the security line of operation. There has been plenty of planning but we need to make things happen.”

**1223.** In his evidence to the Inquiry, Lt Gen Sir Richard Shirreff described a “cycle of insecurity” as he further explained why achieving security was his first objective:

“No security meant no reconstruction and development, it meant a loss of consent, the militia filled the gap and, effectively, the militia controlled the city.”<sup>1145</sup>

### Provincial Iraqi Control

Transferring responsibility from the coalition to the Iraqi Government of each of the 18 Iraqi provinces was referred to as reaching Provincial Iraqi Control (PIC). PIC was granted following an assessment by the coalition and the Iraqi Government.

#### Transitional Readiness Assessment

A Transitional Readiness Assessment (TRA) level was used to rank Iraqi units in terms of their capability, from TRA level 1 (fully capable) to TRA level 4 (incapable).

The Joint Committee to Transfer Security Responsibility (see Box ‘Assessing readiness for Provincial Iraqi Control’) judged that at TRA level 2, the IPS could maintain domestic order and prevent the resurgence of terrorism.<sup>1146</sup>

**1224.** In his weekly report, Maj Gen Shirreff said that he had had some encouraging discussions about his proposed approach with Major General Muhammed Latif, the Commander of 10th Division, based in Basra.<sup>1147</sup> However, it would be fundamental to ensure that there was political will in Baghdad behind any operation. Maj Gen Shirreff

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<sup>1145</sup> Public hearing, 11 January 2010, page 4.

<sup>1146</sup> Paper Republic of Iraq National Security Council, 10 October 2005, Joint Committee to Transfer Security Responsibility.

<sup>1147</sup> Minute Shirreff, 21 July 2006, ‘GOC MND(SE) – Southern Iraq Update – 21 July 2006’.

undertook to work closely with Mr Patey and the MNF commanders in Baghdad “to ensure that we carry Maliki with us”.

**1225.** By 27 July, Major General Ali Hamadi, brother of Brigadier Mohammed Hamadi the Provincial Director of Police, had been appointed as President of the three-person Basra Security Committee by Prime Minister Maliki.<sup>1148</sup>

## Delivering a Better Basra

**1226.** For the meeting of DOP(I) on 15 June, Ministers were given an update paper from the Cabinet Office entitled ‘Follow-up to the Prime Minister’s Visit, Including Delivering a Step-Change in Basra’ (see Section 9.5).<sup>1149</sup> The paper drew on recent assessments from the MOD and the JIC of the ISF:

“The picture across Iraq is of growing, but variable, levels of capability ... According to the US-led ISF development plan, all divisions of the Iraqi Army and MOI forces should be trained and equipped by the end of 2006 ... The development of the police is significantly behind that of the Iraqi Army, with particular problems over militia-links, over-recruitment, corruption and criminality.

“In the South, the 10th Division is judged to be increasingly effective ... However, these forces are untested in undertaking counter-insurgency operations without MNF support. The police are a more significant cause for concern, with militia links and a lack of effective political control either locally or from the centre ...

“The overall MNF plan, which the MOD judge to be robust is predicated on the MNF retaining substantial forces in Iraq until 2007 to support the ISF ... but even that timeline will be tested if the scale and sophistication of the insurgency does not diminish. The MOD supports this assessment highlighting a number of risks with the plan that fall outside its focus on training, mentoring and equipping:

- the degree to which Iraqi leadership on security develops;
- the precise nature of the security and political environment the ISF will face at the point of transition ... In the South there is a particular concern over the level of violence between competing Shia factions;
- human factors such as the experience of the ISF; and
- the dangers of over-recruitment (often of militia-linked individuals into the police) resulting in an unmanageable, ineffective and extremely expensive ISF.

“The MOD is continuing to monitor implementation of the ISF development plan and is undertaking work to consider a limited number of specific gaps they have

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<sup>1148</sup> Minute Blake to Sheinwald, 27 July 2006, ‘Iraq Strategy Group, 27 July’.

<sup>1149</sup> [Paper Cabinet Office, 13 June 2006, ‘Follow-up to the Prime Minister’s Visit, Including Delivering a Step-Change in Basra’.](#)

identified, including Iraqi naval protection for oil platforms and the sustainment funding for MND(SE).”

**1227.** The paper provided a work plan entitled ‘Activity to deliver a step-change in Basra’.

**1228.** In discussion, a member of DOP(I) suggested that the Cabinet Office paper risked being too optimistic on security prospects, in light of recent JIC Assessments.<sup>1150</sup> DOP(I) agreed that Mr Browne should take the lead in pulling together a strategy for Basra, with the support of the Cabinet Office and assistance from other departments.

**1229.** On 4 July, Mr Browne wrote to Mr Blair updating him on additional projects, costing £30.7m (but unfunded) over the financial year, to deliver a Better Basra plan (see Sections 9.5 and 10.2).<sup>1151</sup> Those included:

- a “new unit [a Department of Internal Affairs] to clean up the Basra police from within”, costing around £4m and requiring eight UK police officers;
- on-the-spot mentoring of the Basra police and the regional prison managers, costing £10.3m and requiring an additional 20 police advisers;
- a new unit – the Prosecution Mentoring Unit – to fast-track corruption, organised and major crime cases through Basra’s courts;
- more training for judges; and
- witness protection arrangements.

**1230.** The overall aim of the projects was to increase the capacity of the Iraqis to deal with those they detained and so avoid the consequences of detaining large numbers of people for long periods.

**1231.** Mr Browne’s proposals were approved by DOP(I) on 6 July.<sup>1152</sup>

**1232.** Prime Minister Maliki met Mr Browne in London on 25 July.<sup>1153</sup> The meeting was described as “a relatively robust exchange of views” with Prime Minister Maliki stating that there was little discipline in the ISF in Basra, a lack of co-ordination between MNF-I and the IPS and that problems with the IPS were attributable to coalition failures to deliver equipment.

**1233.** Prime Minister Maliki also stated that arrests by MNF-I in MND(SE) were harming national reconciliation and should be halted. Mr Browne countered that “the real lesson from Northern Ireland was that the terrorists only came to the table once they had realised they could not win. It was only then that the combination of early releases and reconciliation became viable tools in the reconciliation process.”

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<sup>1150</sup> Minutes, 15 June 2006, DOP(I) meeting.

<sup>1151</sup> [Letter Browne to Blair, 4 July 2006.](#)

<sup>1152</sup> Minutes, 6 July 2006, DOP(I) meeting.

<sup>1153</sup> Minute Beadle to MA/DCDS(C), 25 July 2006, ‘Secretary of State for Defence Meeting with Prime Minister Maliki’.

**1234.** In August 2006, ACC Barton produced an assessment of the situation in MND(SE).<sup>1154</sup> He highlighted that:

- Although the UK had “trained and trained the lower echelons of the IPS and ... equipped them to a reasonable standard”, they had not created a police force.
- Training should have been top down rather than bottom up.
- The equipment supplied by the UK “provided technological solutions way above the local need – smartboards and complex computer systems which get stolen (by the police) or can’t be used due to lack of power. What they need (and like) is desks, pens, ledgers and stationery”.
- A basic level of corruption was endemic to Iraqi society but the current level wasn’t “‘hand in the till’ activity”; the SCU was “synonymous with killings, torture and abuse”.

**1235.** ACC Barton advocated further UK pressure to encourage the MOI to purge employees, mentioning a recent purge of MOI employees (including IPS) in which there were “86 convicted murderers, 345 with bribery convictions, rapists, kidnappers, and even two IPS who were supposed to have been executed in the 90s but were alive and working in Baghdad!”

**1236.** ACC Barton described the Tactical Support Unit (TSU) and the confidential TIPS hotline as successes but added that there was a “woeful lack of command and control skills by senior Iraqi Police Officers” and “little public confidence in the IPS as an entity”.

### Problems with the 10th Division – mutiny and looting

**1237.** Over the summer of 2006, problems began to surface with the largely untested 10th Division.

**1238.** On 10 August, Maj Gen Shirreff reported the murder of a colonel in 10th Division and suggested that the murder might have been motivated by his “resolute stand against militia influence in the IA”.<sup>1155</sup> Maj Gen Shirreff described 10th Division as “not perfect but it is the best hope we have for now of an Iraqi solution to the security problems. Emerging signs of increasing politicisation and infiltration within the IA can only be bad news.”

**1239.** The JIC considered the security situation in the South on 27 September:

“We judge that the Iraq Army in the South can cope with the limited threat posed by Iraqi Sunni Arab nationalists and jihadists. But their willingness and ability to tackle Shia militias is doubtful. MNF describe the Iraqi Army’s 10th Division in MND(SE) as “fragile”. Its 10,000 personnel can perform basic tasks (patrols and static guard duties) independently, and it has provided limited support to MNF counter

<sup>1154</sup> [Report Barton, August 2006, ‘The window of opportunity’.](#)

<sup>1155</sup> Minute Shirreff, 10 August 2006, ‘GOC MND(SE) – Southern Iraq Update – 10 August 2006’.

insurgency operations, including during implementation of the state of emergency in Basra. But there have been recent instances of a breakdown of discipline. It failed to prevent the looting of MNF camps when they were handed over in Amarah and Samawah. And on 24 August over 100 men from the battalion based in Amarah refused an order to deploy to Baghdad. Intelligence shows that some army personnel retain loyalties to JAM and Badr militias. We do not know the scale of this problem, and we judge that it is less severe than in the police. But the loyalty of the army in the South has not been seriously tested.”<sup>1156</sup>

**1240.** On 31 August, Maj Gen Shirreff wrote that members of 10th Division had refused orders to deploy to Baghdad.<sup>1157</sup> He viewed that event and the looting of MNF camps described by the JIC as indicating “that the IA is built on shakier foundations than we might wish and is a real concern”.

## Operations SALAMANCA and SINBAD

**1241.** Operation SALAMANCA was a plan conceived in the summer of 2006 to address the security situation in the South and move Basra towards PIC. It is described in detail in Section 9.5.

**1242.** Lieutenant General Sir Richard Shirreff explained to the Inquiry that the Basra Security Plan announced by Prime Minister Maliki had “amounted really to nothing more than the establishment of a Basra security committee” and Op SALAMANCA was therefore “the operationalising of the Iraqi Basra security plan”.<sup>1158</sup> He told the Inquiry that its concept was:

“... to achieve security, to excise the death squads, to defeat JAM, through the synchronised application of what we call kinetic, ie force, and non-kinetic, ie reconstruction and development.”

**1243.** In his weekly report on 31 August, Maj Gen Shirreff said that he aimed to prepare 10th Division for operations in Basra during Op SALAMANCA.<sup>1159</sup> He remarked that that could provide “potentially more of an Iraqi face on Op SALAMANCA”.

**1244.** On 1 September, Mr Browne’s Private Secretary wrote to Mr Blair’s Private Secretary that Mr Browne had approved the additional troops requested for Op SALAMANCA because he had “judged that the likely impact of a short term extension of an increased troop presence is offset by the need for momentum for the projects that will make a visible impact in the city”.<sup>1160</sup>

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<sup>1156</sup> JIC Assessment, 27 September 2006, ‘Iraq: The Security Situation in the South’.

<sup>1157</sup> Minute Shirreff, 31 August 2006, ‘GOC MND(SE) – Southern Iraq Update – 31 August 2006’.

<sup>1158</sup> Public hearing, 11 January 2010, pages 14-19.

<sup>1159</sup> Minute Shirreff, 31 August 2006, ‘GOC MND(SE) – Southern Iraq Update – 31 August’.

<sup>1160</sup> Letter Beadle to Banner, 1 September 2006, ‘Iraq: troop levels in support of Op.SALAMANCA’.

**1245.** Mr Browne told the House of Commons on 11 September that 360 additional personnel would be deployed to reinforce the effort in Basra.<sup>1161</sup> That comprised an extended deployment of the Theatre Reserve Battalion and an uplift in Royal Engineers, Royal Marines (one boat troop) and Royal Military Police (one troop) to augment training of the IPS.

**1246.** At the DOP(I) meeting on 14 September, the objectives of Op SALAMANCA were described to Ministers as being to:

- increase Iraqi political grip on the issue, by having a visible Iraqi face on the plan and active involvement in the operation; and
- increase the confidence and competence of the ISF.<sup>1162</sup>

**1247.** On 15 September, Maj Gen Shirreff reported that the police were “still incapable of providing even the most basic level of security; rather they are a major cause of insecurity”.<sup>1163</sup> He anticipated that during Op SALAMANCA there would be “a concerted and sustained effort by Police Training Teams” to “turn those police stations capable of improvement into police stations that are capable of providing basic security in their local areas”. His aim was “to cull the unredeemable and rehabilitate the ‘just about salvageable’”.

**1248.** In a meeting with Gen Casey, Prime Minister Maliki was reported as saying that “the security situation in Basra was not bad enough to warrant an operation that would upset the political balance”.<sup>1164</sup>

**1249.** In his evidence to the Inquiry, Lt Gen Shirreff described gaining approval from the Iraqi Government as an “absolutely non-stop grind”:

“Maliki said he didn’t want this operation to proceed, despite ... declaring a state of emergency. So I then went up to Baghdad ... got to see Maliki and eventually briefed him and persuaded him that this operation should continue.”<sup>1165</sup>

**1250.** Lt Gen Shirreff told the Inquiry that even travelling to meet Prime Minister Maliki was difficult, with Gen Hamadi refusing to fly for two hours because he had received a call from a Sadrist Minister who said, “This operation isn’t to continue”.

**1251.** In response to the difficulties in securing approval, Op SALAMANCA was refined and repackaged as “a reconstruction and development operation enabled by MNF and MNF-led security”.

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<sup>1161</sup> House of Commons, Official Report, 11 September 2006, column 111WS.

<sup>1162</sup> Minutes, 14 September 2006, DOP(I) meeting.

<sup>1163</sup> Minute Shirreff, 15 September 2006, ‘GOC MND(SE) – Southern Iraq Update – 15 September 2006’.

<sup>1164</sup> Minute Shirreff, 21 September 2006, ‘GOC MND(SE) – Southern Iraq Update – 21 September 2006’.

<sup>1165</sup> Public hearing, 11 January 2010, pages 17-19.

**1252.** In his evidence to the Inquiry, Major General Jonathan Shaw, GOC MND(SE) from January to August 2007, said that Op SALAMANCA was altered “because of resistance within the Shia polity”.<sup>1166</sup> In practice, that meant:

“... a lot of the kinetic element that had been intended in SALAMANCA was taken out. It continued under another guise, if you like, and that just showed an early sign that ... you had to work within the tolerances of the Shia polity, and that became particularly apparent where anyone in MNF tackled a Shia problem.”

**1253.** Following a meeting of the Security Committee in mid-September, the name of the operation was changed to Operation SINBAD.<sup>1167</sup>

**1254.** In his evidence to the Inquiry, Lt Gen Shirreff described how Op SINBAD was undertaken.<sup>1168</sup> “Relatively soft areas” were selected, a surge of force was used to secure the area, and teams were then put into police stations. Those teams went “through the police stations with a fine-toothed comb” to establish their state. The UK had not visited many of the stations for six months, following the Jameat incident described earlier in this Section.

**1255.** Lt Gen Shirreff continued:

“We surged police training teams in, Royal Military Police and contract policemen from elsewhere.”

**1256.** ACM Stirrup visited Iraq from 24 to 26 September and wrote to Mr Browne on the day after his return to give him “an early feel” for some of his conclusions.<sup>1169</sup> He considered that “the proposals for cleaning up individual police stations and culling/retraining the force are good” but would have no long-term impact unless the “killers” in the SCU were dealt with.

**1257.** Maj Gen Shirreff reported on 28 September that Op SINBAD had begun, and that initial operations had gone exceptionally well:

“What made a particular impact was the very evident Iraqi face on the operation, both in the form of Iraqi sappers<sup>1170</sup> working alongside British sappers and Iraqi Army security patrols on the streets alongside MNF.”<sup>1171</sup>

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<sup>1166</sup> Public hearing, 11 January 2010, page 6.

<sup>1167</sup> Minute Shirreff, 21 September 2006, ‘GOC MND(SE) – Southern Iraq Update – 21 September 2006’.

<sup>1168</sup> Public hearing, 11 January 2010, pages 19-20.

<sup>1169</sup> [Minute CDS to SofS \[MOD\], 27 September 2006, ‘CDS Visit to Iraq 24-26 Sep 06’](#).

<sup>1170</sup> Sappers are soldiers who perform a variety of military engineering duties including bridge-building, clearing minefields and demolitions.

<sup>1171</sup> Minute Shirreff, 28 September 2006, ‘GOC MND(SE) – Southern Iraq Update – 28 September 2006’.

**1258.** General Sir Nicholas Houghton described Op SINBAD to the Inquiry as the “last best operation” to provide:

“... sort of exemplar modelling to the Iraqi Army but trying to put them in the lead of it. In the latter stages of SINBAD, it became important that they were seen to be in the lead ...”<sup>1172</sup>

**1259.** Gen Houghton described the “instantaneous” follow-up “of police reform, with police reform teams going into areas of Basra as they were cleared and made more stable by Iraqi Army back-filling”.

**1260.** On 27 October, Mr Banner wrote to Mr Siddiq, summarising a briefing that Mr Asquith had given Mr Blair the previous day.<sup>1173</sup> Mr Blair had been told:

“The Iraqi Army had performed well in some areas (e.g. 10th Division in Basra). But it lacked maturity, had poor mechanism for civilian control and direction, and equipment was unevenly distributed and sometimes inadequate to task.”

**1261.** Mr Blair requested further advice on how to strengthen the Iraqi Army and Prime Minister Maliki’s control of it. A copy of the note was sent to the MOD for action.

**1262.** The MOD replied on 9 November.<sup>1174</sup> With respect to MND(SE), the MOD stated that 10th Division’s planned development was “on track” but that it was:

“... consistently placed at the bottom of the prioritisation list by Baghdad due to the perceived low threat in Southern Iraq. As a result, they are potentially outgunned by insurgents and remain vulnerable when moving by vehicle.”

**1263.** The MOD wrote that it was “scoping the possibility of gifting 250 armoured protection vehicles” to “enhance” 10th Division’s capacity. It stated that Enhanced Military Training Teams (Super MiTTs) would “evolve” to “protect and enhance the progress already made” when units were transferred to Iraqi control. Those Super MiTTs were not described in any further detail.

**1264.** Reflecting on the Iraqi Army’s performance in his evidence to the Inquiry, Lt Gen Shirreff said:

“[The Iraqi Army] improved in terms of confidence, in terms of training, immeasurably, I think, during the period of SINBAD, but they were not up to holding in security terms, because, ultimately, however confident they got, you have to remember that the Iraqi Army in south-east Iraq were Shia-recruited, locally

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<sup>1172</sup> Public hearing, 5 January 2010, page 20.

<sup>1173</sup> Minute Banner to Siddiq, 27 October 2006, ‘Iraq’.

<sup>1174</sup> Letter McNeil to Banner, 9 November 2006 attaching Minute DJC, 9 November 2006, ‘Strengthening the Iraqi Military Forces’.

recruited, they lived on the ground amongst the militia and they were not prepared to fight the militia, because they knew that, if they did, they would come off worse.”<sup>1175</sup>

**1265.** On 16 November at DOP(I), VAdm Style stated that ISF would be in the lead of Op SINBAD pulses from the end of the month and that they would be fully in charge of the operation, including planning, by the end of February.<sup>1176</sup> He described Op SINBAD as a “considerable success” but stated that progress on reforming the police remained weak.

**1266.** In his evidence to the Inquiry, VAdm Style described some of the achievements of Op SINBAD:

“... a new level of co-operation between our own forces and the Iraqi Army, better Iraqi Army and police co-operation ... extra equipment was brought in ... By the end ... the Iraqis were in the lead to an extent they had not been before.”<sup>1177</sup>

**1267.** On 30 November, Maj Gen Shirreff reported that Op SINBAD was progressing well and considered future plans:

“Op SINBAD has led to improvements both in the general security situation (as evidenced by the declining murder rate) and the confidence and capability of the ISF. Mentoring of the Provincial Joint Coordination Centre by MND(SE) has led to noticeable improvements in its ability to plan and coordinate operations. Similarly the mentoring and training conducted by the police transition teams have led to an improvement in the average transition readiness assessment ... I assess that as SINBAD culminates we will be able to say, quite reasonably, that the security framework we have established in Basra will set the conditions for PIC.

“With regards to corrupt IPS, the DIA have already started tackling corrupt policemen but they are a small team and it will take time before they have a significant effect. In the meantime I have had my staff refine our plans to deal with the Serious Crimes Unit (SCU), the largest and most dangerous of the corrupt IPS units, with support from elements of the ISF. My intention is to replace the SCU with a new unit – the MCU (Major Crimes Unit). The first phase will be to secure the new location (the Warren) and to screen those already at the site. The Jameat police station (the present site of the SCU) will be cleared once the Warren is secure and those present will be assessed, the ineffective will be removed/transferred and the known criminal element will be arrested. Finally those selected for the MCU will be carefully screened and those that pass will be closely monitored, mentored and trained.”<sup>1178</sup>

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<sup>1175</sup> Public hearing, 11 January 2010, pages 23-24.

<sup>1176</sup> Minutes, 16 November 2006, DOP(I) meeting.

<sup>1177</sup> Public hearing, 5 January 2010, pages 39-40.

<sup>1178</sup> Minute Shirreff, 30 November 2006, ‘GOC MND(SE) – Southern Iraq Update – 30 November 2006’.

## The Warren

The Warren site in Basra City housed the Provincial Joint Co-ordination Centre (PJCC) command and control centre.<sup>1179</sup> The PJCC was a provincial security committee to discuss “security issues in the broadest sense”.<sup>1180</sup> The Warren also housed a number of IPS specialist units including the TIPS line (see Box earlier in this Section, ‘TIPS hotline’), the Major Crimes Unit (MCU), and the National Information and Investigation Agency (NIIA).

The PJCC building was located around 5km from Basra Palace and 15km from Basra Airport (see Map 6, Annex 4).

**1268.** The following week, on 7 December, Maj Gen Shirreff reported:

“I have come to the conclusion that the best we can achieve through SINBAD are those surface level improvements required to get police stations to TRA level 2, the critical level for PIC. Culling militia infiltrators from the police is a non-starter without a national anti-militia plan including DDR [Disarmament, Demobilisation and Reintegration].”<sup>1181</sup>

**1269.** CC Kernaghan visited Iraq from 4 to 6 October 2006.<sup>1182</sup> His stay was hampered by problems with transport and he was unable to go to Baghdad. The main focus of his visit report was the lack of support coming from the MOI and he cited cases of corrupt officers being sacked in MND(SE) only to be reinstated “often in a higher rank” by the MOI.

**1270.** CC Kernaghan recommended:

“We should now be planning for a new era in which there is a reduced overt British military presence in southern Iraq. If we move to a security infrastructure delivered primarily by the Iraqis then we should remodel our support to reflect that new reality. In such an era I would suggest station visits and routine training delivery are irrelevant. We need to ask the MOI what support they would value over the medium term and then decide how best we could provide that support, assuming political support. I believe our focus should move from the tactical to the strategic ... Crucially it is hard to justify investing in tactical achievements and gains when it appears the wider strategic context is undermining our overall goals. The Iraqi MOI must set out their visions and we should seek to support it where we can and feel it is appropriate.”

<sup>1179</sup> Statement Colbourne, 29 June 2010, page 6.

<sup>1180</sup> [Minute Naworynsky to Quarry, 11 May 2004, ‘Iraq: Security Structures after 30 June’](#).

<sup>1181</sup> Minute Shirreff to CJO, 7 December 2006, ‘GOC MND(SE) – Southern Iraq Update – 07 December 2006’.

<sup>1182</sup> Report, 6 October 2006, ‘5<sup>th</sup> Visit to Iraq by Chief Constable Kernaghan 4-6 October 2006’.

**1271.** CC Kernaghan was accompanied on the visit by the Police and Justice Team Leader from the FCO's Conflict Issues Group, who reported:

"The IPS is widely recognised as an integral part of the security problem, exhibiting a serious propensity to undermine, rather than enforce, law and order. It barely functions in Basra, suffering from a paralysing combination of deeply embedded corruption (including involvement in extra-judicial killings), militia infiltration, poor leadership (the recently confirmed Chief of Police, Al Hamadi, appears to inspire little loyalty), and weak command and control structures. The dearth of local IPS officers willing to staff the nascent Internal Affairs Department illustrates the depth of the problem; recruits have finally been found, following MOI intervention, in a nearby province.

"The early stages of SINBAD have confirmed the extremely poor state of the IPS. From an over-complex and over-staffed organisational structure lacking basic administrative capacity, to the decaying police stations with no mains electricity and inadequate sewerage, the conditions on the ground are grim."<sup>1183</sup>

**1272.** The Police and Justice Team Leader recommended to Mr Pattison and Ms Joan Link, Head of the Conflict Issues Group, that the UK should:

- Extend the window of opportunity offered by Operation SINBAD by re-deploying a number of UK police officers more directly in support of efforts to tackle gross IPS corruption, the key obstacle to longer-term improvement of the IPS;
- Increase UK strategic policing input at the MOI in Baghdad, to support the development of national, and by extension provincial, capacity (including increased financial and logistical expertise) and thereby improve the chances of sustainability;
- Encourage greater Rule of Law co-ordination between ministries in Baghdad and between the capital and provinces, again to improve sustainability. Leverage EU financing and expert support as far as possible."

**1273.** The British Embassy Baghdad produced a 'Police Forward Look' in November 2006 which assessed priorities in Basra (described in Box, 'Enabling the police to tackle crime', earlier in this Section).<sup>1184</sup> It stated:

"Key target – getting to PIC. Assumption: policing work will be more difficult in Basra city post-PIC. Will not be possible to fully tackle police corruption pre-PIC. Police to concentrate on required level – not set sights higher."

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<sup>1183</sup> Report, 17 October 2007 [sic], 'UK's Policing Contribution in Iraq: Visit to Basra, 4-7 October'.

<sup>1184</sup> [Paper BE Baghdad, November 2006, 'Police Forward Look'](#).

## CIVILIAN DRAWDOWN

**1274.** Mrs Beckett decided in October that the majority of civilian staff should be withdrawn from Basra Palace and relocated to Basra Air Station.<sup>1185</sup>

**1275.** In an IPU paper considering the impact of that drawdown it was assessed that:

- ACC Barton and a small number of police advisers already based at Basra Air Station would be unaffected.
- The key current task for the remaining police advisers in Basra was work to support Op SINBAD for which they needed to be based in Basra Palace or another MND(SE) site in the city. The TIPS programme, run out of the PJCC (co-located with the Basra Police Headquarters) would also be affected.
- Prisons work would be affected as Iraqi Corrections Service staff preferred to visit Basra Palace than from Basra Air Station, and unannounced prison visits were also more easily made from Basra Palace than Basra Air Station.
- There would be a negative impact on the Rule of Law work being carried out by the Provincial Reconstruction Team (PRT).<sup>1186</sup>

**1276.** The IPU recommended that the police team at Basra Palace should be reduced by 14 officers, three of whom would relocate to the Air Station. The remainder would leave Iraq. That would “retain just enough officers in the city to provide essential support to Op SINBAD”. The prisons team would leave theatre “pending progress on the Basra Central Prison project” and “we would need to think hard about whether the PRT could have enough real impact to justify the costs and risks of maintaining it at its current size.”

**1277.** Brigadier James Everard, Commander 20 Brigade, reporting in place of Maj Gen Shirreff, expressed concern that that move would have a negative effect on SSR work, making it impossible to train the specialist police teams that would take over from the corrupt SCU and hampering the planned move of Iraqi prisoners out of the Jameat facility into a new facility.<sup>1187</sup>

**1278.** Brig Everard also reported the murder of 17 Iraqi interpreters and locally employed contractors employed at the Basra Police Academy. He advised:

“How the ISF (particularly the police) deal with this incident should be an important test. Unsurprisingly, they may disappoint. There is a lack of IPS will to prosecute a JAM-linked case with much vigour, let alone conduct any arrests.”

**1279.** A paper drafted on 30 December by the Deputy Chief Police Adviser proposed that there would be 31 International Police Advisors, nine police officers (not including

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<sup>1185</sup> Minute Cabinet Office [junior official] to Sheinwald, 30 October 2006, ‘Iraq Strategy Group, 27 October’.

<sup>1186</sup> Minute Casey to Sawers, 24 October 2006, ‘Iraq: DOP: Political Strategy and Basra Palace Site’.

<sup>1187</sup> Minute Everard, 2 November 2006, ‘GOC MND(SE) – Southern Iraq Update – 2 November 2006’.

ACC Barton and his staff officer) and two military officers operating from Basra in 2007.<sup>1188</sup> It was thought that the PTT numbers would reduce further in April and, depending on progress, might not be required at all.

**1280.** The MOD and the FCO produced separate papers on future plans for Basra for DOP(I) on 7 December.<sup>1189</sup> Both papers envisaged military and civilian personnel relocating to Basra Air Station with an undefined “residual presence” possibly remaining at the PJCC. The MOD stated that there would be a number of post-handover tasks including:

- continued training and mentoring of the Iraqi Army, IPS and the Department of Border Enforcement (DBE);
- support to other government departments’ efforts on Iraqi police training, including co-ordinating the disbandment of the Serious Crimes Unit (SCU); and
- retaining the capacity to intervene if security were to deteriorate beyond the capabilities of the ISF.

**1281.** The FCO listed a number of police training tasks for 2007 including:

- clearing out the SCU (dealing with 300-400 staff and transferring detainees out of SCU custody);
- specialist support to Basra Police Headquarters at the Warren site, including the National Information and Investigation Agency (NIIA), the TIPS hotline and forensics training;
- mentoring the Chief of Police; and
- developing leadership training.

**1282.** DOP(I) discussed and “took note” of both papers.<sup>1190</sup>

## TACKLING THE SERIOUS CRIMES UNIT: OPERATION THYME

**1283.** In his evidence to the Inquiry, Lt Gen Shirreff described the specialist police units, in particular the SCU, as “a serious problem that needed to be resolved”.<sup>1191</sup> He said that their activities included “intimidating, murdering, kidnapping ordinary Basrawis”. He added that for the people of Basra, the SCU was a “bastion of tyranny right in their midst”.

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<sup>1188</sup> Paper FCO [junior official], 30 December 2006, ‘Shaping the CivPol Mission – Iraq 2007’.

<sup>1189</sup> [Paper MOD officials, 5 December 2006, ‘UK Military Plans for Southern Iraq in 2007, A Briefing Paper for DOP-I by Officials’](#); [Paper FCO officials, 1 December 2006, ‘Basra: Objectives and Presence in 2007’](#).

<sup>1190</sup> Minutes, 7 December 2006, DOP(I) meeting.

<sup>1191</sup> Public hearing, 11 January 2010, pages 27-31.

**1284.** The November 2006 ‘Police Forward Look’ included the target of replacing “the corrupt and dangerous SCU”.<sup>1192</sup> The plan was:

“Two hundred people to be disciplined, removed or prosecuted, then seek PDoP’s [Provincial Director of Police’s] and Governor’s agreement to close down and establish MCU [a Major Crimes Unit] in new location. Close down the Jameat (present site of the SCU). Realistically, only aim to get the MCU the best possible start, then hand over to Iraqi control immediately at PIC.”

**1285.** That work would be undertaken by ArmorGroup contractors.

**1286.** On 15 December, a junior official at the PJHQ briefed Mr Browne on Op SINBAD and the plans to deal with the SCU based at Jameat Police Station.<sup>1193</sup> The briefing did not suggest a real improvement in the overall capability of Basra’s IPS stations: while prior to Op SINBAD stations had an average of TRA level 3 or worse, the average was now assessed at between 2 and 3 with “some inconsistencies” between stations. It did, however, state that the PJCC’s “command ability to plan and co-ordinate operations throughout the city” was “much improved” due to the permanent presence of the MNF at the centre.

**1287.** The PJHQ official assessed the SCU as “so thoroughly tainted by corrupt officers that it is effectively beyond gradual reform” and that orders had now been given by the MOI and Prime Minister Maliki for it to be disbanded. The new Operation THYME was being planned by Maj Gen Shirreff to disband the SCU, clear its headquarters and remove all prisoners at the Jameat. The existing 200 SCU personnel would either:

- be detained (only if “sufficient targetable intelligence” existed);
- have their case handed to the Department of Internal Affairs (DIA) (where no “targetable” evidence existed but there was information suggesting the individual had been involved in criminal activity); or
- moved to other parts of the IPS and given further training (if not suspected of any criminal activity).

**1288.** The PJHQ official said that where individuals were dismissed from the IPS, continued biometric testing from the IPS should prevent them from being re-employed, although that was only possible if the Iraqis continued “to implement a stringent and routine testing regime”. The new MCU would be formed at the PJCC made up of 120 individuals selected by the PTT following “a rigorous screening process”.

**1289.** Op THYME was carried out on 25 December.<sup>1194</sup> Briefing Mr Browne the following day, a PJHQ junior official reported that the operation had been successful but that MNF

<sup>1192</sup> [Paper BE Baghdad, November 2006, ‘Police Forward Look’.](#)

<sup>1193</sup> Minute PJHQ [junior official] to PS/SofS [MOD], 15 December 2006, ‘Op TELIC: Iraq: Op SINBAD and its Enduring Effect on the IPS’.

<sup>1194</sup> Minute PJHQ [junior official] to APS/SofS [MOD], 26 December 2006, ‘Outcome of Op THYME – MND(SE) Operations to Disband the Serious Crime Unit (SCU) in Basra’.

had been attacked a number of times, resulting in a “very minor” MNF casualty and “some vehicle damage”. Seven attackers had been killed.

**1290.** The PJHQ official stated that 127 prisoners were found and that the Iraqi Army had transferred them to the Warren facility. “Some 80 percent” of the prisoners “showed signs of torture”. A search of the Jameat site uncovered weapons, grenades, shells and bomb-making equipment. The MNF demolished part of the building to prevent it from being reoccupied.

**1291.** There had been a mixed reaction from the Iraqi Government to the operation. A spokesperson from the IMOD had reiterated that the Iraqi Army was involved; making clear that the MNF did not act alone. Governor Waili and tribal leaders had offered “very strong support” but some of those briefed on the operation beforehand had since said they were unaware of the MNF’s intent. That was believed to be due to militia pressure.

**1292.** Reflecting on the Iraqi reaction to Op THYME, Lt Gen Shirreff told the Inquiry:

“Maliki was generally supportive, Governor Waili was delighted, the tribal sheikhs within Basra were delighted, the principal cleric of the largest Shia mosque in Basra, with a congregation of 10,000 people on Friday prayers, thanked me for delivering the people of Basra from this nest of vipers.”<sup>1195</sup>

**1293.** On 28 December, Mr Dominic Meiklejohn, Deputy Consul General in Basra, described the ISF’s role in Op THYME as “significant”.<sup>1196</sup> The performance of Brigadier Ibrahim, the only member of the Basra Security Committee in the country, had been “less encouraging”, getting “cold feet at the last moment” and ordering a Commander of 10th Division not to participate. Consequently, the brigade failed to provide the outer cordon as planned.

**1294.** Mr Meiklejohn reported that Prime Minister Maliki had claimed not to know about the operation, despite it being raised with him on three separate occasions. Some members of the Provincial Council had criticised the operation publicly but those were the “usual suspects”. At a local, tactical level reactions had been positive, and although local media had suggested the IPS would no longer be participating in Op SINBAD, the PTTs had been “welcomed warmly” at police stations. He wrote:

“... excising the SCU has demonstrated that MNF and ISF have the will and capacity to root out militia influence over the IPS. The SCU were not the only offenders but had become a signal of what was wrong with the IPS. The operation ... sent a powerful signal to Basra.

“There is still much to do. MNF operations against the Shia militias remain outside [Prime Minister] Maliki’s comfort zone. Local ISF commanders are scared of being

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<sup>1195</sup> Public hearing, 11 January 2010, page 31.

<sup>1196</sup> eGram 57155/06 Basra to FCO, 28 December 2006, ‘Iraq: Basra: Action Against Serious Crime Unit’.

hung out to dry by Baghdad if they get too closely involved. We can avoid some of the pain by doing even more to keep Maliki ... in the loop (and paying the price in operational security – the fact that no members of the SCU were caught in the Jameat suggests they were warned off). But we can't make Maliki more determined or happier to confront the Shia militias. And we can't get to PIC unless we can show that the ISF are ready and able to confront the militias.”

**1295.** Maj Gen Shirreff, also reporting on Op THYME on 28 December, wrote that the operation “may mark a decisive moment, if not *the* decisive act in our efforts to reform the IPS in Basra”.<sup>1197</sup> He thought it “brought to a head the hard choices that face the Provincial Council, the Basra Security Committee and the ISF: do they confront or continue to roll over in the face of the militia?”

**1296.** Maj Gen Shirreff criticised Maj Gen Latif for refusing to order a brigade to deploy into an area, because JAM was there with Rocket Propelled Grenades and small arms. Maj Gen Shirreff considered the Basra Security Committee “no longer fit for purpose” after two members deserted the Committee during the operation and Brig Ibrahim denied “any foreknowledge having previously been in full support”.

**1297.** On 4 January 2007, Maj Gen Shirreff reported that the relationship with the Council remained tense, with all members refusing to meet the MNF face to face.<sup>1198</sup> He was concerned about the welfare of the prisoners after SCU members had arrived to work at the Warren facility. While prisoners had not been subject to further torture, they had not received access to medical care or legal advice. The Director of Police had assured he would keep SCU out of the Warren because it was not possible to be sure who had been involved in the torture of prisoners.

**1298.** The consequences of Op THYME continued as members of the Provincial Council refused to engage fully with the MNF.<sup>1199</sup> They rejected evidence that the MNF had authority for the operation and denied being briefed about it beforehand. Maj Gen Shirreff believed it was “absolutely clear” that that was due to fear of reprisals from JAM and SCU.

**1299.** Lt Gen Shirreff told the Inquiry about how Op THYME affected Op SINBAD:

“... there was some delay ... but ... there was no significant impact on SINBAD at all. In fact, in a sense it allowed us to continue that process which had begun to develop, but putting the Iraqis more into the lead on SINBAD ...”<sup>1200</sup>

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<sup>1197</sup> Minute Shirreff to CJO, 28 December 2006, ‘GOC MND(SE) – Southern Iraq Update – 28 December 2006’.

<sup>1198</sup> Minute Shirreff to CJO, 4 January 2007, ‘GOC MND(SE) – Southern Iraq Update – 04 January 2007’.

<sup>1199</sup> Minute Shirreff to CJO, 11 January 2007, ‘GOC MND(SE) – Southern Iraq Update – 17 January 2007’.

<sup>1200</sup> Public hearing, 11 January 2010, pages 32-33.

## EARLY ASSESSMENTS OF IRAQI SECURITY FORCE PERFORMANCE IN OP SINBAD

**1300.** On 4 January 2007, Maj Gen Shirreff reported that the Iraqi Ground Forces Command had declared operational control of 10th Division from MNF-I.<sup>1201</sup> Maj Gen Shirreff stated:

“I am content, but on the condition that Latif is replaced and the Army does not accept orders from the Basra Security Committee.”

**1301.** On the No.10 copy of Maj Gen Shirreff’s report, Sir Nigel Sheinwald commented that, while there was some positive news in it, “the worst ... is left to the end and is a big problem”.<sup>1202</sup>

**1302.** Lt Gen Lamb produced an update on ISF capabilities on 5 January 2007.<sup>1203</sup> On equipment, he wrote that the Iraqi Government did not view 10th Division as “a relatively high priority for investment” because their ratings and manning levels were “significantly higher than other Divisions on a number of criteria”. If the UK was to lobby the IMOD and MNSTC-I for equipment, Lt Gen Lamb advised:

“... this needs to be done in the full knowledge that it distorts the prioritisation and investment system that we have encouraged the Iraqis to develop and meet their national needs as a whole; expect push back from US and ISF commanders.”

**1303.** The manuscript comment on Lt Gen Lamb’s assessment of the priorities for investment said: “We have to make this up then.” The MOD has been unable to identify the author of the manuscript comments.

**1304.** On 8 January, the IPU produced an engagement strategy for the future UK presence in southern Iraq.<sup>1204</sup> On ISF capability in Basra, the paper stated: “We should be frank about the problems, for the sake of our own credibility.” The IPU then suggested a series of positive messages:

- Both the Iraqi Army and the IPS are increasingly taking the lead following Op SINBAD.
- Cleaning up the police is “at the heart of our current work”.
- The SCU is being disbanded and replaced by a Basra Crimes Unit at the PJCC site.
- A DIA and a Prosecution Mentoring Unit have been created.

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<sup>1201</sup> Report Shirreff, 4 January 2007, ‘GOC MND(SE) – Southern Iraq Update – 04 January 2007’.

<sup>1202</sup> Manuscript comment Sheinwald on Letter Beadle to Banner, 8 January 2007, ‘Iraq: Update’ attaching Report Shirreff, 4 January 2007, ‘GOC MND(SE) – Southern Iraq Update – 04 January 2007’.

<sup>1203</sup> Minute Lamb to DCDS(C), 5 January 2007, ‘Iraqi Security Force (ISF) Capability’.

<sup>1204</sup> Paper IPU, 8 January 2007, ‘Future UK Presence in Southern Iraq: Engagement Strategy’.

- “We are confident that this mix of activity will get the Basra police to the required standard for transition, even if problems will remain. But we intend to retain a significant police training, support and mentoring presence to sustain forward momentum after transition, including at the PJCC in Basra city.”

**1305.** On 10 January, the MOD produced an update on UK military plans for transition for DOP(I).<sup>1205</sup> An annex provided an interim assessment of Op SINBAD. It stated that a clearer review would be available in March but that there were a number of positive outcomes as well as some areas requiring more work.

**1306.** The annex noted that police effectiveness had increased; it was currently assessed as 69 percent capable and was on track for the 72 percent capability required for transition. But parts of the IPS remained “actively criminal” and harboured the “Death Squads responsible for a large proportion of the murder rate in Basra”.

**1307.** The Iraqi Army had taken the lead through the latter stages of Op SINBAD and was able to respond to requests for assistance through MND(SE). It still lacked the “capability, structurally and conceptually” to deploy nationwide.

**1308.** Op SINBAD had also “confirmed suspicions that some leaders in parts of the Iraqi security sector in MND(SE) are not fit for task, including members of the Iraqi Army and the Basra Security Committee”.

**1309.** DOP(I) considered the paper on 11 January.<sup>1206</sup>

**1310.** The minutes recorded that, although arrest warrants had been issued for members of the SCU, they had not been actioned and there were signs that those members were “continuing to operate”. The UK would continue to press Mr Boulani, and the mentoring effort in the MOI should be increased.

**1311.** Cabinet discussed Op SINBAD and transition in Basra later that day.<sup>1207</sup> Mr Blair stated that during his visit at the end of 2006 “he had sensed, for the first time, that Iraqi generals felt that if they were given the right training and equipment they would be able to do the job”.

**1312.** Mr Browne said that ISF “would only improve if they were given more responsibility”. He reiterated the problems with the police, particularly the SCU, and stated that the UK was “determined” that rogue officers “would not be allowed to remain in the police”.

**1313.** On 17 January, the JIC assessed:

“In MND(SE) the predominantly Shia 10th Division is already operating independently in the provinces of Muthanna, Dhi Qar and much of Maysan ...

<sup>1205</sup> Paper MOD, 10 January 2007, ‘UK Military Transition Plans for Southern Iraq’.

<sup>1206</sup> Minutes, 11 January 2007, DOP(I) meeting.

<sup>1207</sup> Cabinet Conclusions, 11 January 2007.

despite reported comments by the former Commander of 4 Brigade that up to 50 percent of his unit was sympathetic to JAM, they successfully and impartially policed a cease-fire in Amara between JAM and Badr. In Operation SINBAD in Basra units conducted cordon and search operations independently and effectively and in one instance intervened in a public order disturbance. We judge 10th Division is slowly improving and gaining confidence, but it remains prone to interference from local government and militia pressure. It is likely to prove fragile if confronted by serious Shia militia violence.”<sup>1208</sup>

**1314.** On 18 January, Dr Rosalind Marsden, Consul General in Basra, produced the first consolidated weekly report from MND(SE).<sup>1209</sup> She highlighted a number of difficulties including:

- the Provincial Council's disengagement with MNF;
- a requirement to replace or dissolve the Emergency Security Committee;
- a requirement to appoint a new Chief of Police; and
- a continued need to tackle death squads and high-level corruption in the police.

**1315.** In contrast to the MOD's assessment that 69 percent of police stations were at a level sufficient for transition, Dr Marsden assessed that 56 percent were ready and that police trainers had been able to operate normally in 80 percent of the stations visited – in others “they have been turned away politely”. Dr Marsden also stated that the transfer of land to allow construction of a new Central Prison for Basra had finally been agreed in December 2006.

**1316.** In his end of tour report, dated 19 January, Maj Gen Shirreff stated:

“Mission success for Britain depends on a capable, confident IA and the last six months has witnessed both highs and lows. The mutiny of 2/4/10 [2nd Battalion, 4th Brigade, 10th Division] and the failure of 4 (IA) Bde [4th Brigade] to control the looting of Camp Abu Naji in August were the obvious lows and demonstrated that the ‘hands off’ approach to training the IA adopted by the UK was inadequate. Arguably, no other army in the world has greater depth of experience in training indigenous armies than the British and yet we have not been true to ourselves. We have not lived, trained and fought alongside them, preferring a centralised MiTT and a far more hands off approach, in contrast to our US allies. Effectively the stabilisers were removed from the bike too early. The result has been a lacklustre, inadequately trained and supported Division that failed the test when it came.

“Subsequent to these failures, SINBAD has, for the most part, done much to improve IA capability and confidence ... We finish SINBAD with the IA in the lead. However, until the IA in Basra is prepared to fight JAM, the ISF will not be capable

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<sup>1208</sup> JIC Assessment, 17 January 2007, ‘Iraqi Security Forces: Prospects in 2007’.

<sup>1209</sup> Letter Marsden to Aldred, 18 January 2007, ‘Basra: Weekly Report’.

of maintaining law and order ... as with any organisation, it depends on the man at the top and it is the best possible news that Latif, CG 10 (IA) Div [Commander General 10th Division], who has proved to be worse than useless, is to be shifted ... if we are to get the IA right, it means accepting the risk of much greater embedding within IA units. This, in turn, means not only living and training with them, but being prepared to fight with them too.”<sup>1210</sup>

**1317.** In his evidence to the Inquiry, Lt Gen Shirreff said that Op SINBAD:

“... failed to achieve the security which was the original genesis of the plan, but it achieved other things. I think it achieved an increased confidence among the Iraqi Army. It certainly achieved a better standard, generally speaking, of Iraqi police, in terms of the mechanistic boxes that needed to be ticked before Provincial Iraqi Control should be established ...”<sup>1211</sup>

**1318.** On 25 January, Mr Browne briefed Cabinet that, in Basra:

“... the murder rate had reduced from over 100 to less than 30 a month, which compared favourably with a number of European States and American cities. The kidnap rate had been halved and polling suggested levels of confidence in security which would be welcome in the UK; 90 percent of those polled felt more secure than a year ago; only two percent had encountered intimidation in the last six months. The biggest challenge was improvement in policing, but the police forces were only a couple of percentage points below the benchmark set for transfer of security.”<sup>1212</sup>

**1319.** On 26 January, Lt Gen Lamb produced a report on ISF capability for Mr Blair.<sup>1213</sup> He warned about the problems of gifting equipment in an attempt to fix capability gaps:

“This will only provide, perhaps, a marginal short term difference (usually offset by IMOD to compensate against other national priorities) and is, in general, just as likely to exacerbate the systemic issues already present in terms of logistic support e.g. through multiple vehicle fleets or weapon systems. There are also other additional factors ... such directed gifting is likely to received pushback from both the US and the Iraqis.”

**1320.** In her weekly report dated 1 February, Dr Marsden warned that the formation of the new Basra Crimes Unit (BCU) had stalled and that 400 members of the former SCU were still turning up to claim wages and entering buildings designated for the new BCU.<sup>1214</sup> The MOI were yet to stop their wages and the Provincial Director of Police was not engaging on the matter. She stated that MNF protection for DIA officers travelling to

<sup>1210</sup> Report Shirreff, 19 January 2007, ‘Post Operational Report – Operation TELIC, Part One: General Officer Commanding’s Overview’.

<sup>1211</sup> Public hearing, 11 January 2010, page 42.

<sup>1212</sup> Cabinet Conclusions, 25 January 2007.

<sup>1213</sup> Report Lamb, 26 January 2007, ‘Iraqi Security Force (ISF) Capability – January 07 Report for the Prime Minister’.

<sup>1214</sup> Letter Marsden to Aldred, 1 February 2007, ‘Basra: Weekly Report’.

the Warren was critical and that “DIA concerns ... were not allayed when they made the trip with Iraqi Army backup and were confronted by SCU officers”. She noted that the Basra Police Academy had gone into decline since it was transferred to Iraqi control in December 2006.

**1321.** On 9 February, Dr Marsden sought to explain the apparent difference between improving Transitional Readiness Assessments of the police and the more qualitative assessment by those on the ground that the police force had become less effective.<sup>1215</sup> She stated:

“The measurement of transition readiness levels (defined by CPATT) is mainly based on quantitative indicators such as who has been given what training, whether or not police stations are producing the requisite reports, following the right procedures and performing basic police business and whether they are properly equipped. It does not include a moral component.

“On the positive side, we have trained and trained the lower echelons of the Basra police (11,500 in the Shaibah college alone). They have all been equipped with guns, cars and uniforms. There are some good units in the Basra police and a number of good, professional middle-ranking police officers, trying to do a good job. But the Basra police also includes an influential minority of seriously criminal and corrupt individuals and a large number of officers (probably the majority) who are more or less adequate but stifled by weak leadership and intimidated by the seriously corrupt elements and militant militias.

“The real problem is the high level of ... serious police related crime ... This is evidenced by the recent interviews carried out by the Department of Internal Affairs with tortured prisoners from the Jameat. There is evidence that some police officers are also directly involved in anti-MNF activity. These criminal elements are a big part of the problem on the streets, although the size of that problem is not massive compared to Baghdad.”

**1322.** Gen Dannatt visited Iraq from 14 to 15 February.<sup>1216</sup> He reported:

“For MND(SE), 10 IA Div clearly represent the exit strategy not only from Basra City but elsewhere across the region ... the fear is that 10 IA Div may not be as good as we hoped it would be ... But as GOC MND(SE) rightly observed, we have regularly changed the role for which these troops were designed; they have gone from local militia (ICDC), to regional defence force and now onto an expeditionary footing ... over the past three and a half years. However, we are where we are; the trick now is to maintain sufficient SSR momentum to get 10 IA Div at the level of combat effectiveness appropriate to its future role against the predicted threat. And GOC MND(SE) is looking carefully at this. It is not simply a question of enhancing

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<sup>1215</sup> Letter Marsden to Aldred, 9 February 2007, ‘Basra: Weekly Report’.

<sup>1216</sup> Minute CGS to CDS, 19 February 2007, ‘CGS Visit to Iraq: 14-15 Feb 07’.

our MiTTs – many Iraqi soldiers fear the MiTTs simply draw the enemy’s fire. ‘Partnership’ is key, as we saw on Op SINBAD ...”

**1323.** In his statement to the Inquiry, Former Chief Superintendent Barton said that, by early 2007, “the security situation had worsened so much that it was impossible to move around the city in anything other than a Warrior”.<sup>1217</sup> He wrote that due to the security risk, inspection visits “would often be as short as twenty minutes”; in comparison, an inspection at a UK station would take “at least one full day”.

### 10th Division called to Baghdad

In his weekly report from 31 January, Major General Jonathan Shaw, GOC MND(SE) from January 2007 until August 2007, reported that elements of 10th Division were likely to be called to Baghdad in the near future for a combat role.<sup>1218</sup> He assessed: “while the 10th Division has proven itself capable of basic tasks ... they are not yet combat proven. Asking them to deploy to Baghdad in this role at this stage risks asking too much of them.”

Two battalions of 10th Division were expected to move north in support of the Baghdad Security Plan in late February.<sup>1219</sup> Each battalion was to be accompanied by a team of four “military observers”<sup>1220</sup> who would “co-locate with US forces”.

On 12 February, MOD officials recommended that two four-man UK teams should embed alongside US MiTTs with the two 10th Division battalions being deployed to Baghdad.<sup>1221</sup> By 21 February, plans had expanded to include a UK team of 24 based at Besmaya (from where ISF were being forward deployed to Baghdad) to help the US prepare other ISF units for the Baghdad Security Plan.<sup>1222</sup>

In his evidence to the Inquiry, Major General Graham Binns, GOC MND(SE) from August 2007 until February 2008, recalled:

“... when the unit that we had trained from 10 Division deployed to Baghdad, we mentored and we sent mentoring teams with them to Baghdad ... this was something that had evolved in Basra but not Baghdad.”<sup>1223</sup>

### Planning to leave Basra City

**1324.** On 8 January, No.10 wrote to departments requesting a number of additional reports (as described earlier in this Section), including a weekly report on developments in ISF capability, stating that Mr Blair wished to know of problems, and how and by whom they would be tackled.<sup>1224</sup>

<sup>1217</sup> Statement, 7 June 2010, pages 9-10.

<sup>1218</sup> Minute Shaw to CJO, 31 January 2007, ‘GOC MND(SE) – Southern Iraq Updated – 24 [sic] January’.

<sup>1219</sup> Minutes, 7 February 2007, Chiefs of Staff meeting.

<sup>1220</sup> These “military observers” were later described at MiTTs.

<sup>1221</sup> Minute PJHQ [junior official] to PS/SofS [MOD], 12 February 2007, ‘Iraq: Op TELIC: Deployment of Two Iraqi Army Battalions to Baghdad with Embedded UK Military Training Team’.

<sup>1222</sup> Minute MOD [junior official] to PS/SofS [MOD], 21 February 2007, ‘Iraq – Media Handling of the MiTT Deployments to Baghdad’.

<sup>1223</sup> Public hearing, 15 January 2010, page 17.

<sup>1224</sup> Letter Banner to Siddiq, 8 January 2007, ‘Iraq’.

**1325.** At the Iraq Senior Officials Group on 12 January, Mr Howard pointed out that weekly reporting would be difficult as information was produced by the US on a monthly basis so little would change from week to week.<sup>1225</sup> Monthly reports would therefore be more sensible.

**1326.** On 22 January, Mr Banner wrote to departments thanking them for a series of papers and asked that the next report on ISF capabilities include more detailed recommendations on addressing shortfalls and bottlenecks.<sup>1226</sup>

**1327.** On 26 January, Mr Banner provided Mr Blair with a number of updates.<sup>1227</sup> He judged that the Basra update and the ISF capabilities update suggested that “all is not well with 10th Division, including on equipment (we need to work out how this squares with CDS’s assurance that all they were lacking is a water truck)”.

**1328.** On 24 January, Mr Browne wrote to Mr Blair to update him on the rationale behind a planned reduction in troops from 7,000 to 4,500-5,000 (this is also addressed in Section 9.5).<sup>1228</sup> He stated:

“There is no question of us leaving a vacuum in the city, as the IA and IPS are already doing patrols and we will remain present in the Provincial Joint Co-ordination Centre and military transition teams. Early evidence from the final stages of Op SINBAD, where the IA are in some areas not just in the lead but doing it by themselves, is that inevitably they enjoy a greater level of consent than we do – but also that they are doing a decent job. They are far from the finished article but after re-posturing our shift towards mentoring and support will ensure they continue to develop.

“The clear military advice ... is that re-posturing and the associated drawdown will not adversely affect our capacity to provide support to the Iraqi Security Forces, including underwriting it by providing a battlegroup size reserve force. We must recognise that after re-posturing re-intervention would not be straightforward but this is a nettle that must be grasped at some stage.

“We should explain what these 4,500-5,000 personnel will be doing ... The answer is that as well as holding a battlegroup in reserve ... Security Sector Reform will once again be the main focus – reflected in an increase in our commitment to military and police training teams. In relation to the Police in particular – an area where I know the Americans have concerns – we have ... done a considerable amount to clean up the police in Basra, but making it stick now depends mainly on the Iraqi MOI and Emergency Security Committee acting on outstanding arrest warrants ...

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<sup>1225</sup> Letter Cabinet Office [junior official] to Sheinwald, 12 January 2007, ‘Iraq Senior Officials Group’.

<sup>1226</sup> Letter Banner to Siddiq, 22 January 2007, ‘Iraq’.

<sup>1227</sup> Minute Banner to Prime Minister, 26 January 2007, ‘Iraq Update, 26 January’.

<sup>1228</sup> [Letter Browne to Blair, 24 January 2007, ‘Next Steps on Force Levels in Iraq’](#).

“Finally, given the importance right now of the Iraqis being able to assume the lead, we should take the opportunity to deal with the public demands which PM Maliki made last week on equipment – repeating in public what he has said to us in private. In fact, the position in IA 10 Div is relatively good, but the Iraqis continue to look for symbols of force to over-face the militia. We have managed to bring forward the deployment of some 240 Humvee vehicles – 140 are now in place – and we are expecting some heavy calibre arms over the next month. On my visit I will again press Defence Minister Qadir to spend his capital budget wisely and quickly including for 10 Div.”

**1329.** On 29 January, Mr Banner requested further details from the MOD on equipment issues and MiTTing (as support for police reform).<sup>1229</sup>

**1330.** On 30 January, Mr Banner briefed the Prime Minister that one of the two “key issues” for the US was that the UK should have “an embedding/MiTT programme similar to their own”.<sup>1230</sup> The MOD was “working on this” but was, Mr Banner felt, “reluctant”.

**1331.** Mr Blair met Lieutenant General Nicholas Houghton, Chief of Joint Operations, and senior officials from FCO and SIS to discuss the situation in Basra on 31 January.<sup>1231</sup> The issue of embedding mentors was raised. Lt Gen Houghton explained that the UK approach to mentoring in Basra was different to that being developed by the US, in part because of a differing context; the US were primarily embedding with Shia forces operating in hostile Sunni areas, whereas the UK was working with Shia forces in Shia areas. He stated: “We, not they, drew the fire of local militias”, hence most UK mentoring would take place at headquarters level and at bases.

**1332.** Mr Blair also expressed concern about the Iraqi ability to ensure security after re-posturing. Lt Gen Houghton noted that the UK would retain a re-intervention capability, and that it was “important to allow 10 Division to act independently”. He conceded that there was still considerable work to be done to improve leadership in 10th Division and fill equipment gaps “where it was difficult to take bilateral action specific to 10th Division, given the prioritisation system in place via MNSTC-I”. Mr Blair stated that it was “essential that our plans resulted in a 10 Division that was able to defeat JAM whenever it encountered them in an open fight. This would be the only way to instil wider confidence in the security situation.”

**1333.** The MOD responded to Mr Banner’s request on 2 February.<sup>1232</sup> On equipment, the MOD denied that there were any shortages for 10th Division. It explained that relevant training must take place before equipping could be completed, and that that

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<sup>1229</sup> Letter Banner to Siddiq, 29 January 2007, ‘Iraq’.

<sup>1230</sup> Minute Banner to Blair, 30 January 2007, ‘Iraq Meeting, 31 January’.

<sup>1231</sup> [Letter Banner to Siddiq, 31 January 2007, ‘Iraq: Meeting with Officials’](#).

<sup>1232</sup> Letter Forber to Banner, 2 February 2007.

training had not yet happened. Set against IMOD critical equipment targets for each division, 10th Division were:

- 99 percent equipped in protected mobility;
- 100 percent equipped in light weapons;
- 86 percent equipped in body armour; and
- 84 percent equipped in helmets.

**1334.** The MOD did acknowledge that corruption led to issued equipment being lost but stated: “once equipment has been issued ... there is little MND(SE) can do to oversee the loss or relocation of such assets”.

**1335.** On MiTTing, the MOD stated that US MiTT plans elsewhere in Iraq saw US personnel directly embedded and serving alongside their Iraqi counterparts but the UK approach differed:

“UK practice, and one we have adopted in numerous Military Assistance Missions around the world, is focused on leadership and embedding UK personnel at brigade and divisional level rather than in fighting units. It is possible that our slightly different approach will attract criticism from the US and we will need to be ready to explain our reasoning, which is, in large part, due to the different circumstances on the ground in southern Iraq. 10 Division is more advanced than some Iraqi Army divisions elsewhere and is already responsible for security in much of MND(SE) outside Basra City. Embedded MiTTs may not, therefore be required or wanted much by the Iraqi Army in Southern Iraq.”

**1336.** In his evidence to the Inquiry, Lieutenant General Barney White-Spunner, GOC MND(SE) from February 2008, described the US approach to MiTTing:

“It is an embedded military training team. So what the Americans had done with the First Division, and indeed with most of their formations for which they were responsible in the Iraqi Army, was they had put dedicated teams into that formation who lived and worked with them. So when that formation deployed ... it brought those teams with it.”<sup>1233</sup>

**1337.** On 31 January, the Cabinet Office circulated a paper entitled ‘Transition in Southern Iraq: Progress and Plans’.<sup>1234</sup> The paper set out assessments and plans on security transition for DOP on 1 February, and is described in more detail in Section 9.5. On the IPS, it stated:

“Basic police capability has improved and the Basra IPS is on target to achieve the 72 percent Transitional Readiness Assessment (TRA) level 2 required for transfer

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<sup>1233</sup> Public hearing, 7 January 2010, page 15.

<sup>1234</sup> [Paper Cabinet Office, 31 January 2007, ‘Transition in Southern Iraq: Progress and Plans’.](#)

to Provincial Iraqi Control (PIC) by April. Over 70 percent of Police Stations in Basra province have already reached this level. This is up markedly from a starting average TRA level of 3.3 (out of 4) in September 2006.

“However, for all the efforts made, levels of trust in the police force remain low, and some assessments indicate that the IPS continue to do more to undermine rather than guarantee security.”

**1338.** On the Iraqi Army, the paper stated that the main issue was the “quality of its leadership, in addition to unwillingness to stand up to militia activity and a lack of equipment”. To address concerns about 10th Division’s capabilities and readiness, a “dedicated” SSR team of four MiTTs would be deployed, each comprising five or six people, to carry out training at divisional and brigade level.

**1339.** The paper noted that closing bases in the city would make any military re-intervention high-risk. In the event of re-intervention, all training of the ISF would have to cease until the operation was complete. Post-PIC plans for SSR depended on a degree of freedom of movement in and around Basra, including a military and civilian presence at the PJCC.

**1340.** Mr Browne visited Iraq from 28 to 31 January (described in Section 9.5).<sup>1235</sup> In a report of the visit, an Assistant Private Secretary reported that Mr Browne was told that:

- The leadership of Basra security structures was inadequate (a point which he in turn raised with Prime Minister Maliki and Mr Abdel Qadir, Iraqi Defence Minister).
- The US was not convinced about Basra being ready for transition or the capability of the 10th Division.
- The Police Adviser felt the police were less effective than six months before “principally because of intimidation rather than any lack of training or capability”.

**1341.** Mr Browne’s Assistant Private Secretary commented that those views seemed to contradict the messages that had previously been received on the success of Op SINBAD. There was “a lack of firm indicators to substantiate or refute” the different conclusions.

**1342.** In his update to DOP on 1 February, Mr Browne reported on his visit to Iraq.<sup>1236</sup> In Basra he had “seen first hand the positive effect that Operation SINBAD had had”; the reported murder rate had reduced and “sectarian violence had almost stopped”. Continued violence was mainly directed against coalition forces.

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<sup>1235</sup> [Minute McNeil to MA1/DCDS\(C\), 1 February 2006 \[sic\], ‘Defence Secretary’s Visit to Iraq – 28-31 January 2007’.](#)

<sup>1236</sup> Minutes, 1 February 2007, DOP meeting.

## Understanding the murder rate in Basra

On 1 February, Dr Marsden sought to provide context to the figures behind murder rates in Basra.<sup>1237</sup> She wrote:

“Anecdotal evidence from Basrawi contacts and some other sources of information suggest that levels of intimidation of Basrawis by JAM and other militias remain high. Yet crime figures quoted in the 31 January DOP paper suggests that the reported murder rate fell sharply in the second half of 2006.

“Confusingly there is no single collation point for recording crime in Basra. There are currently two sets of crime figures in use: those produced by the PJCC (jointly run by the IPS, IA and MNF) and those produced by the criminal statistics department of the IPS. The IPS figures are based on crimes reported weekly by police stations to the criminal statistics department in Police HQ. The PJCC figures are based on emergency calls received from members of the public and (sporadic) radio reports from individual police officers on the ground. They do not take account of police station reports. Both sets of figures are incomplete because they do not include tribal murders (in which the police do not get involved), many cases of family violence and crimes committed by police officers themselves (a significant omission as many of the murders in Basra are actually committed by the police themselves, notably the death squads in the Serious Crimes Unit and certain other units).

“The reported murder and kidnapping rates quoted in the DOP paper are based on PJCC figures. These show that the murder rate rose from around 50 a month in early 2006 to over 100 a month in the second quarter ... declining to 30 in December 2006. The IPS figures show a similar trend in the first half of the year, with the murder rate peaking at over 100 a month in April-June 2006, but with a much less marked decline in the second half of the year (to 80-90 murders a month in the last quarter of 2006).”

**1343.** On 13 February, MOD officials provided a paper to DOP on how best to balance military effort across Iraq and Afghanistan (see Section 9.5).<sup>1238</sup> The MOD said that current plans were that, following re-posturing up to six UK military sub units<sup>1239</sup> and three battlegroup headquarters would be available for ISF training. Specifically:

- one company devoted to training the Iraqi Army at the Divisional Training Centre;
- one company to provide a “flying” MiTT to monitor and mentor the 1st and 4th Brigades of 10th Division;
- one company to support FCO-led Police Training Teams, based at the PJCC;
- up to two companies to provide training and assistance to the DBE in border-related operations; and
- a company based at Basra Palace (until August) available to periodically conduct training of the Iraqi Army.

<sup>1237</sup> Letter Marsden to Aldred, 1 February 2007, ‘Basra: Weekly Report’.

<sup>1238</sup> [Paper MOD, 13 February 2007, ‘Iraq and Afghanistan: Balancing Military Effort in 2007’.](#)

<sup>1239</sup> The Inquiry estimates that those sub units would each contain around 100 people.

**1344.** In addition, smaller MiTTs would remain embedded with the Headquarters of 10th Division.

**1345.** The MOD said that central to their re-posturing plans would be the release of manpower to better focus on training for the IPS, Iraqi Army and DBE, concentrating on the weakest areas of leadership and collective training.

**1346.** To help Mr Blair draft a statement to Parliament on the latest military plans, the MOD provided an update on Op SINBAD on 16 February.<sup>1240</sup> The paper described a number of areas where progress had been achieved:

- Experience of operations for the PJCC had improved the ISF's ability to plan and co-ordinate operations in the city. The paper did say that "given its central importance PJCC mentoring will continue beyond SINBAD and PIC".
- A reduction in reported crime. There was no mention of concerns over the validity of those figures.
- An improvement in basic police capability, although problems with leadership and corruption were acknowledged and the paper later assessed that up to 75 percent of Basra IPS were members of a militia and "many" were linked to criminal activity.
- The Iraqi Army had reached the level required for PIC but "their ability to stand up to militias unaided by coalition remains questionable".

**1347.** On 21 February, Mr Blair delivered his statement in Parliament:

"Since the outset, our plan, agreed by the United Nations, has been to build up Iraqi capability in order to let Iraqis take control of their own destiny, and that as they would step up, we would increasingly step back. For three years therefore, we have been working to create, train and equip Iraqi security forces capable of taking on the security of the country themselves.

"In normal circumstances, the progress would be considered remarkable. There are now 10 Divisions of the new Iraqi Army and more than 130,000 soldiers, able in significant parts of the country to provide order. There are 135,000 personnel in the Iraqi Police Service. There, the progress has been more constrained, and frequently hampered by corruption and sectarianism, but none the less, again, in normal circumstances, it would be considered a remarkable effort. The plan of General Petraeus ... which was conceived in 2004, has in its essential respects been put in place ...

"Over the past months, we have been conducting an operation in Basra with the 10th Division of the Iraqi Army, to reach the stage where Basra can be secured by the Iraqis themselves ...

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<sup>1240</sup> [Letter Beadle to Banner, 16 February 2007, 'The Effects of Op SINBAD 20 September 2006 to 14 January 2007' attaching Paper 'The Effect of Operation SINBAD'](#).

“As a result of the operation in Basra, which is now complete, the Iraq forces now have the primary role for security in most parts of the city. It is still a difficult and sometimes dangerous place, but many extremists have been arrested or have left the city. The reported levels of murder and kidnapping are significantly down ...

“What all this means is not that Basra is how we want it to be but that the next chapter in Basra’s history can be written by the Iraqis ...

“The British forces that remain in Iraq will have the following tasks:

- training and support to Iraqi forces;
- securing the Iraq-Iran border;
- securing supply routes;
- and, above all, the ability to conduct operations against extremist groups and be there in support of the Iraqi Army when called upon.

“Over time, and depending naturally on progress and the capability of the Iraq security forces, we will be able to draw down further, possibly to below 5,000 once the Basra Palace site has been transferred to the Iraqis in late summer.”<sup>1241</sup>

## CONTINUING CONCERNS WITH THE BASRA JUSTICE SYSTEM AND IRAQI POLICE SERVICE

**1348.** The paper produced by the IPU and British Embassy Baghdad on 16 February 2007 described problems with Basra’s judicial system.<sup>1242</sup> There was “considerable evidence of the extra-legal influence of political/religious factions on the judicial process”. Those judges involved in combating corruption had expressed concern for their personal safety and there was a lack of judicial control.

**1349.** The paper included a recommendation that attempts to bring prosecutions in IPS corruption cases should continue. A new Basra courthouse would be completed by November 2007 and a 1,500-capacity prison would be created in Basra. Those conclusions were reflected in the Better Basra Mark III plan (described later in this Section).

**1350.** On 26 February, in response to the latest weekly report from Dr Marsden, No.10 wrote to departments:

“The Prime Minister is seized of the need to replace [Brigadier] Hamadi as Director of Basra Police. We need to take urgent action with Maliki to underline the case for this, and to ensure the effective functioning of the Serious Crimes Unit. The Prime Minister thinks this may require a high level visit, from the Foreign or

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<sup>1241</sup> House of Commons, *Official Report*, 21 February 2007, columns 261-280.

<sup>1242</sup> Letter Siddiq to Banner, 16 February 2007 attaching Paper British Embassy Baghdad/Iraq Policy Unit, ‘Iraqi Justice System’.

Defence Secretary or a Special Envoy, in order to reinforce the point that this is of high importance to HMG [Her Majesty's Government] and the Prime Minister personally."<sup>1243</sup>

**1351.** In her report dated 28 February (dealt with in more detail in Section 9.5), Dr Marsden wrote:

“While polling suggests that the IPS inspire confidence in about 65 percent of the population ... those questioned by British representatives said that the police could not be trusted. Many told stories of intimidation and claimed knowledge of kidnappings and death squads. Others said they would not call the police emergency hotline to report criminal or terrorist activity for fear that policemen taking the calls were in cahoots with the militias. Basrawis are willing to call the police to report general crime but if criminals threatened them or their families, they are more likely to turn to their tribe for help.”<sup>1244</sup>

#### UPDATED BETTER BASRA PLAN

**1352.** The third iteration of the Better Basra Plan, ‘Better Basra Mark III’, was sent by Dr Marsden to Ms Aldred on 2 March.<sup>1245</sup> It is described more fully in Section 9.5.

**1353.** It set out the combined military and civilian strategic priorities for Basra for the coming six months. One of the indicators of success would be “Iraqi Government control sustained after PIC with no breakdown of law and order”. The plan had a number of subsections including “security” and “Rule of Law”.

**1354.** The “security” aim was to “reduce the threat from illegal armed groups and Iranian proxies and build the capacity of the Iraqi Army to take on militant JAM and conduct their own Strike Operations”. The plan noted that, although the Iraqi Army had grown in confidence during Op SINBAD, it would “certainly face stiffer tests in future”. To enhance capability over the next six months the UK would:

- deploy MiTTs with 10th Division Iraqi Army units;
- provide further leadership training;
- conduct more joint operations;
- establish Iraqi ownership and a relationship of trust with the Basra Emergency Security Committee (assuming the Iraqi Government wished to maintain it); and
- press the IMOD and the US to provide more equipment (particularly heavy weapons) so that 10th Division felt sufficiently equipped to engage effectively.

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<sup>1243</sup> Letter Fletcher to Siddiq, 26 February 2007, ‘Iraq: Basra’.

<sup>1244</sup> [Letter Marsden to McDonald, 28 February 2007, ‘Basra: Everyday Life for Ordinary Iraqis’.](#)

<sup>1245</sup> [Letter Marsden to Aldred, 2 March 2007, ‘Better Basra’ attaching Paper, 1 March 2007, ‘Better Basra Mark 3: The 2007 Plan’.](#)

**1355.** The aim for “Rule of Law” was to:

“... bring the Basra police to a ‘good enough’ standard to transition to PIC. Basra’s population have the right to expect more of its police. The police should be able to carry out basic policing tasks; Basrawis should feel that if they report a crime, it will be acted on; the police should not be the home of organised death squads (although it is unrealistic to expect zero corruption); and militia influence should not be at levels where it is the dominant force in police stations.”

**1356.** To achieve those aims, the UK would:

- support the DIA, based in a protected compound at Basra Air Station;
- encourage the “pursuit” of the 62 death squad leaders from the SCU and NIIA (of which three had already been arrested);
- press Baghdad to replace the weak Provincial Director of Police (PDoP);
- improve co-operation between the Basra police and the MOI in Baghdad;
- continue intensive mentoring of the PDoP and other senior IPS officers;
- continue monitoring and mentoring police stations to achieve 80 percent of police stations at the level required for PIC;
- encourage the removal of unqualified and poor performers;
- establish a properly vetted, fully professional Criminal Investigation Department;
- mentor the Basra branch of the NIIA to try and ensure that criminal elements of the CIU do not migrate into the unit; and
- provide forensic capability at Basra Police Headquarters.

**1357.** The plan described the judiciary as “weak and unable to prosecute serious crime”. The aim was to “empower Basra’s judges and prosecutors to tackle serious crime (particularly police corruption) in a more secure, less intimidating environment”. Priorities for the next six months were to:

- build the capacity of judges and others involved in the judicial process through mentoring, specifically the Prosecution Mentoring Unit (staffed by two international prosecutors funded by the plan);
- establish regional training programmes;
- improve security measures at the main Basra courthouse;
- build an additional courthouse, using US Department of Justice funding, which would include witness protection facilities; and
- provide scene of crime and forensic training for investigative judges and judicial investigators.

**1358.** Basra’s prisons were described as “old, overcrowded” and said to “not meet minimum international human rights standards”. The aim was to “support the development of an Iraqi Corrections System that complies with Iraqi law and

international standards regarding capacity, conditions of confinement and humane treatment of prisoners” by:

- increasing prison capacity by building and commissioning a new US-funded Basra Central Prison for 1,500 prisoners;
- continuing to strengthen the capacity of correctional services staff by implementing a UK training programme and further mentoring; and
- continuing to monitor management of the two existing prisons.

#### NATIONAL INFORMATION AND INVESTIGATION AGENCY RAID

**1359.** On 3 March, Iraqi Special Operations Forces (ISOF), supported by MNF troops, carried out a raid on the National Information and Investigation Agency (NIIA) in Basra.<sup>1246</sup>

**1360.** Mr Beadle wrote to No.10 about the raid in a letter dated 16 March.<sup>1247</sup> The pre-planned operation was to detain an NIIA officer associated with death squads who had been a “priority UK target for over two years”. The target was not present and the raid resulted in the escape of around 30 prisoners (who had been tortured according to some reports).

**1361.** On 5 March, Prime Minister Maliki’s office issued a statement condemning the raid as “illegal” and “irresponsible”. Mr Maliki ordered local security authorities, including the police, to cease all “joint activities” with MND(SE) until further notice.

**1362.** On the same day, Mr Maliki told Mr Asquith that he was disappointed at the “reprehensible” way in which the raid had been conducted and the violation of Iraqi sovereignty that it represented.<sup>1248</sup> He warned that the consequence of such operations might be severe restrictions on the ability to deploy ISOF.

**1363.** Three investigations resulted from the raid: one by the MOI, one led by Mr Safa al-Safi (Prime Minister Maliki’s Ministerial Security Adviser on Basra) and one by the MNF.<sup>1249</sup> The MNF was reviewing mechanisms for informing the Iraqi Government of sensitive operations.

**1364.** Maj Shaw wrote in his weekly report on 8 March:

“It is clear that the raid was both legal and, in tactical targeting terms, a good call ... Within the context of the wider politics of Iraq and with the benefit of hindsight,

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<sup>1246</sup> eGram 9049/07 Baghdad to FCO London, 6 March 2007, ‘Iraq: Meeting with Prime Minister Maliki, 5 March’.

<sup>1247</sup> Letter Beadle to Fletcher, 16 March 2007, ‘Iraq: National Intelligence & Information Agency (NIIA) Operation’.

<sup>1248</sup> eGram 9049/07 Baghdad to FCO London, 6 March 2007, ‘Iraq: Meeting with Prime Minister Maliki, 5 March’.

<sup>1249</sup> Letter Beadle to Fletcher, 16 March 2007, ‘Iraq: National Intelligence & Information Agency (NIIA) Operation’.

however, the operation was ill-judged. Local political reaction has been relatively muted ... My sense though is that, locally, the desire for progress and transition remains and this should motivate them to treat this incident more as a speed bump than an obstacle ...”<sup>1250</sup>

**1365.** Mr Bill Jeffrey, Permanent Under Secretary for the MOD from November 2005 to October 2010, met Maj Gen Shaw during a visit to Iraq from 12 to 13 March.<sup>1251</sup> Maj Gen Shaw reported that the raid on the NIIA offices could “have been handled better”, with hindsight, but that “most reactions by local political figures were either somewhat synthetic or manageable”.

**1366.** Maj Gen Shaw reflected on the raid in his evidence to the Inquiry.<sup>1252</sup> He said:

“[It] was the one operation where they [the Iraqi Government] did object to it ... that raid ... exposed the difficulties within the Shia polity again ... It was a raid carried out by the Iraqi special forces, so it was an Iraqi raid and it was trying very hard to abide by or comply with Iraqi sovereignty.”

**1367.** On 15 March, Maj Gen Shaw highlighted the importance of tackling violence not directed at MNF and the difficulties of doing that, saying:

“The fundamental assumption behind the NIIA raid was that it was consistent with, indeed in pursuit of, Iraqi sovereignty: that the nature of the target (known death squad leader against whom an Iraqi judge had issued an arrest warrant) and the method of arrest (ISOF, not MNF) would bring Gol buy-in, even though it was within a building owned by the IPS (which PM Maliki ... acknowledged to be corrupt).”<sup>1253</sup>

**1368.** Maj Gen Shaw reflected on how the NIIA incident illustrated concerns about transition:

“It is in this context ... that the NIIA raid needs to be viewed. If we are to address the Iraqi end-state, our focus needs to be less on the 90 percent violence against us, more on the 10 percent reported inter-Shia/Iraqi violence which threatens stability when we are gone. Tackling death squad leaders ... who pose the major threat to the political stability of Basra, is the most useful application of military force to support the political end-state ...

“My short-term concern is that the issue blights transition ... A line needs to be drawn under this operation in the interest of achieving Iraqi self-reliance ... My long-term concerns centre around the defining impact these investigations will

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<sup>1250</sup> Minute Shaw to CJO, 8 March 2007, ‘GOC MND(SE) – Southern Iraq Update – 8 March 2007’.

<sup>1251</sup> Minute PS/PUS [MOD] to PS/SofS [MOD], 16 March 2007, ‘PUS Visit to Multinational Division South-East, 12 March 2007’.

<sup>1252</sup> Public hearing, 11 January 2010, pages 17-18.

<sup>1253</sup> Minute Shaw to CJO, 15 March 2007, ‘GOC MND(SE) – Southern Iraq Update – 15 March 2007’.

have for our future operations and indeed rationale. Firstly, the ‘Untouchable’ status of ISOF is already being attacked by the sectional interest within the GOI that (quite rightly) feel threatened by such a body. The fear is that their freedom of movement and action is curtailed, their operations politically constrained; this would be most damaging to ISOF itself and PM Maliki’s ability to operate to the national interest. Secondly, the danger is that political constraints are so tightly drawn that MND(SE) cannot operate against the 10 percent threat to the Iraqi end state. If we ever reached the stage when MND(SE) were restricted to operations in pursuit of our own force protection, we would need seriously to question our rationale for being here.”

**1369.** Maj Gen Shaw said in his evidence to the Inquiry that “all kinds of mistreatment of prisoners” were found during the raid, including the rape of a woman in front of her two children.<sup>1254</sup> However, the mistreatment was not the political headline, “the political headline was that we had broached Iraqi sovereignty”. Maj Gen Shaw concluded:

“So yes, that was a mistake, it was an unfortunate raid, we learned lessons from it, we played even more gingerly with Shia political sensitivities thereafter.”

**1370.** On 20 March, ACM Stirrup told Mr Blair that “Petraeus had been helpful in handling the fallout from the raid on the NIIA headquarters, and that this was in any case having only a limited effect on operations in Basra itself.”<sup>1255</sup>

**1371.** Maj Gen Shaw reported on 21 March: “The ripples of the raid on the NIIA are seemingly spreading the further we get from the operation itself.”<sup>1256</sup>

**1372.** The IMOD had issued a letter stating that joint operations between the Iraqi Army in Basra and the MNF should cease temporarily. Although that had since been rescinded, Maj Gen Shaw commented that “this makes moving Basra forward towards PIC more difficult”.

**1373.** On the same day, Mr Blair’s Private Secretary updated Mr Blair on the continued fallout from the raid.<sup>1257</sup> The MNF-I investigation into the NIIA raid had concluded that the operation was conducted in good faith and in support of Iraqi law. But there had been no notification to either the Iraqi Government or Gen Petraeus because the operation had been deemed time sensitive. The raid was described as “aggressive but professional” and it was miscommunication that had led to the prisoners escaping.

**1374.** It took until late April for the police mission to regain access to the NIIA building.<sup>1258</sup>

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<sup>1254</sup> Public hearing, 11 January 2010, page 18.

<sup>1255</sup> Letter Banner to Hickey, 20 March 2007, ‘Iraq: Meeting with Officials’.

<sup>1256</sup> Minute Shaw to CJO, 21 March 2007, ‘GOC MND(SE) – Southern Iraq Update – 21 March 2007’.

<sup>1257</sup> Minute Banner to Blair, 21 March 2007, ‘Phonecall with Maliki’.

<sup>1258</sup> Letter Tinline to Aldred, 26 April 2007, ‘Basra: Weekly Report’.

## ASSESSMENTS OF IRAQI SECURITY FORCE READINESS FOR PROVINCIAL IRAQI CONTROL

**1375.** In March and April, British forces withdrew from a number of bases in Basra City, handing them over to 10th Division:

- the Old State Building on 20 March;<sup>1259</sup>
- the Shatt al-Arab Hotel on 8 April; and<sup>1260</sup>
- Shaibah Logistics Base on 24 April.<sup>1261</sup>

**1376.** A JIC Assessment on 25 April considered the prospects for transition in the South.<sup>1262</sup> It assessed:

“Increased security efforts in Basra between September 2006 and March 2007 (Operation SINBAD) had some local effect in disrupting militia activity and improving public confidence ... Sectarian and other murders have fallen from some 100 a month in mid-2006 to 30 in March 2007 ... Other forms of violence, criminality, and intimidation – much of which we judge goes unreported – remain widespread.

“MND(SE) assess that ISF in Basra now meet the minimum criteria for transitional readiness. Slow improvement in the army continues: 1 Brigade in Basra took the lead in the latter stages of Operation SINBAD and performed well, within the limitations of their capability. Much more serious problems persist in the local police [...] 61 arrest warrants against SCU officers remain outstanding, despite coalition pressure. A weight of reporting shows that police effectiveness in Basra is still severely compromised by corruption, poor leadership and the entrenched influence of Shia militias. Some policemen are actively assisting JAM attacks on MNF.

“We judge that as the scale of MNF presence reduces, violence between rival Shia political parties, backed by their militias, is likely to intensify. Most see PIC as an opportunity to extend their own power base in political and security structures, and increase control over economic resources ...

“The nature and scale of any conflict will be determined partly by events in Baghdad and Najaf, particularly the ability of the United Iraqi Alliance to stick together and assert authority over its provincial supporters ... In the absence of an effective political brake on serious intra-Shia fighting, we judge that the ISF would not be able to cope; the police would probably fragment and the army would try to avoid direct confrontation, while seeking to contain the situation.”

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<sup>1259</sup> Minute Shaw to CJO, 21 March 2007, ‘GOC MND(SE) – Southern Iraq Update – 21 March 2007’.

<sup>1260</sup> Minute GOC MND(SE) to CJO, 12 April 2007, ‘COS HQ MND(SE) – Southern Iraq Update – 12 April 2007’.

<sup>1261</sup> Minute Shaw to CJO, 24 April 2007, ‘GOC HQ MND(SE) – Southern Iraq Update – 24 April 2007’.

<sup>1262</sup> [JIC Assessment, 25 April 2007, ‘Iraq: Prospects for Transition in the South’.](#)

**1377.** At Cabinet on 3 May, Mr Browne stated:

“In Basra and the South-East, there were encouraging signs of progress. The Iraqi Army division ... was becoming, by any measure, very effective. Its performance and training had impressed the Americans when it was operating in Baghdad ... In Basra we had now handed over to the Iraqis two bases in the City and one outside without incident, a significant contrast with the disorder that had taken place over earlier base handovers ... The Iraqi security infrastructure did not work well and its leadership, including the Provincial Chief of Police and Emergency Security Committee, was ineffective and incapable of providing the direction needed by those in the police forces capable of working effectively (estimated as some 80 percent) ...”<sup>1263</sup>

**1378.** On 2 May, Sir Nigel Sheinwald met ACM Stirrup to discuss whether there was “continuing military utility” in the UK’s mission in Iraq.<sup>1264</sup> ACM Stirrup said that he saw that resting on the continuing need to train the Iraqi 10th Division, anti-JAM operations and a capacity to re-intervene. Sir Nigel reported the meeting to Mr Blair and highlighted that ACM Stirrup had not mentioned the IPS, making the observation: “I think the MOD now regard them as a busted flush.”

**1379.** On 25 May, a planned ISOF operation in Basra resulted in the death of the Basra JAM leader Mr Wissam Abu Qadir.<sup>1265</sup> Maj Gen Shaw described the operation as a success but reported:

“The performance of the ISF was less convincing. Not surprisingly that the IPS failed to stand and defend the PJCC, but more disappointing that the Iraqi Army was returned to barracks (following another JAM capture and humiliating release of two IA vehicles and crew) whilst JAM was on the streets. The order to remain in barracks was given by Gen Ali Hamadi (Chair of the Emergency Security Committee). His reasons are not clear, although Gen Habib [the new commander of 10th Division] claims that it was a direct order from PM Maliki. It may well be true that last Friday night was not the right time for 10th Division to stand and fight JAM toe to toe and that the call was a good one. It may equally be true that Gen Ali ordered them back into barracks as a face saving measure, fearing that 1 Bde (who are Basrawis) would refuse to soldier, or that JAM had pressurised him into withdrawing them, to give them a clear shot at us. Gen Habib is, however, acutely aware of the issues within his own Division and the need to address them. He needs to be given the opportunity to solve the problems ... in an Iraqi way ... But as hinted at above, this ‘Iraqi way’ may prove in time to be a ‘non-aggression’ pact between the IA and JAM.”

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<sup>1263</sup> Cabinet Conclusions, 3 May 2007.

<sup>1264</sup> [Minute Sheinwald to Prime Minister, 3 May 2007, ‘Iraq’](#).

<sup>1265</sup> Minute Shaw to CJO, 31 May 2007, ‘GOC HQ MND(SE) – Southern Iraq Update – 31 May 2007’.

**1380.** On 13 June, Maj Gen Shaw concluded his weekly report to Lt Gen Houghton:

“The thought I leave my staff to ponder is the credibility of our recommendation at month end if this remains, ‘Basra ready for transition to PIC in Aug/Sep’. The pragmatic UK PIC judgements have always been based in large part on judgements about ‘Iraqi good enough’ in agreement with Iraqi judgements on risk. The recent focus of GoI interest in Basra security has seemingly reversed what was hitherto Iraqi enthusiasm for PIC. PM Maliki is concerned about early PIC, the Governor is against it, as is MG Habib: the IPS are recognised as incapable hence the future of Basra’s security is being placed in a new ... army division (as yet unformed and unprogrammed); and a new security supremo is promised but as yet unappointed (although rumours abound). Lack of Iraqi enthusiasm for PIC, and the lengthy period required to enact the Iraqi solutions, play to State’s concerns about the PIC process and will make my and LTG Odierno’s [Lieutenant General Raymond Odierno, US Commander Multi-National Corp - Iraq] desire for Basra PIC harder to justify.”<sup>1266</sup>

**1381.** On 27 June, the JIC reiterated their judgement on the likelihood of violence after PIC and the ability of the Basra ISF to cope:

“The desire for national Shia unity and the ability of local parties to broker deals may restrain but will not prevent political violence in the South. In the likely event of serious intra-Shia fighting the police would probably take sides according to their particular tribal and militia affiliations and the army would try to remain on the sidelines.”<sup>1267</sup>

### Iraqi appointments

Three key security personnel in Basra were replaced between March and June 2007:

- Major General Habib was appointed as the new Commander of 10th Division, replacing Maj Gen Latif.<sup>1268</sup>
- General Mohan became the head of newly established Basra Provincial Operational Command, effectively taking overall control of security from Maj Gen Ali Hamadi, who became his deputy.<sup>1269</sup>
- Major General Jalil was appointed as Provincial Director of Police, reporting to General Mohan. Maj Gen Jalil replaced Brig Mohammed Hamadi.

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<sup>1266</sup> Minute Shaw to CJO, 13 June 2007, ‘GOC HQ MND(SE) – Southern Iraq Update – 13 June 2007’.

<sup>1267</sup> [JIC Assessment, 27 June 2007, ‘Iraqi Security Forces and Structures: Quantity not Quality’.](#)

<sup>1268</sup> Minute Shaw to CJO, 15 March 2007, ‘GOC MND(SE) – Southern Iraq Update – 15 March 2007’.

<sup>1269</sup> Minutes, 26 June 2007, Chiefs of Staff meeting.

## TRANSITION IN BASRA

**1382.** In July 2007, the UK presence at the PJCC comprised 100 military personnel and seven police advisers.<sup>1270</sup>

**1383.** On 7 June, Maj Gen Shaw reported:

“The increased attacks on the PJCC have exposed a known vulnerability, and disproved the hope that co-location with IPS would provide some protection ... [W]e are reinforcing its sustainment whilst we are there, and reviewing its viability in the longer term, particularly when Basra Palace is vacated.”<sup>1271</sup>

**1384.** The minutes of the Chiefs of Staff meeting on 12 June recorded that a DOP paper on the timing of leaving Basra Palace was being delayed until 12 July to allow time for further advice on whether UK personnel could remain in the PJCC after it was vacated.<sup>1272</sup> The MOD assessment was that the advantages of remaining outweighed the disadvantages.

**1385.** On 13 June, Maj Gen Shaw reported that MND(SE) was keeping the PJCC issue under constant review: “The situation is fluid and I would wish to retain the freedom of decision for as long as possible. My intent remains to retain it for as long as practicable, and we are well aware of the message sent if/when we leave it.”<sup>1273</sup>

**1386.** On 20 June, the PJCC was attacked by indirect fire (IDF), fatally wounding Major Paul Harding.<sup>1274</sup> The junior official briefing Mr Browne on the incident wrote that the PJCC had been subject to a number of attacks over the last month, including from Rocket Propelled Grenades and IDF. Although a number of personnel had been wounded in those attacks, this was the first UK fatality.

**1387.** The official wrote that, because of the attacks, the PJCC was subject to regular security reviews. A mortar locating radar had recently been installed as a result. The medical team in place (one Emergency Trauma Nurse and three combat medical technicians) was more than would ordinarily be allocated to a deployment of the PJCC’s size, but had been deemed necessary because of the increased threat to the site.

**1388.** AM Stirrup visited Iraq from 1 to 3 July.<sup>1275</sup> His visit report stated that he had been advised by Maj Gen Shaw that there was “little military advantage” in retaining a presence at either the PJCC or Basra Palace, other than for “retaining a base for strike operations and some situational awareness”. Maj Gen Shaw advocated relocating to Basra Air Station at the “earliest practicable point”. Maj Gen Shaw was “confident” that the conditions set for PIC had been met.

<sup>1270</sup> [Paper FCO & MOD, 12 July 2007, ‘Iraq: Transition in Basra’.](#)

<sup>1271</sup> Minute Shaw to CJO, 7 June 2007, ‘GOC HQ MND(SE) – Southern Iraq Update – 07 June 2007’.

<sup>1272</sup> Minutes, 12 June 2007, Chiefs of Staff meeting.

<sup>1273</sup> Minute, Shaw to CJO, 13 June 2007, ‘GOC HQ MND(SE) – Southern Iraq Update – 13 June 2007’.

<sup>1274</sup> Minute PJHQ [junior official] to APS/SofS [MOD], 20 June 2007, ‘Iraq: Op Telic: Death of a British Soldier’; GOV.UK, 21 June 2007, *Major Paul Harding 4th Battalion The Rifles killed in Iraq*.

<sup>1275</sup> [Minute Kyd to PS/SofS \[MOD\], 5 July 2007, ‘CDS Visit to Iraq 1-3 Jul 07’.](#)

**1389.** The minutes from the Chiefs of Staff meeting on 10 July stated that Lt Gen Odierno had disagreed with Maj Gen Shaw's assessment that Basra was ready for PIC.<sup>1276</sup> Lt Gen Odierno had said that the new ISF structures should be allowed time to "bed-in", with the possibility of PIC in October 2007.

**1390.** On 13 July, Maj Gen Shaw reported that Maj Gen Jalil was taking a "robust stance" towards the IPS in Basra, docking pay and sacking police officers.<sup>1277</sup> He had also begun his "purge" of militia elements within the IPS – removing vehicles and ending their employment. In response, he had been subject to an assassination attempt when he left the PJCC.

**1391.** In his evidence to the Inquiry, Maj Gen Shaw recalled that Maj Gen Jalil had come to "the very strong conclusion – very early" that "the issue here is not one of training, nor of equipment, it is one of loyalty", and that that was a statement that resonated very strongly with previously held views.<sup>1278</sup> Maj Gen Shaw said:

"... why is it that police forces in Muthanna and Dhi Qar ... operate so differently to the police in Basra when they both had the same equipment and the same training? The only difference was loyalty. It wasn't a question of whether they were members of militias or not, because ... the police forces in Dhi Qar and Muthanna were actually Badr dominated, but ... there was unity of command.

"... if you, as a militia, decided to work with the Government of Iraq, then that was fine."

**1392.** Maj Gen Shaw said that Maj Gen Jalil recognised that the problem with the Basra police force was that it "reflected all the divisions within the Basra society". Maj Gen Shaw added that "Unfortunately, the same was true of the army as well and that was the problem with 10 Division."

**1393.** Gen Mohan shared Maj Gen Shaw's analysis "that the problem was loyalty". MNF received political advice from Gen Mohan "as to what he thought the impact of military strikes would be and whether they would be good or bad". That process generated optimism "with a very positive way forward ... for a political resolution of the violence problem".

**1394.** On 15 July, Lt Gen Lamb reported that Gen Mohan and Maj Gen Jalil had given a "very stark" assessment of the situation in Basra to the Ministerial Committee for National Security (MCNS).<sup>1279</sup> He stated that Gen Mohan had "an 'outline' plan" to rectify "what he described as a city without law and order". He was already reviewing his initial assessment on the early move of British forces out of Basra City.

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<sup>1276</sup> Minutes, 10 July 2007, Chiefs of Staff meeting.

<sup>1277</sup> Minute Shaw to CJO, 13 July 2007, 'GOC MQ MND(SE) – Southern Iraq Update – 13 July 2007'.

<sup>1278</sup> Public hearing, 11 January 2010, pages 24-27.

<sup>1279</sup> Minute Lamb to CDS, 15 July 2007, 'SBMR-I Weekly Report (261) 15 July 07'.

### A new Iraqi Army division for Basra

On 12 June 2007, Maj Gen Wall briefed the Chiefs of Staff that the Iraqi Minister of Defence had recently called for MND(SE) to have two army divisions; one for Basra City and one for the rest of the South-East.<sup>1280</sup> Maj Gen Wall reported that there was no indication of how this new division would be raised, funded or equipped.

At the Chiefs of Staff meeting on 26 June, Lt Gen Houghton reported that “greater clarity” had been achieved.<sup>1281</sup> The 10th Division would be given an additional brigade; a new 14th Division which would assume responsibility for the rest of the South-East, with nine brigades across Muthanna, Dhi Qar and Maysan provinces.

Lt Gen Houghton stated that work would continue on training 1,000 personnel, primarily pre-2003 Iraqi Army personnel, to form the Presidential Guard Force who would take control of Basra Palace. The force was due to be ready by 14 August.

On 17 July, Maj Gen Wall briefed the Chiefs of Staff that a Ministerial Order had been issued for the creation of 14th Division, which would now have responsibility for Basra.<sup>1282</sup>

The 10th Division would “reposture” with its headquarters in either al-Amara or Nasiriyah.

**1395.** On 19 July, Major General Gerald Berragan, Deputy Commander (Operations) Multi-National Corps-Iraq, reported on a meeting of the Crisis Action Cell earlier that week.<sup>1283</sup> He wrote that Gen Mohan’s description of Basra at the meeting was that:

- The police were infiltrated by militia and unreliable.
- The 1st Brigade of 10th Division were “defeated”.
- The 5th Brigade was still in formation and lacking key capabilities.
- The ISF was set against a complex political environment with 24 militias all armed and competing for power.
- Iran was influencing and gathering intelligence.
- Organised crime was rife and weapons were being openly sold in the streets.

**1396.** In advance of a planned NSID(OD) meeting on 19 July, FCO and MOD officials produced a joint paper, setting out the latest assessment and plans for security transition and the associated re-posturing and drawdown of UK troops in Basra, to inform decisions by Ministers at that meeting (see Section 9.6).<sup>1284</sup> The paper described the strategic context across Iraq and then focused on what that meant for transition in Basra. The US, parts of the Iraqi Government and Gen Mohan, Maj Gen Jalil and Gen Habib had serious concerns over the ability of the ISF in Basra to cope with the security situation. On the other hand Gen Mohan’s and Maj Gen Shaw’s assessment

<sup>1280</sup> Minutes, 12 June 2007, Chiefs of Staff meeting.

<sup>1281</sup> Minutes, 26 June 2007, Chiefs of Staff meeting.

<sup>1282</sup> Minutes, 17 July 2007, Chiefs of Staff meeting.

<sup>1283</sup> Minute Berragan to CJO, 19 July 2007, ‘MNC-I Update – 19 Jul 07’.

<sup>1284</sup> [Paper FCO and MOD, 12 July 2007, ‘Iraq: Transition in Basra’.](#)

was that the MNF presence was a distorting factor which caused the ISF to be seen as collaborators rather than nationalists.

**1397.** The officials suggested withdrawing the UK's presence from the PJCC at the same time as Basra Palace, given the threat to UK personnel. The paper stated:

“When we leave the PJCC, our Security Sector Reform work there will cease ... But in our judgement, these downsides are outweighed by the risks in remaining at the site. And the PJCC is no longer as crucial a centre for the Iraqi Security Forces, since Mohan moved the Basra Operations Centre to the Shatt Al-Arab Hotel. We therefore recommend that we plan to remove all UK personnel from the site in parallel with leaving Basra Palace.”

**1398.** Recalling the looting that occurred when the UK vacated Camp Abu Naji in Maysan, the paper stated that it was “critical” that the UK did not leave until a “credible Iraqi Guard Force” was in place. That would be ready by the end of August.

**1399.** The paper described US concerns about transition:

“They [the US] are intensely nervous about transition in Basra. They believe the local Iraqi Security Forces are not robust enough to handle security without our direct support.”

**1400.** On the future for Basra, the paper stated that there might be “an initial period in which the Iraqi Security Forces faced challenges to their authority from militia groups” and that “There will be weaknesses at the leadership level in the Iraqi Security Forces.”

**1401.** In an annex to the paper, there was an assessment of Basra province against the conditions for PIC, one of which was “the Iraqi Security Forces’ capacity to maintain order and conduct counter insurgency operations”. The paper reiterated concerns about the “vulnerability [of 10th Division] to political pressure when operating in Basra” and stated that it was likely that that would continue leading to them refusing to confront JAM independently. The Basra IPS was “on target” to meet the PIC criteria with 93 percent of stations assessed at TRA level 2 or higher. It then reiterated concerns about public confidence, militia infiltration and the requirement for institutional reform.

**1402.** Another annex addressed future UK ambitions in Basra. The military plan was that 950 troops would be assigned to SSR and “rear area tasks such as border patrols”. The military would also assist in maintaining an acceptable security environment to enable SSR activities.

**1403.** On 6 August, the British Embassy Baghdad reported on the MCNS meeting held the previous day.<sup>1285</sup> Mr Qadar, the Minister of Defence, was impressed with the “positive impact” that Gen Mohan and Maj Gen Jalil had made on the security situation in Basra

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<sup>1285</sup> eGram 33092/07 Baghdad to FCO London, 6 August 2007, ‘Iraq: Ministerial Committee on National Security, 5 August’.

and he was trying to identify further reinforcements for 10th Division. Mr Boulani, the Minister of Interior, was looking to reinforce Basra's police force with better leaders, possibly with commanders outside the province.

**1404.** On 30 August, Major General Graham Binns, GOC MND(SE) from August 2007 until February 2008, reported that UK forces had handed over the PJCC four days previously, ahead of schedule and without incident.<sup>1286</sup>

**1405.** The same day, at the Iraq Strategy Group meeting, Lieutenant General Peter Wall, Deputy Chief of the Defence Staff (Commitments) from August 2007, reported that there had been some "limited militia infiltration and looting of the site" following the handover "with the possible collusion or acquiescence of the Iraqi Police Service".<sup>1287</sup>

**1406.** In a letter from Mr Browne to Mr Gordon Brown (who had become Prime Minister on 27 June) on 31 August, the looting was described as "unauthorised movement of equipment".<sup>1288</sup> In response, Gen Mohan deployed his entire reserve battalion to the site.

**1407.** On 3 September, UK forces withdrew from Basra Palace and relocated at Basra Air Station (as described in Section 9.6).<sup>1289</sup> As well as the Presidential Guard Force, elements from the 10th Division were stationed in Basra Palace.

**1408.** Maj Gen Binns described the withdrawal in his evidence to the Inquiry:

"... we first had to fold in from the ... PJCC, the Permanent Joint Co-ordination Centre. So we had to remove our presence there and come into the Palace. We then had to recruit, train, equip and deploy an Iraqi security force which became known as the Palace Protection Force, to take over the Palace.

...

"Then we had to conduct a relief in place<sup>1290</sup> with the Iraqi Palace Protection Force, and then, the final act in all of that, was to remove ourselves in early September.

"... I reflect that it went remarkably well, considering all of the complexities."<sup>1291</sup>

**1409.** As a result of withdrawing UK police from the Warren site, support to the PJCC and the NIIA ceased, as did station visits by Police Transition Teams.<sup>1292</sup>

<sup>1286</sup> Minute Binns to CJO, 30 August 2007, 'GOC HQ MND(SE) – Southern Iraq Update - 30 August 2007'.

<sup>1287</sup> Minute Cabinet Office [junior official] to McDonald, 30 August 2007, 'Iraq Strategy Group, 29 August'.

<sup>1288</sup> Letter Browne to Brown, 31 August 2007, 'Iraq: Handover of Basra Palace and Provincial Iraqi Control in Basra'.

<sup>1289</sup> eGram 37263/07 Baghdad to FCO London, 10 September 2007, 'Iraq: Ministerial Committee for National Security (MCNS) – 9 September'.

<sup>1290</sup> A "relief in place" is an operation in which one unit is replaced with another.

<sup>1291</sup> Public hearing, 15 January 2010, pages 10-11.

<sup>1292</sup> Minute Colbourne, 27 August 2007, 'Bi-Weekly Report of the UK Chief Police Adviser'.

## The security situation after British withdrawal

**1410.** The Governor of Muthanna province was assassinated on 20 August, the second Shia governor to be killed that month.<sup>1293</sup>

**1411.** On 20 September, Maj Gen Binns stated:

“Reporting from multiple sources indicates that the security situation is improving; IPS and IA units are conducting joint operations in the city ... and LOs [liaison officers] from the BOC [Basra Operations Command] are now working in the PJCC. Basrawis seem reassured by this new security profile but remain concerned that militias are using the ceasefire period to reorganise and resupply. Of course criminality and gangsterism remain endemic.”<sup>1294</sup>

**1412.** On 1 October, ahead of a visit to Iraq, Mr Brown was briefed by a junior official that there had been “some worrying high profile assassinations of religious and police figures” and a car bomb which had killed three people in recent weeks.<sup>1295</sup> Support by local politicians for Gen Mohan and Maj Gen Jalil was described as “sporadic”.

**1413.** On 2 October, Mr Brown told journalists in Baghdad:

“What we have been trying over these last few months also to build up the Iraqi Security Forces ... we are now in a position where there are nearly 30,000 Iraqi Security Forces [in the South]. So what we propose to do over these next few months is to ... maintain a facility for re-intervention if necessary, but at the same time we play a greater role in training future security forces. I believe that within the next two months we can move to Provincial Iraqi Control, and that is the Iraqis taking responsibility for their own security in the whole of Basra. I believe that the 30,000 security forces that are being trained are capable of discharging these responsibilities for security ...”<sup>1296</sup>

**1414.** On 7 November, Acting ACC Michael Colbourne, Chief Police Adviser from March 2007 to April 2008, wrote to the FCO in London to articulate Maj Gen Jalil’s expectations for UK support with police training.<sup>1297</sup> Maj Gen Jalil intended to reform the Basra IPS by:

- “restructuring the force to deliver five Emergency Battalions” (only one was currently formed);
- “rebuilding the NIIA (retaining 50 of the current staff and dismissing the rest)”;
- “rebuilding the CID (retaining 50 of the current staff and dismissing the rest)”;

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<sup>1293</sup> *BBC News*, 20 August 2007, *Roadside bomb kills Iraq governor*.

<sup>1294</sup> Minute Binns to CJO, 20 September 2007, ‘GOC HQ MND(SE) – Southern Iraq Update – 20 September 2007’.

<sup>1295</sup> Minute Cabinet Office [junior official] to Brown, 1 October 2007, ‘Iraq Visit: 2 October 2007’.

<sup>1296</sup> Transcript *Sky News*, 2 October 2007, *Live at Five with Jeremy Thompson*; *BBC Radio 4*, 2 October 2007, *PM*.

<sup>1297</sup> Letter Colbourne to FCO [junior official], 7 November 2007, ‘The Policing Mission in Basra’.

- “re-organising the ‘local policing’ resources to deliver effective crime prevention, investigation and community policing”.

**1415.** ACC Colbourne wrote that developing the Emergency Battalions would be “the most demanding aspect of this support”. He had agreed with Maj Gen Jalil that his team would complete the current training of his officers at Shaibah in addition to generating an Iraqi training team. He planned for the six existing ArmorGroup IPAs to put that team in place, capable of delivering the Emergency Battalion syllabus, by early December. It had been agreed that all other Basra-based ArmorGroup contractors would end their missions by the end of November. ACC Colbourne stated that “the sheer scale of the training” required a “bigger and more permanent” solution.

**1416.** ACC Colbourne wrote that the Emergency Battalions would be “instrumental” in enabling Maj Gen Jalil to “engage the militias” and “hold ground”. Once achieved, he wrote that there would “be an urgent need to reposition the ‘militaristic’ policing style which will be dominant in Basra, to a more community focused local policing approach”.

**1417.** The House of Commons Defence Committee had published a report on 3 December 2007, following a visit to Iraq from 8 to 11 July.<sup>1298</sup>

**1418.** Reporting on the Committee’s visit to Basra, Mr Asquith said that in response to being asked about the current security situation in the city and the likely consequences of a UK withdrawal within 12 months:

“The Basrawis were clear: services and reconstruction were improving but the main problem was that the ISF were under-funded, unqualified and security was deteriorating. The British Government had promised a lot when it liberated Iraq, but had not delivered. Militias were more of a concern than criminal gangs. The provincial authorities were not able to confront the militias because the security forces owed their loyalty to political parties rather than the State ... Pulling no punches, they said a British withdrawal would ‘be followed by chaos sweeping the province like a hurricane’.”<sup>1299</sup>

**1419.** The Committee’s report concluded:

“Despite its increasing capability, the Iraqi Army in South Eastern Iraq still requires the support of UK Forces, particularly in logistics and intelligence ...

“... The Police would seem to have a long way to go in becoming truly effective and in gaining the trust of the population. Given the scale of the problems which still need to be tackled, there would seem to be a need for an ongoing commitment by the UK to training and mentoring the Iraqi Police.”<sup>1300</sup>

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<sup>1298</sup> First report from the House of Commons Defence Committee, Session 2007-08, *UK Land Operations in Iraq 2007*, HC 110.

<sup>1299</sup> eGram 30010/07 Baghdad to FCO London, 13 July 2007, ‘Iraq: Visit of House of Commons Defence Committee, 8-11 July’.

<sup>1300</sup> First report from the House of Commons Defence Committee, Session 2007-08, *UK Land Operations in Iraq 2007*, HC 110.

**1420.** Maj Gen Binns described the method of support at that time in his evidence to the Inquiry:

“... the concept was described as M2T, monitoring, mentoring and training. I would say it was a big T. It was a medium-sized M, monitoring, but we didn’t do a lot of mentoring ...

“So if I start with the T, training, I think we had a very successful training centre that we had built at Shaibah Log Base. We were able to take people from initial training, we were able to supervise Iraqis training themselves. We were able to equip them, to deploy them, to sustain them ... we didn’t then mentor them when they were deployed on operation, and that was the significant difference between the way that we approached support and the way that the Americans approached support in Basra.”<sup>1301</sup>

### THE ABSENCE OF A CRIMINAL JUSTICE SYSTEM IN BASRA

**1421.** Mr Browne visited Iraq from 29 October to 2 November.<sup>1302</sup> He described the visit, in a letter to Mr Brown, as “intense but stimulating and productive”, observing that it had been “markedly the most encouraging of my seven visits to Basra”. He commented:

“The primary deficiency in the security apparatus remains the judicial sector. I am sceptical about our ability to deliver an effective Iraqi Police Service when there is no functioning framework of enforceable law within which they can operate. This needs our urgent attention. It does not, in my view, need to mean the deployment of significant additional resources to Iraq; I am attracted by the idea of electronic mentoring of the Iraqi judiciary by international counterparts.”

**1422.** The FCO, DFID, the MOD and the Stabilisation Unit produced a UK Strategy for Security and Justice Sector Reform (SJSR) in December.<sup>1303</sup> Acknowledging that it was subject to any Ministerial decisions in 2008 on the UK’s overall strategy in Iraq, it listed four areas for development in 2008-2009:

- A presence in both cities could help the UK influence central policy initiatives by feeding intelligence from work on the ground.
- The UK could contribute strategic policing advice to the IPS and influence US thinking on the IPS’s development needs.
- The UK could utilise its “significant experience in pursuing civil service reform in weak states” to reform Iraq’s “weak” Government institutions, making them more effective.
- The UK could encourage the EU and UN to put greater resources into co-ordinating Rule of Law donor engagement.

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<sup>1301</sup> Public hearing, 15 January 2010, pages 16-17.

<sup>1302</sup> Letter Browne to Brown, 2 November 2007, [untitled].

<sup>1303</sup> Report FCO, DFID, MOD and Stabilisation Unit, December 2007, ‘UK Strategy for Security and Justice Sector Reform (SJSR) in Iraq 2008-09’.

**1423.** The paper identified three “sub-programmes”:

- Supporting the MOI and IPS with training and development programmes. £12.98m was available from the Stabilisation Aid Fund (SAF) and £8m from the Peacekeeping budget.
- Supporting the Iraqi judiciary and wider justice system – the paper did not explain how that would be done other than stating it would “support” its various components and build Basra’s professional links in the Middle East. £3.18m was available from the SAF.
- Supporting the IMOD by building a professional cadre of IMOD civil servants through mentoring. Resources to be delivered from the MOD’s administrative budget.

### Withdrawal and Provincial Iraqi Control for Basra

**1424.** On 8 October 2007, Mr Brown announced plans for a significant troop drawdown over the next 12 months (dealt with in Section 9.6).<sup>1304</sup> He described the need for two remaining phases:

“In the first, the British forces that remain in Iraq will have the following tasks: training and mentoring the Iraqi Army and police force; securing supply routes and policing the Iran-Iraq border; and the ability to come to the assistance of the Iraqi Security Forces when called upon. Then in the spring of next year – and guided as always by the advice of our military commanders – we plan to move to a second stage of overwatch where the coalition would maintain a more limited re-intervention capacity and where the main focus will be on training and mentoring.”

**1425.** On 9 October, Lt Gen Houghton briefed the Chiefs of Staff that the plan for 14th Division would see “initial operating capability” by December 2007 with their training being complete by June 2008. He also informed them of Gen Mohan’s intention to relocate the Basra Operations Centre to Basra Air Station, a move that would “benefit MND(SE) in terms of improved opportunities for key leader engagement, better situational awareness and senior officer mentoring”.<sup>1305</sup>

**1426.** ACM Stirrup visited Iraq from 26 to 29 October.<sup>1306</sup> A note on his visit stated that Maj Gen Binns was generally positive about the ISF but doubted it would have the ability to counter JAM if the current cease-fire broke (see Section 9.6). The Deputy Brigade Commander of 1 Mechanised Brigade told ACM Stirrup that Basra was experiencing an increase in criminality in the wake of MNF withdrawal.

<sup>1304</sup> House of Commons, *Official Report*, 8 October 2007, column 23.

<sup>1305</sup> Minutes, 9 October 2007, Chiefs of Staff meeting.

<sup>1306</sup> Minute Kyd to PS/SofS [MOD], 29 October 2007, ‘CDS Visit to Iraq 26-29 Oct 07’.

**1427.** ACM Stirrup met the Commanding Officer of the Monitoring, Mentoring and Training Battlegroup who assured him that 14th Division were on track to be ready by June 2008. The Chief of Police Training Adviser told him that Maj Gen Jalil was “proving very dynamic, robust and effective, particularly in fighting the MOI’s reluctance to root out militia influences” but that only 48 percent of Basra police had been trained.

**1428.** On 8 October, Lt Gen Odierno had advised Gen Petraeus that he recommended Basra for PIC in December.<sup>1307</sup> He had been encouraged by the positive impact that Gen Mohan and Maj Gen Jalil were having but remained concerned by reports of militia influence within the Basra ISF. Maj Gen Binns commented: “Not a ringing endorsement, but a positive step and an endorsement we’ve been trying to achieve since April this year.”

**1429.** Basra transitioned to PIC on 16 December 2007 (described in Section 9.6).

**1430.** When asked about the capability of the ISF in December 2007 during his evidence to the Inquiry, Maj Gen Binns said:

“... they had weaknesses ... they were well trained, as individuals, but their leadership was not experienced, they were capable of conducting tactical, low-level operations, but their ability to conduct manoeuvre, to sustain themselves logistically, was a challenge to them.

“But I thought they wouldn’t get better until they were given responsibility ... it was a bit like taking the stabilisers off a child’s bike. They were going to wobble for a while and I was there to make sure they didn’t fall over.”<sup>1308</sup>

**1431.** On the police’s capability at that time, Maj Gen Binns said:

“The police were a mixed bag. At their worst, they were trouble. They had been infiltrated and they were a constraint on progress.

“At their best, and there were some very good police units ... they were good, they were effective. The national police units, who came from Baghdad, were highly effective and something that the Iraqis were particularly proud of.”

**1432.** On 20 December, the JIC assessed:

“Prospects in Basra will depend on ISF willingness and ability to take on Shia militias or reach and maintain an accommodation with them and on the ability of local political leaders to broker deals which restrain political violence. All are uncertain at this stage. The loss of either General Mohan or Jalil would remove a stabilising influence.”<sup>1309</sup>

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<sup>1307</sup> Minute Binns to CJO, 11 October 2007, ‘GOC HQ MND(SE) – Southern Iraq Update – 11 October 2007’.

<sup>1308</sup> Public hearing, 15 January 2010, pages 25-26.

<sup>1309</sup> [JIC Assessment, 20 December 2007, ‘Iraqi Security Forces: Two Steps Forward’](#).

**1433.** On the 14th Division, the JIC judged:

“The replacement of an Iraqi Army brigade in Basra with the new 14th Army Division (still 50 percent undermanned) and the deployment of an NP [National Police] battalion and a mechanised infantry unit have raised the ISF profile in Basra from 30,000 in June to 33,500 in December. MNF expect ISF to reach a full strength of 36,500 in June 2008. Largely manned from outside Basra, these forces are probably less influenced by local tribal and political ties or militia infiltration than those recruited locally. The vast majority of JAM continues to observe a cease-fire with MNF in Basra and have not challenged ISF for local control – although [...] they think they could successfully do so.”

**1434.** On 8 January 2008, AM Peach told the Chiefs of Staff that Gen Mohan had created a “security equilibrium” in Basra, using a “carrot and stick” approach, but that recent concessions and reassurances by him to JAM “demonstrated the precarious nature of the balance of power in Basra”.<sup>1310</sup>

**1435.** Gen Mohan visited the UK in January.<sup>1311</sup> He gave an “upbeat” description of security, stating that it was up to the British if they wanted to leave but that he needed to be left with “real military capability” to outface JAM and Iranian-backed militias. He asked for UK assistance in building intelligence capabilities.

**1436.** IDF attacks on UK forces at Basra Air Station began to rise again in 2008 (see Section 9.6). On 21 February, Major General Barney White-Spunner, who had just succeeded Maj Gen Binns as GOC MND(SE), commented:

“General Mohan is fully aware (as are we) that his ability to further strengthen his control of Basra City is limited as the ISF cannot match JAM in their urban heartlands, though he is deploying 14th Division into the city as soon as he can. Our efforts to develop the ISF capability to interdict smuggling of lethal aid as well as strenuous efforts to develop their urban warfare skills may enable Mohan to have the desired effect in the future, but for now there is not very much he can do.”<sup>1312</sup>

**1437.** In his evidence to the Inquiry, Lt Gen White-Spunner recalled that the first “increasingly obvious” point on his arrival was that:

“... we needed to redirect our training of the ISF and we needed to ... dedicate more of a mission to ... develop 14 Division.”<sup>1313</sup>

**1438.** Lt Gen White-Spunner said that Gen Mohan had asked for “offensive support”:

“By this we mean those weapons systems ... which support infantry rather than being infantry themselves, particularly the ability to target air and helicopters, intelligence and surveillance assistance, assistance with command and control and logistics.”

<sup>1310</sup> Minutes, 8 January 2008, Chiefs of Staff meeting.

<sup>1311</sup> Minute Binns to CJO, 24 January 2008, ‘GOC MND(SE) Weekly Letter – 24 January 2008’.

<sup>1312</sup> Minute White-Spunner to CJO, 21 February 2008, ‘GOC MND(SE) Weekly Letter – 21 February 2008’.

<sup>1313</sup> Public hearing, 7 January 2010, pages 5-6.

**1439.** On 23 February, Mr Prentice discussed the security situation in Basra with Dr Rubaie, who confirmed that an order replacing Gen Mohan had been signed by Prime Minister Maliki based on a report that a “non-interference pact” had been signed with JAM.<sup>1314</sup> Mr Prentice commented that the UK had some understanding of the balance that Gen Mohan and Maj Gen Jalil had to strike in handling the militias and that “It was probably wise not to seek a confrontation with JAM, while the army and police were still building their strength.” Dr Rubaie observed that there was a difference between calming the situation and fearing to confront it.

**1440.** On 27 February, the JIC assessed security prospects in the South:

“The Iraqi security forces (ISF) ability and willingness to maintain security in the South remains patchy and dependent on MNF training, logistic and specialist air support. Radical improvements in police effectiveness are unlikely. The army will remain at the forefront in providing security, relying on assistance from units outside the South to cope with serious and sustained violence there. The Iraqis would only call for MNF troop re-intervention as a last resort.

“Violent criminality, murders, kidnappings, score-settling and intimidation will remain part of life in southern Iraq. Pressure from national Shia political and religious leaders, reinforced by some local political leaders and security officials, may limit the scope of unrest. But local ISF action, accommodations between the ISF and elements of JAM, and the perception of MNF willingness to intervene, will also remain crucial tools for managing instability.”<sup>1315</sup>

**1441.** The JIC reported that, although reliable data for attacks against non-MNF targets was lacking, in Basra City alone there had been about 80 murders and 40 kidnappings. Accounts in the media suggested that Shia militia were increasingly punishing and sometimes killing women for “contravening strict interpretations of Islamic mores”. Around 10 women were reportedly murdered each month in Basra City.

**1442.** Mr Brown and Mr Browne had breakfast with the Chiefs of Staff on 6 March.<sup>1316</sup> The Chiefs told them that “there was quality in the ISF but it was not broadening as rapidly as hoped, so training and mentoring of 14Div remained a vital job”.

## Charge of the Knights

**1443.** In late March, Prime Minister Maliki launched a security operation in Basra, code-named *Sawlat al-Fursan* (Arabic for “Charge of the Knights”). The operation had wide-ranging effects on the UK’s position and standing in Iraq and is described in detail in Section 9.6.

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<sup>1314</sup> Email Prentice to Betts, 24 February 2008, ‘Meeting with National Security Adviser Rubaie, 23 February’.

<sup>1315</sup> [JIC Assessment, 27 February 2008, ‘Iraq: Security Prospects in the South’.](#)

<sup>1316</sup> Letter Fletcher to Rimmer, 6 March 2008, ‘Prime Minister’s Breakfast with Chiefs of Staff, 6 March’.

**1444.** In his evidence to the Inquiry, Lt Gen White-Spunner described the lack of a strategy at the start of the Charge of the Knights:

“To start with, there wasn’t one, because, of course, the detailed planning hadn’t been done. That’s why the first few days were very anxious ... – particularly for General Mohan – because there was really no plan for his existing troops – 14 Div, and the police ... to work to.”<sup>1317</sup>

**1445.** Lt Gen White-Spunner described how Gen Mohan was given a planning team and a strategy was developed:

“... General Mohan and I drew up this plan which saw an Iraqi lead with us in support rather than the other way on, as in SINBAD ... the overall plan, which was actually very similar to SINBAD in concept, it was a clearance of Basra and the whole province by phases ...”<sup>1318</sup>

**1446.** Lt Gen White-Spunner told the Inquiry:

“One of those things we did in the first days of Charge of the Knights was bring forward what we had wanted to do, what we had realised we had to do in February, which was to put teams in with the MiTTs ... with the Iraqi formations to whom we were responsible ...”<sup>1319</sup>

**1447.** Lt Gen White-Spunner explained how that was a “major change” as the UK approach to MiTTs was brought closer to the US approach:

“Ultimately, we looked at what they [the US] were doing and certainly it was very influential. Our construct was slightly different ... the point was that we reversed what had been British policy up until then, which wasn’t to do this, and had very strong and immediate support – I put a submission in to the Ministry of Defence I think on 1 April and had authority the next day to do this. So I thought that showed great sort of flexibility and ability to adapt.”<sup>1320</sup>

**1448.** Lt Gen White-Spunner later added:

“It became rapidly clear to us that the nature of support that the Iraqi Security Forces wanted had changed with Charge of the Knights ...

“Charge of the Knights meant we had to adjust very rapidly and untidily, but we did it ...”<sup>1321</sup>

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<sup>1317</sup> Public hearing, 7 January 2010, page 17.

<sup>1318</sup> Public hearing, 7 January 2010, page 8.

<sup>1319</sup> Public hearing, 7 January 2010, page 31.

<sup>1320</sup> Public hearing, 7 January 2010, pages 31-32.

<sup>1321</sup> Public hearing, 7 January 2010, page 39.

**1449.** On 29 March, the Director of Joint Commitments reported to Mr Browne's Assistant Private Secretary that he considered "little tangible success has been achieved by either side, and sustained conflict looks set to continue".<sup>1322</sup>

**1450.** An eGram on the same day stated that the Iraqi media were reporting that over a hundred police officers had been sacked in Basra, apparently for losing their weapons and/or abandoning their posts during the recent clashes.<sup>1323</sup>

**1451.** On 31 March, it was reported that questions had been asked at the MCNS meeting that day about the reports of police desertions in Baghdad and allegations of poor co-operation between the police and army.<sup>1324</sup> The representative of the MOI told the Council that "only 10 percent of the national Police had proven ineffective" and that more than 400 police had been dismissed in Basra in recent days for "disloyalty".

**1452.** On 14 April, the CIG assessed ISF performance in MND(SE) during Charge of the Knights.<sup>1325</sup> It referred back to the JIC's Assessment on 27 February, reporting that the JIC had correctly predicted that:

- The ISF would rely on MNF support – "... on their own, the ISF underperformed against JAM in Basra, Maysan and Dhi Qar during recent operations. In Basra they relied heavily on MNF supplies (i.e. ammunition and rations), air strikes and eventually MNF mentoring. [...] Military reporting suggested little sign of a detailed operational plan or evidence of precision targeting of JAM Special Groups or other hard-line elements until the arrival of MNF training teams from 1 April."
- The influence of Shia militias would hinder radical improvement in the effectiveness of Basra's police – "Basra's Chief of Police reportedly believes that hundreds of local police melted away within the first 24 hours of fighting – others joined JAM's ranks. Reporting that several police stations and dozens of police vehicles were abandoned in the face of militia intimidation supports this. Many of the National Police units drafted in from Baghdad, with superior arms and armour, fared much better. The affiliation of many to ISCI [Islamic Supreme Council in Iraq]/Badr probably strengthened their resolve to try and weaken their chief rival [JAM]."
- The 10th and 14th Divisions of the IA would require assistance from outside the South to cope with serious and sustained violence – "... even with reinforcements from Baghdad's 1st Division, military reporting suggests that the Iraqi Army lost most tactical engagements against JAM and failed to take any ground prior to JAM's stand down on 31st March. However, neither did they cede ground and specific successes, such as taking charge of the strategically

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<sup>1322</sup> Minute DJC to SofS/APS4 [MOD], 29 March 2008, 'Basra: MOD Update'.

<sup>1323</sup> eGram 11975/08 Basra to FCO London, 29 March 2008, 'Basra – Update – 29 March'.

<sup>1324</sup> eGram 12023/08 Baghdad to FCO London, 31 March 2008, 'Iraq: Baghdad: Security and Political Update, Sunday 30 March'.

<sup>1325</sup> CIG Assessment, 14 April 2008, 'Iraqi Security Forces Performance in MND(SE)'.

important ports at Umm Qasr and Khor al-Zubayr and expelling the militia ridden Facilities Protection Service has emboldened them. Iraqi Special Forces were ineffective until their US mentors were re-inserted. In Dhi Qar's capital Nasiriyah, JAM reportedly made some territorial gains over the ISF before their stand down, while in Maysan, ISF opted not to confront JAM (recognising they would not be able to defeat them and leaving them in control of Al-Amara for the second time in two months)."

**1453.** Assessing the ISF's future, the CIG stated:

"Despite their underwhelming performance, we assess that JAM's stand down, leaving ISF holding the field, has increased the latter's credibility among most Basrawis and imbued them with greater confidence. Despite the continued likelihood that Generals Mohan and Jalil will be moved on, diplomatic reporting suggests that the MOI may at least continue some of their security reforms: it has already sacked 1,000 militia affiliated members of the police. However, many will almost certainly re-surface within the system. Others, unless directed towards viable alternative employment, may replenish JAM's ranks."

**1454.** On 14 May, the JIC stated in an Assessment that, as a result of the Charge of the Knights, "public confidence in the ISF has grown".<sup>1326</sup> However, "Strong JAM resistance in the initial phases of the Charge exposed enduring weaknesses in the largely untested local ISF: inadequate planning, confused command and control structures, feeble logistics and split loyalties ... Basra's police were particularly ineffective."

**1455.** The JIC continued:

"Though the ISF overall are improving, the Iraqi Government has recognised that radical changes are needed to upgrade Basra's security forces – particularly the police. The Ministry of Interior plans to fire 6,000 security personnel for deserting their positions ... implementing [changes] effectively will be tricky: militiamen dismissed from the army or police often find employment elsewhere in the ISF ..."

**1456.** In his evidence to the Inquiry, Lt Gen White-Spunner reflected on police performance during the Charge of the Knights, and the different approach taken afterwards:

"I don't think the police came out of Charge of the Knights very well, if I'm being honest ... we do need to look at how we trained the police prior to that. I think we may have erred on the side of training the police in what I would call sort of UK/Home Counties policing, whereas actually what was probably wanted was something slightly more robust ..."

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<sup>1326</sup> [JIC Assessment, 14 May 2008, 'Iraq: the Charge of the Knights'](#).

“What happened during the Charge of the Knights was actually a lot of the police collapsed effectively and it took a lot of time to rebuild them and we tried to rebuild them on a different model, on more what I would call ... a paramilitary basis, so that they could fire weapons, defend themselves and restore order as much as they could take fingerprints and gather evidence.”<sup>1327</sup>

**1457.** Lt Gen White-Spunner commented on the joint working between the army and the police:

“It was because the police were felt to be less reliable than the Iraqi Army. The Iraqi Army has always been to the fore in Iraq ... and there was a feeling that the police would be morally and physically strengthened by having the Iraqi Army posted alongside them.”<sup>1328</sup>

**1458.** When asked whether the police fought against the ISF during the Charge of the Knights, Lt Gen White-Spunner responded:

“A few, very few. Some units did very well. I certainly wouldn’t want to be overcritical of the force as a whole ... some of his [Maj Gen Jalil’s] units did very well, but a lot just put their weapons down and melted away. Some were infiltrated by JAM.”<sup>1329</sup>

**1459.** On 8 July, an eGram from the British Embassy Office Basra reported that the operational phase of Charge of the Knights had ended.<sup>1330</sup> “Intelligence-led strike operations” continued around Basra, leading to the arrest of the second in command for the team that attacked the Contingency Operating Base on 8 May and 8 June. The ISF considered their operation in Maysan a success: the Chairman, two Council members, and the former Chief of Police were arrested for supporting militia and criminal activities. They tried to arrest the Governor of Maysan but he had already fled.

**1460.** In his evidence to the Inquiry, Lt Gen Shirreff described how 14th Division was able to tackle JAM in the South during the Charge of the Knights, unlike the locally recruited 10th Division:

“There was no way they were prepared to really get stuck in and fight against the Jaysh Al Mahdi, for understandable reasons, and I think it was only when Iraqi troops from outside the Shia south came in that you were able to really begin the process.”<sup>1331</sup>

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<sup>1327</sup> Public hearing, 7 January 2010, pages 44-45.

<sup>1328</sup> Public hearing, 7 January 2010, page 45.

<sup>1329</sup> Public hearing, 7 January 2010, page 46.

<sup>1330</sup> eGram 26653/08 Basra to FCO, 8 July 2008, ‘Basra: Weekly Update’.

<sup>1331</sup> Public hearing, 11 January 2010, page 44.

**1461.** Maj Gen Shaw also reflected on the Charge of the Knights in his evidence to the Inquiry:

“Charge of the Knights actually was a great success, in terms of the establishment of ... Iraqi self-rule, because, finally, it was a decisive blow by Maliki declaring some elements of the Shia polity out of bounds.”<sup>1332</sup>

### Iraqi Navy progress

In April 2008, the Iraqi Navy grew and took on additional responsibilities:

- Around 500 Iraqi Army personnel were transferred to the Iraqi Marines to form a second battalion.<sup>1333</sup> One battalion provided defence of the offshore oil platforms and the second protected the port of Umm Qasr.
- The Iraqi Navy took responsibility for the point defence of the Khwar al Amaya Oil terminal and perimeter security for the port and power station in az-Zubayr.

By that stage the Navy personnel total had increased to over 1,800.

As the UK had failed to negotiate an MOU covering the continued presence of Royal Navy trainers, the 80 Royal Navy personnel temporarily departed Iraq along with other UK forces in July 2009.<sup>1334</sup> A UK-Iraq Training and Maritime Support Agreement was signed in November 2009 and the trainers returned. They worked alongside around 50 US Navy, Marine and Coastguard personnel.

The Royal Navy team remained in Iraq until 22 May 2011 when the agreement expired.<sup>1335</sup> Between 2003 and 2011, the UK trained 1,800 Iraqi Navy personnel, providing between 50 and 90 Royal Navy personnel for the task. Dr Liam Fox, the Defence Secretary, stated:

“Royal Navy personnel have used their formidable skills and expertise to bring about a transformation in Iraq’s naval force. The Iraqi Navy has a key role to play in protecting Iraq’s territorial waters and the oil infrastructure that is so vital to Iraq’s economy, and I am proud of the role British forces have played in making it capable of doing that job.”

The Naval training mission continued until May 2011 when 81 Navy trainers and three UK personnel in Baghdad withdrew and Op TELIC formally ended.<sup>1336</sup>

## Basra ‘Sons of Iraq’ programme

**1462.** On 1 April 2008, Prime Minister Maliki announced that he was going to supplement the ISF with 10,000 Basra citizens as Sons of Iraq (as described earlier in this Section).<sup>1337</sup> Maj Gen White-Spunner reported:

<sup>1332</sup> Public hearing, 11 January 2010, page 20.

<sup>1333</sup> Report to Congress, 13 June 2008, *Measuring Stability and Security in Iraq*.

<sup>1334</sup> Report to Congress, 29 January 2010, *Measuring Stability and Security in Iraq*.

<sup>1335</sup> Press Release MOD, 18 May 2011, ‘Operations in Iraq Finish with the Completion of Royal Navy Training Mission’.

<sup>1336</sup> GOV.UK, 18 May 2011, *Operations in Iraq Finish with Completion of Royal Navy Training Mission*.

<sup>1337</sup> Minute White-Spunner to CJO, 3 March [sic] 2008, ‘GOC MND(SE) Weekly letter – 3 April 2008’.

“In effect, he has engaged with the local tribes and established a ‘Sons of Iraq’ programme. The maturity of this programme seems similar to that for his overall Basra initiative; limited. A combined MNF-I and MNC-I team has begun to work on possible recommendations for implementation, but clearly this must be a Gol programme and they may not want any coalition support. A sufficiently robust governance structure will be required to prevent this group turning into another armed militia and a considered approach is needed to prevent them becoming a new target set for JAM. Whilst the establishment of such a programme in MND(SE) is something that the UK has sought to avoid and which we continue to oppose, our voice carries little weight and there is little that we can and ought to do other than support the MNC-I in developing recommendations.”

**1463.** On 14 April, the CIG reported:

“Intelligence shows that despite the Government of Iraq’s previously strong objections to tribal awakenings in the South, their proven ability to act as force multipliers for the ISF in Basra and a counter-balance to JAM is going to be one of the key products of the recent conflict. Intelligence suggests that 500 have already been recruited and that Maliki has tasked local tribal leaders to hand pick others. Diplomatic reports suggest that as many as 25,000 have been asked for. However, this additional dynamic to Basra’s security landscape is not without risk. Inter-tribal conflict may result in places: reporting suggests that JAM already has plans to eradicate them.”<sup>1338</sup>

**1464.** On 8 July, an eGram from the British Embassy Office Basra suggested that the number recruited had risen to 7,000, when reporting that the Sons of Iraq might return to “the streets of Basra” because the MOI had not paid them.<sup>1339</sup> General Adel had asked for outstanding salaries to be paid immediately. He also requested “not to be sent any more police officers as he ha[d] enough”.

## The UK starts embedding troops with the Iraqi Army

**1465.** On 2 April, a junior official in PJHQ wrote to Mr Browne, advising him that MND(SE) was intending to embed MiTTs within 14th Division to strengthen “some of the key vulnerabilities that ha[d] been demonstrated during recent operations”.<sup>1340</sup> It would be “in a manner akin to the Operational Mentoring Liaison Team (OMLT) concept successfully used in Afghanistan”. The US had “made it clear that they would welcome” the move. The official stated:

“It is true to say that most armies around the world would have struggled in the circumstances faced by 14 Div over the last two weeks. We should not therefore rush to criticise what we were already aware was still some way from a properly

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<sup>1338</sup> [CIG Assessment, 14 April 2008, ‘Iraqi Security Forces Performance in MND\(SE\)’](#).

<sup>1339</sup> eGram 26653/08 Basra to FCO, 8 July 2008, ‘Basra: Weekly Update’.

<sup>1340</sup> [Minute PJHQ \[junior official\] to PS/SofS \[MOD\], 2 April 2008, ‘Op TELIC: Enhancing UK Operational Support to the Iraqi Army’](#).

trained Division. Our main focus will be to help resolve the following concerns: a lack of situational awareness; a lack of clear command and control; poor planning; and an inability to co-ordinate effectively with coalition assets and experience, in particular with regards to calling on coalition forces for fire support and in extremis extraction when these can only be delivered within coalition rules of engagement.”

**1466.** On presentation, the official wrote that there were “many potential positives” but it would be likely to raise questions about whether the UK handed Basra over to PIC too early “and whether we have acted too late and only under pressure”.

**1467.** The total number of military personnel involved was 150.

**1468.** In Mr Browne’s absence, Mr Adam Ingram, the Minister for Armed Forces, considered the advice on 3 April.<sup>1341</sup> Mr Ingram noted the advice and “emphasised the need to ensure that personnel are clearly briefed on the red lines beyond which they must not operate and the action to be taken in the event such lines are crossed”. He “also asked that any evidence of behaviour by Iraqi forces with which UK personnel had concerns be reported rapidly to Ministers”.

**1469.** A note for Mr Browne was written on Mr Ingram’s response by Mr Browne’s Private Secretary the same day.<sup>1342</sup> He reported that MiTTs were now deployed in Basra. He wrote:

“... It wasn’t so long ago that MiTTs/OMLTs [Operational Mentoring Liaison Teams] in Iraq were thought to be a bad idea, but then, the situation has definitely changed in the last week or so ...

“Everyone appears to be content that the legal position is robust, but there are clearly presentational risks in being seen to be drawn into town, while Warrior back in Basra will not go unnoticed. It means 58 additional people will be deployed but they’re temporary and will be invisible – we’re still at ‘around 4,000’ established posts.”

**1470.** Maj Gen White-Spunner reported on 3 April that US MiTTs and the “accompanying military resources they bring” were having a “significant supporting impact” to those Iraqi forces.<sup>1343</sup>

**1471.** On 4 April, Mr Jon Day, MOD Director General Operational Policy, advised Ms Aldred that there were over 400 US troops embedded with the Iraqi reinforcements sent to Basra in support of Charge of the Knights.<sup>1344</sup>

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<sup>1341</sup> Minute PS/Min(AF) to PJHQ [junior official], 3 April 2008, ‘Op TELIC: Enhancing UK Operational Support to the Iraqi Army’.

<sup>1342</sup> Manuscript comment PS/SofS [MOD] on Minute PS/Min(AF) to PJHQ [junior official], 3 April 2008, ‘Op TELIC: Enhancing UK Operational Support to the Iraqi Army’.

<sup>1343</sup> Minute White-Spunner to CJO, 3 April 2008, ‘GOC MND(SE) Weekly Letter – 3 April 2008’.

<sup>1344</sup> Letter Day to Aldred, 4 April 2008, ‘Military Plans for Basra’.

**1472.** On 17 April, Maj Gen White-Spunner reported that the UK MiTT concept was continuing to evolve but was adding “real value to current operations”.<sup>1345</sup>

### Iraqi appointments

On 17 April 2008, Maj Gen White-Spunner wrote that the senior Iraqi personnel responsible for security in Basra were to be replaced:

- Gen Mohan, Basra Operations Commander, was replaced by General Mohammed (the former Commander 14th Division);
- Maj Gen Jalil, Provincial Director of Police, was replaced by General Adel (a former police commander in Baghdad); and
- General Abdul Aziz became Commander 14th Division.<sup>1346</sup>

**1473.** In May, Maj Gen White-Spunner’s weekly reports highlighted a number of resource issues:

- There were no “suitable” armoured vehicles available for the UK MiTTs; the choice being either Mastiff which was too large or Bulldog which was tracked.<sup>1347</sup> US and Iraqi personnel used Humvees.
- “Substantial engineering work” was required to create “sustainable accommodation and force protection of their locations across the city”.<sup>1348</sup> As a consequence there was a requirement for reinforcements to free up engineering squadrons who were currently undertaking guarding tasks.
- By 2 May, only two of a planned four brigades for 14th Division were operational.<sup>1349</sup> There would be a further requirement for UK MiTTs when the final two brigades came online, and delivering that requirement would require “taking risk” against the Brigade Quick Reaction Force.

**1474.** On 20 June, Maj Gen White-Spunner reported that the full UK MiTT group was in place.<sup>1350</sup> The Engineer Group was addressing “the considerable force protection and environmental health risks that are currently being carried by MND(SE)”.

### The future of the Iraqi police in Basra

**1475.** On 1 April 2008, Mr Crispin Blunt suggested to Parliament that a large number of the criminal forces against which the ISF was fighting were members of the Basra police, whom the UK were responsible for training.<sup>1351</sup> Mr Browne responded:

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<sup>1345</sup> Minute White-Spunner to CJO, 17 April 2008, ‘GOC MND(SE) Weekly Letter – 17 April 2008’.

<sup>1346</sup> Minute White-Spunner to CJO, 17 April 2008, ‘GOC MND(SE) Weekly Letter – 17 April 2008’.

<sup>1347</sup> Minute White-Spunner to CJO, 2 May 2008, ‘GOC MND(SE) Weekly Letter – 2 May 2008’.

<sup>1348</sup> Minute White-Spunner to CJO, 8 May 2008, ‘GOC MND(SE) Weekly Letter – 8 May 2008’.

<sup>1349</sup> Minute White-Spunner to CJO, 2 May 2008, ‘GOC MND(SE) Weekly Letter – 2 May 2008’.

<sup>1350</sup> Minute White-Spunner to CJO, 20 June 2008, ‘MND(SE) Weekly Letter – 20 June 2008’.

<sup>1351</sup> House of Commons, *Official Report*, 1 April 2008, columns 628-642.

“The early attempts to create a police force in Iraq had exactly the results that the Hon. Gentleman describes, as criminal elements came out of the police forces and may, indeed, have deliberately gone into them in order to obtain training. Under the generalship of General Jalil ... we have dealt with that very problem during the past year or more: a significant number of police officers have been dismissed from the Iraqi police force, while others have been retrained to ensure that the situation does not occur again. We have learned significant lessons from those early days of police training, and we shall implement them in Afghanistan to ensure that we do not repeat the problem.”

**1476.** On 10 April, Maj Gen White-Spunner reported that the severe problems with police officers were:

“... seen here partly as an issue of training (maybe the training teams had focused, understandably, more on civilian policing skills than military tactics) but more as a result of deep rooted corruption and lack of loyalty to the GOI.”<sup>1352</sup>

**1477.** Maj Gen White-Spunner warned that there were discussions in MNC-I and the Iraqi Government over whether to disband the Basra police entirely and start again. He also reported that MNC-I and CPATT were keen on the concept of Police Transition Teams stating: “we will need to know how much appetite there is in the UK to provide these.”

**1478.** The following week, on 17 April, Maj Gen White-Spunner wrote:

“... daily interaction with the IPS at the coalface (i.e. in their stations, of which there are over 40) would require numbers in the high 100s to be successful, plus the associated force protection. My feeling from the UK police team here is that the bill would be too big for the UK to source, and would involve accepting a degree of risk in their modus operandi which would be unwelcome. Our approach is therefore to encourage maximum CPATT involvement and consequent injection of resources, as the need to rebuild the police in Basra in the next six months remains urgent.”<sup>1353</sup>

## The US takes over SSR tasks in the South

**1479.** Lt Gen Houghton met Gen Petraeus on 25 April.<sup>1354</sup> They discussed force levels and tasks for UK and US forces in MND(SE) and agreed the following division of SSR tasks:

- The UK would provide:
  - MiTTs for the Basra Operations Centre;

<sup>1352</sup> Minute White-Spunner to CJO, 10 April 2008, ‘GOC MND(SE) Weekly Letter – 10 April 2008’.

<sup>1353</sup> Minute White-Spunner to CJO, 17 April 2008, ‘GOC MND(SE) Weekly Letter – 17 April 2008’.

<sup>1354</sup> [Minute Houghton to PSO/CDS, 26 April 2008, ‘CJO – Gen Petraeus Meeting 25 Apr 08’.](#)

- MiTTs of 14th Division with supporting Quick Reaction Forces; and
- the Naval Transition Team.
- The US would provide:
  - MiTTs of 10th Division;
  - border security; and
  - IPS reform/retraining.

**1480.** On 1 May, Mr Brown met Gen Petraeus and agreed that the key remaining UK task on SSR would be the preparation of 14th Division to be operational by the end of the first quarter of 2009.<sup>1355</sup> Once that task was complete, the UK would consider its mission complete.

**1481.** On 2 May, Mr Simon McDonald, Mr Brown’s Foreign and Defence Policy Adviser, warned Mr Brown:

“We’ll need to think about how we assess 14th Division’s readiness; we do not want to leave this solely to the US; they may be tempted to use that responsibility to delay us.”<sup>1356</sup>

**1482.** On 5 June, the JIC Assessment of the ISF judged:

“In Basra, even with coalition mentors, the ability of 14th Army Division to fully maintain security once Jaysh al-Mahdi (JAM) fighters return is uncertain, without the continued support of reinforcements from 1st and 7th Divisions (which are likely to be called on to support other operations in Sadr City and Maysan).”<sup>1357</sup>

**1483.** On 13 June, Maj Gen White-Spunner reported that development of 14th Division was likely to take until April 2009.<sup>1358</sup> He stated that, in December, there would be a complete US military police battalion in Basra which, together with the Joint Security Stations, he believed would lead to a “slow improvement in police performance”.

**1484.** NSID(OD) met on 15 July and discussed the future strategy for the UK in Iraq.<sup>1359</sup> It was suggested that beyond April 2009 the “remaining military tasks” that would “resemble normal defence co-operation” were:

- continuing the “small scale” mentoring for 14th Division’s Headquarters;
- training the Iraqi Navy; and
- supporting officer training.

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<sup>1355</sup> Minute White-Spunner to CJO, 2 May 2008, ‘GOC MND(SE) Weekly Letter – 1 May 2008’.

<sup>1356</sup> [Email Fletcher to Brown, 2 May 2008, ‘Iraq Troop Numbers – Note from Simon’.](#)

<sup>1357</sup> [JIC Assessment, 5 June 2008, ‘Iraqi Security Forces: More Able, Less Challenged’.](#)

<sup>1358</sup> Minute White-Spunner to CJO, 13 June 2008, ‘MND(SE) Weekly Letter – 13 June 08’.

<sup>1359</sup> Minutes, 15 July 2008, NSID(OD) meeting.

**1485.** On 22 July, Mr Brown made a statement to Parliament on the future strategy for Iraq, as described in Section 9.7.<sup>1360</sup> He stated that, in response to “changing needs”, the UK had now embedded more than 800 UK personnel within the Iraqi command structure. He continued:

“The focus of the 4,100 forces still in southern Iraq is now on completing the task of training and mentoring the 14th Division of the Iraqi Army in Basra ... Other remaining military tasks ... include ... continuing to develop the capacity of the Iraqi navy and marines ...”

**1486.** On 19 August, Mr Nigel Haywood, the British Consul General in Basra, wrote that the first US police training teams had deployed in Basra.<sup>1361</sup> Their first impression of the IPS had been “positive”.

**1487.** On 26 August, Mr Haywood reported a “milestone”: “the first visit downtown in civilian vehicles (albeit armoured Land Cruisers with a Mastiff escort), and also the first visit to the Governor’s office, for nearly two years”.<sup>1362</sup> Mr Haywood wrote that that showed the UK’s confidence in the ISF, although acknowledged “we will be able to demonstrate greater confidence, when we are able to travel in civilian vehicles without a UK military escort”.

**1488.** Mr Haywood reported that police training continued and had enabled the IPS to produce a “Policing Plan for 09/10”. Forensic training also continued and a two-week residential course had begun “introducing experienced IPS trainers to leadership development to help them run new courses” later in 2008.

**1489.** Mr Haywood also said that the contract to build the new Basra Central Prison had been signed “after weeks of delay”. It was due for completion in a year.

**1490.** In his evidence to the Inquiry, Mr Haywood described policing support at that time as “community policing, use of forensic evidence, building up forensic laboratories”.<sup>1363</sup> He said:

“Arguably, those weren’t what was immediately needed in the period post-Charge of the Knights, but it laid the groundwork for now what is becoming an increasingly good policing system. If that hadn’t happened, then there would have been nothing to build on.”

**1491.** In a video conference on 11 September, Mr Brown told President Bush that training of Iraqi forces in Basra was “going well” and that the UK would “finish the job”.<sup>1364</sup>

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<sup>1360</sup> House of Commons, *Official Report*, 22 July 2008, columns 660-679.

<sup>1361</sup> eGram 32273/08 Basra to FCO, 19 August 2008, ‘Basra: Weekly Report – 19 August’.

<sup>1362</sup> eGram 33105/08 Basra to FCO, 26 August 2008, ‘Basra: Weekly Report – 26 August’.

<sup>1363</sup> Public hearing, 7 January 2010, page 27.

<sup>1364</sup> Letter Catsaras to Gould, 11 September 2008, ‘Prime Minister’s VTC with US President, 11 September’.

**1492.** On 18 September, a JIC Assessment stated:

“Locally raised army units in the South will continue to need coalition mentors and to operate alongside more experienced Iraqi forces to manage security for the rest of this year. By early 2009, provided JAM remains quiescent, they will be able to cope with only limited MNF mentoring ... In the unlikely event of a widespread return to violence we would expect local units to call for reinforcement by more experienced Iraqi forces in the first instance. But they might ultimately still need to call on MNF for specialist assistance.”<sup>1365</sup>

**1493.** On police effectiveness, the JIC Assessment stated:

“Interior Minister Boulani has taken steps to address police ineffectiveness. However, despite an increase in MNF mentors and better vetting of police recruits, we expect militia loyalty and corruption in the local police to remain serious problems [...] The Army will have to retain overall responsibility for security for at least the next few years.”

**1494.** Mr John Hutton, the Defence Secretary, visited Iraq in October.<sup>1366</sup> In a letter to Mr Brown, he wrote:

“The Iraqi Security Forces (ISF), the Army in particular, are looking confident and capable. Their show of force in the areas which I visited, where they took the lead in providing my security, was genuinely impressive. There is no doubt that Basra itself has been transformed and the ISF now have complete freedom of movement throughout the city. While they do not yet have all the capabilities that we would like to see in a fully-formed Division, and there is important work still to do, we will soon have reached the point where we can say with confidence that we have fulfilled our training mission for 14 Division ...”

**1495.** On 16 December, the British Embassy Office Basra reported that the US military police teams and IPAs had almost reached full deployment.<sup>1367</sup> That was followed by the deployment of US Border Transition Teams and Port of Entry Transition Teams in January.<sup>1368</sup>

**1496.** The UK police mission continued to deliver training in community-based policing and forensics throughout 2009.<sup>1369</sup> A review of UK support to the IPS was undertaken in November 2009 and recommended that the programme be closed at the end of the financial year. The police mission in Basra was commended as a “politically useful” extension of the Consulate staff.

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<sup>1365</sup> [JIC Assessment, 18 September 2008, 'Iraq: Security in the South'](#).

<sup>1366</sup> Letter Hutton to Brown, 23 October 2008, [untitled].

<sup>1367</sup> eGram 49767/08 Basra to FCO, 16 December 2008, 'Iraq: Basra Weekly Update – 16 December'.

<sup>1368</sup> Report Salmon, 15 May 2009, 'COMUKAMPHIBFOR OP TELIC 12/13 (HQ MND(SE) Post Operational Report (POR))'.

<sup>1369</sup> Paper Stabilisation Unit [junior official] and Howlett-Bolton, 27 November 2009, 'Review of the support to the Ministry of Interior and Iraqi Police Service Programme'.

## Training of 14th Division completed

**1497.** On 27 March 2009, a junior official informed Mr Brown that 14th Division was considered to be effective and that all UK mentors and trainers had been withdrawn.<sup>1370</sup>

**1498.** In his post-operation tour report on 15 May, Major General Andrew Salmon, GOC MND(SE) from August 2008 until March 2009, assessed:

“There was considerable adaptation seen from our MiTTs who, given the circumstances, did a great job. But this is a specialist game where maturity, linguistic and teach, coach and mentor skills are required. A great MiTT made a huge difference and enabled civil capacity; poor ones made little progress. Much of this is down to training and selection, like the USMC [US Marine Corps] who provide the benchmark. Our soldiers and officers also tend to approach their tasks through the lens of the enemy as opposed to the lens of the people. We have much to learn from our American colleagues ... It was noticeable that US MiTTs were much better prepared than ours.”<sup>1371</sup>

**1499.** Maj Gen Salmon wrote that the decision to enable some UK MiTT elements to travel in Iraqi Army vehicles “was a defining decision – pivotal in establishing trust and building meaningful relationships at the tactical level”. There was “no doubt that the (accurate or otherwise) US tactical perception of UK casualty aversion ha[d] been a negative factor in coalition cohesion over the past 12 months”:

“Basra has arguably progressed from anarchy to democracy in 12 months. The militias have been defeated and residual insurgent activity is limited and cellular in nature. There is widespread recognition of the Rule of Law, with judicial processes being developed to meet the need of a democratic society. To all intents, 14th Division has met the MNSTC-I mandated requirement of ORA 2 [Operational Readiness Assessment level 2 – see Box, Provincial Iraqi Control], under British tutelage. In terms of wider Basrawi security, policing and border security have improved considerably. Collectively, the ISF conducts intelligence-led coordinated operations supported by an integral IO capability. The harmonisation of the ISF requires further work but has improved markedly ... UK Defence can withdraw from Iraq having delivered on its promises and with its professional reputation intact.”

## SSR in Maysan province

**1500.** Mr Tansley provided some background about Maysan province in his 6 December 2005 eGram:

“Maysan has long had the reputation for being lawless and separate from the rest of Iraq. During Saddam Hussein’s time, more than 20,000 soldiers were permanently

<sup>1370</sup> Minute Cabinet Office [junior official] to Prime Minister, 27 March 2009, ‘Iraq: Update’.

<sup>1371</sup> Report Salmon, 15 May 2009, ‘COMUKAMPHIBFOR OP TELIC 12/13 (HQ MND(SE)) Post Operational Report (POR)’.

deployed in the province in an attempt to subdue it. The locals claim that they, rather than coalition forces ‘liberated’ Maysan in 2003, and this helped explain the higher levels of hostility to MND(SE) than elsewhere in the region.”<sup>1372</sup>

**1501.** In his evidence to the Inquiry, Lt Gen Shirreff said:

“Maysan had always been a very difficult province. There was effectively no security at all where MNF were concerned.”<sup>1373</sup>

**1502.** On 9 July 2004, Commander Kevin Hurley, UK Senior Police Adviser Iraq (South), reported that the Governor of Maysan province, Governor Riyadh, had been “implicated” in the shooting of the local Chief of Police.<sup>1374</sup> Cdr Hurley wrote that the Governor’s continued tenure was “a potential challenge to not only the development of a wholesome policing ethic but also that of the wider democratic process”.

**1503.** On 24 July, Mr Collis reported that Maysan province was fragile and stuck in “political stagnation”.<sup>1375</sup> Although Prime Minister Allawi had suspended Governor Riyadh, the Governor refused to acknowledge it and continued in his role. Mr Collis attributed the “bad” economic situation to “35 years of neglect and the overnight loss of its previous principal employer, the old Iraqi Army”. The deployment of police mentors was “likely to be problematic on security grounds”.

**1504.** By 28 July, Mr Collis wrote that the situation had “worsened”.<sup>1376</sup> A suspension letter issued from Baghdad had been sent through low-level police channels, rather than from Prime Minister Allawi, meaning Governor Riyadh either had not seen the instructions, or was ignoring them. The Governor’s behaviour was causing concern for some Council members and Mr Collis predicted that, without further action, he would “continue to undermine those he sees as rivals and the scope for violence w[ould] rise”.

**1505.** On 3 September, Mr Collis wrote that a cease-fire was agreed between the local Office of the Martyr Sadr (OMS) leadership, the IPS and ING on 2 September and a declaration was signed.<sup>1377</sup> Key points included a commitment to resolution 1564 (2004) (allowing MNF freedom of movement whilst undertaking reconstruction work and IPS training), and the IPS being given “the responsibility of upholding security”.

**1506.** Mr Collis wrote that Maysan was still without an effective Governor. The Governorate Council was incapable of electing a replacement as a result of intimidation from Governor Riyadh’s brother, the tribal leader Mr Abu Hatim (“Prince of the Marshes”).

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<sup>1372</sup> [eGram 20021/05 Basra to FCO, 6 December 2005, ‘Iraq: Visit to Maysan Province’](#).

<sup>1373</sup> Public hearing, 11 January 2010, page 3.

<sup>1374</sup> Report Hurley, 9 July 2004, ‘Reporting to 5th July 04/Senior Police Advisor [sic] Iraq (South)’. In May 2004, the Police Chief of Majar al-Kabir was shot and killed (Fairweather J, *A War of Choice: The British in Iraq 2003-9*, Jonathan Cape, 2011).

<sup>1375</sup> Telegram 86 Basra to FCO, 24 July 2004, ‘Iraq: Visit to Maysan’.

<sup>1376</sup> Telegram 90 Basra to FCO, 28 July 2004, ‘Iraq: Position of the Governor of Maysan Province’.

<sup>1377</sup> Telegram 141 Basra to FCO, 3 September 2004, ‘Maysan – Update’.

**1507.** On 21 September, Mr Collis reported that Governor Riyadh had been exonerated by a Baghdad court but the circumstances surrounding his exoneration were unclear.<sup>1378</sup> Mr Abu Maythem, Chief of Police, had taken “one look at the letter exonerating Riyadh, declared it a forgery and repeated his desire for justice to be served”. While Mr Maythem agreed “the current situation was calmer than for a while”, he “believed fighting would start up again soon”.

**1508.** Mr Hatim looked most “likely to come out on top of this struggle”, appearing to have “purged” the Council of anyone who opposed him and “worn down any opposition in Baghdad to acquitting his brother”. There was “no sign” of General Rashash, Prime Minister Allawi’s Security Co-ordinator, and Mr Maythem “appeared quite unaware” of his appointment.

**1509.** On 26 September, Mr Davies reported that as part of a deployment of 38 ArmorGroup contractors, three contractors were deployed to Maysan to develop criminal intelligence capability and mentor the TSU.<sup>1379</sup> Mr Davies also reported that the location of the police in Maysan had “received some rocket and mortar fire during the week”.

**1510.** On 15 October, Mr Collis stated that the security situation in Maysan remained “superficially quiet” following the cease-fire, with “no serious attacks against the MNF for several weeks”.<sup>1380</sup> The political struggle, however, continued. There had been a series of high-profile murders and the perpetrators were unknown. Governor Riyadh had used the opportunity to criticise Mr Maythem for failing to prevent the murders. The fall-out from Mr Hatim’s ‘purge’ of the Council rumbled on. Mr Collis concluded:

“Maysan remains a sorry mess and a standing indictment of the new Iraq’s (and our) failure to grip its linked problems of tribal warlordism, Iranian meddling, corruption and extremism.”

**1511.** On 24 October, the Chief of Police, who was being mentored by DCC White, was murdered in al-Amara as he exited a mosque.<sup>1381</sup> Following that, a police committee was established, with UK and Danish support, to oversee policing, including the selection of a new Chief of Police.

**1512.** Following a visit to Maysan province on 10 February 2005, Mr Collis wrote:

“Real progress has been made in Maysan, although none of it is irreversible and we need to ensure adequate resources are in place to maintain SSR and reconstruction momentum. UK forces have turned round a difficult environment. Their security presence is robust, but welcomed by the local population ... The province looks to be an early candidate for a reduced MNF-I presence, with only a back-up role in security. Our planned increase in police mentoring is essential to maintaining

<sup>1378</sup> Telegram 153 Basra to FCO, 21 September 2004, ‘Southern Iraq: Maysan’.

<sup>1379</sup> Minute Davies, 26 September 2004, ‘Ministry of Interior – Weekly Report Number: 46’.

<sup>1380</sup> Telegram 171 Basra to FCO, 15 October 2004, ‘Southern Iraq: Peace and Politics in Maysan’.

<sup>1381</sup> Public hearing, 21 July 2010, page 52.

momentum. There are currently very few attacks on local security forces; the small number of rejectionists continue to target MNF-I. The absence of pressure from the local population, or their leaders, for early withdrawal was striking.”<sup>1382</sup>

**1513.** On 21 February, the FCO strategy for support to policing in Iraq in 2005 noted that the GCPP had approved additional funding to ArmorGroup to allow mentoring to be undertaken in Maysan.<sup>1383</sup>

**1514.** By April, 20 ArmorGroup contractors were deployed under the co-ordination of a UK police Chief Inspector.<sup>1384</sup> They were supported by four CPATT mentors.

**1515.** The FCO produced an IPS Transition Plan on 7 September.<sup>1385</sup> It stated that 57 percent of the IPS in Maysan had completed basic training and 93 percent had undertaken other specialist training. The FCO judged that training was “largely on track” and “transition targets should be met if co-operation continues”.

**1516.** On 10 October, Mr Wheeler produced an update of policing in each of the four MND(SE) provinces.<sup>1386</sup> On Maysan, he said:

“The lack of co-operation by the Chief of Police has had a particularly detrimental effect on what we have been able to achieve eg many police stations have still not been visited by PAT. The security situation has constrained the work of PAT, and CPATT and the Royal Military Police have been trying to fill the gap. And IPS/militia affiliation is considerable eg there have been instances of IPS complicity in attacks on MNF forces. The Chief of Police has been unwilling to be mentored. Very recently he has withdrawn his students and instructors from the training programme, claiming that ArmorGroup are not up to the job ... Abuse of prisoners is still occurring ... The PJOC is fully equipped, but there is disagreement between the IPS, the Iraqi Army and the Governor on its role ...”

**1517.** Mr Tansley visited Maysan from 2 to 3 December.<sup>1387</sup> He reported that the area “belie[d] its reputation” for being “lawless”. It had been “relatively peaceful in recent months” with a lower number of attacks on MND(SE) than in Basra, and no attacks on the ISF since November. Despite that, Mr Tansley reported that the threat remained “relatively high”. He wrote:

“... beneath the surface there is an underlying tension. Unlike in neighbouring Dhi Qar, the (relative) stability depends on an uneasy balance of power between the Badrists and Sadrists, rather than co-operation. The potential for the situation to deteriorate quickly remains.”

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<sup>1382</sup> Telegram 24, Basra to FCO, 10 February 2005, ‘Iraq: Visit to Maysan Province’.

<sup>1383</sup> [Note FCO, 21 February 2005, ‘Iraq – UK Support to Civil Policing in Iraq – 2005’.](#)

<sup>1384</sup> [Report Smith, 15 May 2005, ‘Next Steps on Policing – Review’.](#)

<sup>1385</sup> [Letter FCO \[junior official\] to Cabinet Office \[junior official\], 7 September 2005, ‘Iraqi Police Service Transition Plan for Southern Iraq’ attaching Paper Consulate Basra, 7 September 2005, ‘Southern Iraq: Iraqi Police service – Transitional Plan’.](#)

<sup>1386</sup> Telegram 15268/05 Basra to FCO London, 10 October 2005, ‘Update on Reform of the Iraqi Police Service in Southern Iraq’.

<sup>1387</sup> [eGram 20021/05 Basra to FCO, 6 December 2005, ‘Iraq: Visit to Maysan Province’.](#)

**1518.** A ‘Transitional Plan Update’ issued from Maysan on 27 December stated that the proportion of recruits who had completed basic training had risen to 70.5 percent, in line with the 2005 training target.<sup>1388</sup>

**1519.** On 20 January 2006, Mr Tansley provided an update on the readiness of Maysan for handover to Iraqi control.<sup>1389</sup> It stated that the Iraqi Army was of “adequate standard” though suffered from logistical issues; the DBE was “inadequate in size (7,000)” but was “judged to be acting effectively”; and reform of the police was “going well” despite a 100 percent growth in numbers (due to an MOI employment generation initiative) and militia (mainly Badr) affiliation.

**1520.** In his review of UK support to policing in Iraq on 31 January (described earlier in this Section), Sir Ronnie Flanagan concluded that Maysan province should “be capable of moving to Operational Overwatch at the earliest opportunity”.<sup>1390</sup>

**1521.** On 28 February, Captain Richard John Holmes and Private Lee Ellis were killed in an IED attack in a joint Snatch and Warrior vehicle convoy in al-Amara.<sup>1391</sup>

**1522.** At a meeting between MNF representatives and the Chief of Police on 2 March, it was agreed that such attacks should not be seen as a way of prising the relationship between the ISF and MNF apart.<sup>1392</sup>

**1523.** The Chief of Police had also reported difficulties with the Head of the OMS in Maysan who “wanted to commit acts of terror, but the Governor was trying to keep a lid on the strife”. It was thought that extremist elements were “attempting to gain kudos and standing in the community” by attacking the MNF.

**1524.** Dr Howells visited Iraq in March. An FCO briefing pack for his meeting with the Muthanna and Maysan Chiefs of Police stated that the proportion of trained police in Maysan had increased to 86 percent.<sup>1393</sup> Security conditions were “less favourable” than in Muthanna but a continued coalition presence could be “counter-productive”. UK support for the province at this time comprised 17 ArmorGroup police advisers, one police officer and one prison adviser.

**1525.** The UK’s overall support was 95 police advisers in MND(SE) and Baghdad, 57 trainers in Jordan, six prison advisers, one justice adviser and three EU JustLex courses. The US contribution was 247 police trainers Iraq-wide, 66 JIPTC trainers, 70 prison advisers, and, justice advisers (no number given).

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<sup>1388</sup> Report, 27 December 2005, ‘Iraqi Police Service – Transitional Plan Update’.

<sup>1389</sup> eGram 1266/06 Basra to FCO London, 20 January 2006, ‘Iraq: Military Transition in Maysan and Muthanna’.

<sup>1390</sup> [Report Flanagan, 31 January 2006, ‘An Assessment of the UK’s Contribution to Security Sector Reform \(Policing\) in Iraq’.](#)

<sup>1391</sup> GOV.UK, 1 March 2006, *Captain Richard Holmes and Private Lee Ellis killed in Iraq; BBC News*, 1 March 2006, *Troops in Iraq blast named*.

<sup>1392</sup> Note MOD [junior officer], [undated], ‘Meeting with Maysaan Chief of Police – Thursday 2nd March 2006’.

<sup>1393</sup> Minute Mortimer, March 2006, ‘Briefing for the Visit of the Muthanna and Maysan Chiefs of Police to Dr Kim Howells, 6 March 2006, 17.00’.

**1526.** The FCO briefed Dr Howells on concerns about over-recruiting Iraqi police. In Muthanna, there was estimated to be three times as many officers as the sanctioned 1,960. In Maysan, staffing levels were twice the 4,000 agreed by MNF-I. Those units sat “almost entirely outside” existing training programmes for the IPS.

**1527.** On 24 August, the UK military vacated Camp Abu Naji on the outskirts of al-Amara in Maysan and handed it over to the Iraqi Army.<sup>1394</sup> Shortly afterwards the base was looted, with reports that the Iraqi Army at best allowed the looting but may have been directly involved.

**1528.** On 26 October, Maj Gen Shirreff reported that there was significant fighting in al-Amara:

“Al-Amara and the fighting between JAM and the IPS, has dominated events this week. Nevertheless, despite the media images of burning buildings, destroyed police vehicles and black-clad militiamen with slung RPGs [Rocket Propelled Grenades], the news is not all bad. Events were kicked off with the killing of the (Badr) Head of the Criminal Intelligence Unit by JAM, resulting in the arrest (and subsequent killing) of the brother of the leader of Amara JAM by the IPS. In response JAM attacked the Badr dominated IPS. In the ensuing street battles on 19-20 Oct around 20 people were killed, scores injured, dozens of police cars destroyed and several buildings damaged. Despite all this, the response by both the IA and the Iraqi Government gives ground for optimism.”<sup>1395</sup>

**1529.** Maj Gen Shirreff reported that the 10th Division had responded by deploying large numbers of troops rapidly and the Government had sent a delegation from Baghdad to negotiate a cease-fire. MNF assets had been used to show force and provide situational awareness. Maj Gen Shirreff reported that the incident had “tempered” assessments of Maysan’s readiness for security transition.

**1530.** The cease-fire held into the following week but there were reports of police being murdered in their homes.<sup>1396</sup>

**1531.** On 8 December 2006, a junior FCO official emailed Mr Asquith to say that the MND(SE) Strategy Group had agreed Maysan should be reinstated as a candidate for transition in January 2007.<sup>1397</sup> Mr Asquith was asked to encourage Dr Rubaie to “press hard” for this at MCNS.

**1532.** On 10 December, Mr Asquith responded:

“MND(SE) have just assessed Maysan as Amber (so even the most ardent transitioners aren’t pushing); the Chief of Police is refusing to step down;

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<sup>1394</sup> Minute Shirreff, 31 August 2006, ‘GOC MND(SE) – Southern Iraq Update – 31 August 2006’.

<sup>1395</sup> Minute Shirreff, 26 October 2006, ‘GOC MND(SE) – Southern Iraq Update – 26 October 2006’.

<sup>1396</sup> Minute Everard, 2 November 2006, ‘GOC MND(SE) – Southern Iraq Update – 2 November 2006’.

<sup>1397</sup> Email FCO [junior official] to Asquith, 8 December 2006, ‘IPU Priorities’.

Badr/JAM (or tribes – that we don't really know which is symptomatic of the lack of clear knowledge on the ground) threaten to shape up for another bout; Iranian angle (I'll leave it at that) likely to become hot from early Jan with obvious risks for Maysan (and, indeed Basra); and there is an ESC [Emergency Security Committee] still in place ... To argue forcefully for Maysan to transition in these circumstances strikes me as a touch Nelsonian. Or did Strategy Group take all these factors into account when deciding we should get [Dr] Rubaie to 'press hard' at MCNS next week?"<sup>1398</sup>

**1533.** On 25 January 2007, Mr Asquith reported that the MNF were unable to visit police stations in the centre of town, and relied on police to meet them on the city perimeter.<sup>1399</sup>

**1534.** On 14 March, the British Embassy Office Basra reported that it was continuing to push that Maysan was ready for transition: "Our approach with the US – that Maysan is not perfect, but it is good enough – appears to be working."<sup>1400</sup> Prime Minister Maliki had disbanded the Emergency Security Committee on 7 January and "sacked" the Chief of Police Mr Maythem, replacing him with General Hassan.

**1535.** The Embassy stated that there was "a lot of anecdotal evidence of arms smuggling" across Maysan's border, and "regular press reports of arms smuggling and militants crossing", but no "concrete evidence". The local Chief of the DBE was "weak" and the MOI was "looking to replace him". While there had been attempts to close the border and improve infrastructure, the Iraqi Government was concerned about the potentially negative impact on the local economy. MND(SE) would continue patrolling the border after transition. The Embassy stated:

"The border issue will not be easily solved; it is a source of wealth as well as weapons."

**1536.** On 3 May, Mr Sheinwald reported to Mr Blair that ACM Stirrup saw no utility in the Maysan border-monitoring role.<sup>1401</sup> It was not preventing incoming arms, nor acting as a deterrent. However, ACM Stirrup did not want to "make an early move", given US sensitivities in relation to Iran.

**1537.** On 4 April, the Iraqi Government announced that Maysan would transfer to PIC on 18 April.<sup>1402</sup>

**1538.** In his evidence to the Inquiry, Maj Gen Shaw described the reason for the decision to transfer Maysan to PIC at that time:

"What happened in Maysan was not that there was any blinding flash of new security, but, rather, that the situation in Maysan had been stable for long enough, in

<sup>1398</sup> Email Asquith to Casey, 10 December 2006, 'IPU Priorities: Maysan/Basra Port'.

<sup>1399</sup> eGram 3125/07 Baghdad to FCO London, 25 January 2007, 'Iraq: Basra: Handling the US'.

<sup>1400</sup> eGram 10299/07 Basra to FCO, 14 March 2007, 'Maysan: Getting to Provincial Iraqi Control'.

<sup>1401</sup> [Minute Sheinwald to Prime Minister, 3 May 2007, 'Iraq'](#).

<sup>1402</sup> eGram 14083/07 Baghdad to FCO London, 4 April 2007, 'Government of Iraq Announces Transition in Maysan'.

the sense that the rough coalition of JAM, or the accommodation that JAM and Badr seemed to have made there seemed to look reasonably steady and it was as good as it was ever going to get, and, therefore, the decision was made to give it PIC on the basis, not that that handed it over to the militia, but actually that it was as good as it was going to get ...”<sup>1403</sup>

**1539.** On 19 April, Mr Richard Jones, the British Consul General in Basra, reported that, at the transfer ceremony for PIC, Dr Rubaie had described the transition as “another expression of Iraqi will”.<sup>1404</sup>

**1540.** Mr Jones wrote that the handover was immediately overshadowed by an IED attack in the north-west of the province which had left two UK soldiers dead<sup>1405</sup> and one seriously injured. He concluded:

“As we have reported ... Maysan has always been a tough, lawless place. The question is whether the broad local balance can continue. It has held pretty well since the de facto withdrawal of coalition forces (apart largely from the border) and the violence last Ramadan.”

**1541.** Maj Gen Binns, in his evidence to the Inquiry, recalled ongoing concerns about post-PIC border infiltration:

“[Lt Gen Odierno] ordered me to conduct operations on the border with Iran in order to disrupt the flow of what he described as lethal aid ... He was concerned about the border crossing points and he was concerned about infiltration through the marsh area in Maysan province.

“So from September onwards, we started to conduct a series of operations which became known as Operation CERTAIN SHIELD into the border area.

“I think they may have been effective as a deterrence, but we didn’t find anything ...”<sup>1406</sup>

**1542.** Maj Gen Binns went on to reflect that capacity-building was a useful area on which to focus:

“... a good way of achieving what we needed to achieve was to develop the capabilities of the Department of Border Enforcement ... So we improved our relationship with them.”

## UK police officer numbers 2003 to 2009

**1543.** As with civilian personnel (described in Section 15.1), there was no single continuous record for the number of UK police officers deployed to Iraq. How numbers were recorded varied considerably in relation to:

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<sup>1403</sup> Public hearing, 11 January 2010, page 22.

<sup>1404</sup> eGram 16055/07 Basra to FCO, 19 April 2007, ‘Maysan: Under Provincial Iraqi Control’.

<sup>1405</sup> Corporal Ben Leaning and Trooper Kristen Turton.

<sup>1406</sup> Public hearing, 15 January 2010, page 29.

- how a ‘police officer’ was defined – some definitions included retired officers and MOD police officers, others did not; and
- the way in which numbers were counted – some counted the posts in place regardless of whether an officer occupied it at the time, others did not.

**1544.** Table 6 contains a broad estimate of the number of UK police officers deployed to Iraq between 2003 and 2009. Because of the limitations of the source material and the variety of sources used, the numbers quoted are approximate and, in some cases, are inconsistent with other material. The explanatory notes provide the reader with helpful background information on how the numbers have been calculated. In some cases, the Inquiry has made assumptions in the figures about the continuation of posts based on preceding or subsequent evidence.

**Table 7: Estimated number of police officers deployed to Iraq 2003 to 2009**

Period	Estimated total			Notes
	Iraq	Iraq and Jordan	Including known ArmorGroup posts	
July 2003	4 <sup>1407</sup>			DCC Brand in Baghdad and DCC White in Basra. DCC White was accompanied by two MOD police officers.
October 2003	10 <sup>1408</sup>			6 MOD police officers were deployed to Baghdad for various roles including helping to establish the Joint Co-ordination Cell and supporting the Baghdad Police Academy.
November 2003	10	46 <sup>1409</sup>		Including 36 police officers who were deployed to Jordan to conduct police training.
December 2003	34 <sup>1410</sup>	70		Including 24 police officers who were deployed to az-Zubayr Academy in Basra to conduct police training.
January 2004	34	106 <sup>1411</sup>		An additional 36 officers were deployed to Jordan.

<sup>1407</sup> Statement Brand, 29 June 2010, page 1; Statement White, 30 June 2010, page 1.

<sup>1408</sup> Letter Lee to Clarke, 18 February 2004, ‘Deployment of MDP Officers to Iraq’.

<sup>1409</sup> [Letter Owen to Rycroft, 18 December 2003, ‘UK Contribution to Iraqi Police Training’](#).

<sup>1410</sup> Report ISSU [FCO], 2 March 2004, ‘Security Sector Reform – UK Contribution’; Statement White, 30 June 2010, page 36.

<sup>1411</sup> Annotated Agenda, 1 March 2004, Ad Hoc Group on Iraq Rehabilitation meeting; Report ISSU [FCO], 2 March 2004, ‘Security Sector Reform – UK Contribution’.

Period	Estimated total			Notes
	Iraq	Iraq and Jordan	Including known ArmorGroup posts	
March 2004	43 <sup>1412</sup>	116		Figures based on: 2 senior officers 73 officers in Jordan 24 officers at az-Zubayr 5 PSNI officers about to deploy to Basra 11 MOD officers 1 officer in Baghdad
September 2004	43 <sup>1413</sup>	98	138	Figures based on: 2 senior officers 23 officers at az-Zubayr 6 officers – a combination of PSNI and MOD officers 40 IPAs ArmorGroup 12 officers in Baghdad 55 officers in Jordan
October 2004	46 <sup>1414</sup>			Comprising: 11 officers helping in the MOI 6 mentoring senior police in Basra 21 at az-Zubayr 5 at Baghdad Police Academy The Inquiry has added 2 senior officers and a staff officer to the total. It appears from subsequent documents that those posts were consistently held during this time.
November-December 2004	44 <sup>1415</sup> (only 25 confirmed – see notes)			Comprising: 14 at az-Zubayr (down from 19 but with the desire to recruit more) 11 PSNI posts The Inquiry has added 2 senior officers, a staff officer, and 16 officers (that were based in Baghdad). It appears from subsequent documents that those posts were consistently held during this time.

<sup>1412</sup> Minute Owen to ISSU [junior official], 8 March 2004, 'Iraq: Contracting of Police Monitors' attaching Minute ISSU [junior official] to Buck and PS [FCO], 3 March 2004, 'Iraq: Contracting of Police Monitors'.

<sup>1413</sup> Statement Asquith, 11 July 2010, 'The British Contribution to the Development of Iraqi Police Capabilities, 2004-6'.

<sup>1414</sup> [Minute Owen to Crompton, 12 October 2004, 'Iraq: Police Service' attaching email Davies to Owen, 6 October 2004, 'The Iraqi Police Service'](#).

<sup>1415</sup> Teleletter Hayward to Dodds, 5 November 2004, 'Southern Iraq: Civilian Police'.

Period	Estimated total			Notes
	Iraq	Iraq and Jordan	Including known ArmorGroup posts	
February 2005		104 <sup>1416</sup>	144	There were 86 officers training the IPS but it is not clear where they were based. In addition there were: 6 officers mentoring senior police officers. 12 officers working on specialist capabilities. 40 IPAs ArmorGroup
May 2005	47 <sup>1417</sup>	105	More than 187	Comprising: CPA-I DCC and staff officer 11 officers in Baghdad (UK funded) 8 officers in Basra with 10 ArmorGroup officers in support. 70+ ArmorGroup in provinces 21 in az-Zubayr plus 2 ArmorGroup officers 58 in Jordan The Inquiry has added 5 officers to reflect training posts in Baghdad that appeared consistent around that time.
November 2005 (although data from 18 Oct)	47 <sup>1418</sup>			Comprising: CPA-I DCC and staff officer 13 officers in Baghdad (+4 ArmorGroup) 5 at Baghdad Training Academy 11 officers in Basra (+5 ArmorGroup and 1 military) 16 officers at Shaibah
December 2005	35 <sup>1419</sup>			Comprising: CPA-I DCC and staff officer 10 officers in Baghdad (+13 ArmorGroup) 5 at Baghdad Training Academy 11 officers in Basra (+5 ArmorGroup and 1 military) 7 officers at Shaibah plus a civilian

<sup>1416</sup> [Note FCO, 21 February 2005, 'Iraq – UK Support to Civil Policing in Iraq – 2005'](#).

<sup>1417</sup> [Report Smith, 15 May 2005, 'Next Steps on Policing – Review'](#).

<sup>1418</sup> [Paper Smith, 20 November 2005, 'Next Steps on Policing – Review'](#).

<sup>1419</sup> [Minute Smith, 25 December 2005, 'Weekly Report'](#).

Period	Estimated total			Notes
	Iraq	Iraq and Jordan	Including known ArmorGroup posts	
February 2006	32 <sup>1420</sup>			Comprising: CPA-I DCC (staff officer post to be subsumed into another role from March) 7 officers in Baghdad (+14 ArmorGroup) 5 at Baghdad Training Academy 11 officers in Basra 7 at Shaibah
August 2006	23.5 <sup>1421</sup>		169.5	
January 2007 (projected)	19 <sup>1422</sup>			Comprising: 1 ACC and Staff Officer 11 officers in Basra 6 officers in Baghdad ArmorGroup numbers said to reduce to '39/40' in February.
April 2007	12 <sup>1423</sup>		48	
July 2007	17 <sup>1424</sup>		49	
November 2007	11 <sup>1425</sup>		29	
February 2008	5 <sup>1426</sup>		11	
March 2008 – April 2009	14 <sup>1427</sup>			

<sup>1420</sup> Minute Smith, 19 February 2006, 'Weekly Report'.

<sup>1421</sup> [Report Barton, August 2006, 'The window of opportunity'](#).

<sup>1422</sup> Paper Donnan, 30 December 2006, 'Shaping the CivPol Mission – Iraq 2007'.

<sup>1423</sup> Minute Colbourne, 15 April 2007, 'Bi-Weekly Report of the Chief Police Adviser in Iraq'.

<sup>1424</sup> Minute Colbourne, 16 July 2007, 'Bi-Weekly Report of the Chief Police Adviser in Iraq'.

<sup>1425</sup> Minute Colbourne, 20 November 2007, 'Bi-Weekly Report of the Chief Police Adviser in Iraq'.

<sup>1426</sup> Minute Colbourne, 24 February 2008, 'Bi-Weekly Report of the Chief Police Adviser in Iraq'.

<sup>1427</sup> Statement Cooper, 29 June 2010, page 1.

## SECTION 12.2

### CONCLUSIONS: SECURITY SECTOR REFORM

#### Contents

Introduction and key findings .....	414
Pre-invasion planning and preparation .....	415
Occupation .....	417
Iraqisation .....	422
The US military take the lead on police reform .....	426
Security declines .....	427
Transition .....	430
The MOD takes the lead for policing .....	434
Preparation for withdrawal .....	435
“Good enough” .....	435
Better Basra .....	436
Security Sector Reform strategy .....	440
Measuring success .....	441
Lessons .....	442

## Introduction and key findings

1. This Section addresses conclusions in relation to the evidence set out in Section 12.1.

2. This Section does not address conclusions in relation to:

- broader planning and preparation for the conflict in Iraq and its aftermath, which are described in Section 6.5;
- the decision to remove some members of the Ba’ath Party from public office, a process known as “de-Ba’athification”, which are described in Section 11.2;
- the UK contribution to the reconstruction of Iraq, which are described in Section 10.4; or
- the deployment of civilians to Iraq, which are described in Section 15.2.

### Key findings

- Between 2003 and 2009, there was no coherent US/UK strategy for Security Sector Reform (SSR).
- The UK began work on SSR in Iraq without a proper understanding of what it entailed and hugely underestimated the magnitude of the task.
- The UK was unable to influence the US or engage it in a way that produced an Iraq-wide approach.
- There was no qualitative way for the UK to measure progress. The focus on the quantity of officers trained for the Iraqi Security Forces, rather than the quality of officers, was simplistic and gave a misleading sense of comfort.
- After 2006, the UK’s determination to withdraw from Iraq meant that aspirations for the Iraqi Security Forces were lowered to what would be “good enough” for Iraq. It was never clear what that meant in practice.
- The development of the Iraqi Army was considerably more successful than that of the Iraqi Police Service. But the UK was still aware before it withdrew from Iraq that the Iraqi Army had not been sufficiently tested. The UK was not confident that the Iraqi Army could maintain security without support.

## Pre-invasion planning and preparation

### What is SSR?

The Organisation for Economic Co-operation and Development (OECD) defines SSR as development work that helps societies to “escape from a downward spiral wherein insecurity, crime and underdevelopment are mutually reinforcing”.<sup>1</sup>

In considering the SSR effort in Iraq, the Inquiry’s task was complicated by a lack of clear terminology. That is indicative of the lack of clarity which hampered SSR activities from the start. The term Security Sector Reform was not used in a consistent way, and was sometimes used interchangeably with phrases such as “security system reform” and “Rule of Law”. It was sometimes used to refer solely to police reform or to work to reform the army. The term “Rule of Law” was often used to refer specifically to the justice sector.

The term “Security Sector Reform” (SSR) is used in this Report to refer to work to rebuild and reform Iraq’s security and justice institutions. The evidence available to the Inquiry reflects the UK’s overwhelming focus on the Iraqi Army (IA) and Iraqi Police Service (IPS). Low-budget projects were undertaken in relation to the Iraqi judiciary and prison system (see Box, ‘The justice sector’, later in this Section) but their scale was very small by comparison.

3. Before the invasion, UK Government departments recognised that Security Sector Reform (SSR) would be an important component in reconstructing Iraq.
4. The FCO acknowledged that SSR should be “at the centre of post-conflict work, rather than outside it as happened in Afghanistan”,<sup>2</sup> and understood that the issues raised by SSR would be complex and should be planned for as soon as possible.
5. Papers on SSR written by the FCO between October and December 2002 demonstrated the range of fundamental questions on SSR in Iraq for which the UK did not yet have answers. They included:
  - “What security structures would be appropriate for a post S[addam] H[ussein] Iraqi Government? How do we arrive at an answer? What are the threats, internal and external? Should we undertake a comprehensive review of the armed forces?”<sup>3</sup>
  - “How do we replace an excessively large security apparatus with something ‘right sized’? Reform or abolition? Which parts of the security apparatus might be loyal to a new government and which not?”

<sup>1</sup> OECD DAC, *Handbook on Security System Reform*, 2007.

<sup>2</sup> [Paper FCO Middle East Department, 10 December 2002, ‘Iraq: Security Sector Reform’.](#)

<sup>3</sup> [Letter Gray to Drummond, 18 October 2002, ‘Papers for the AHGI’ attaching Paper, \[unattributed\], 17 October 2002, ‘Iraq: Security Sector Reform’.](#)

- How to reform the working culture of the security sector, “particularly the police and the courts, so that it operates on the basis of humanitarian values in support of a legitimate government”?<sup>4</sup>

**6.** Between December 2002 and March 2003, very little progress was made in answering those questions. SSR was not always referred to in consideration of post-conflict operations. Specific plans were not developed for what would be done on the ground.

**7.** The UK saw a need to understand the US strategy before developing its own. That was consistent with the broad UK approach to post-conflict planning, on which the UK assumed that the US would lead, as addressed in Section 6.5.

**8.** The UK’s short and medium term objectives for SSR were articulated by the MOD in February 2003. They were defined in very broad terms, with the desired end state: “to include the restructuring of the intelligence agencies, armed forces, police and criminal justice system. All elements of the Security Sector to be affordable and accountable”.<sup>5</sup>

**9.** From 7 February onwards, responsibility for the UK’s policy on SSR sat with the FCO under the leadership of Mr Jack Straw, the Foreign Secretary, and Sir Michael Jay, the Permanent Under Secretary. From 10 April, Mr Straw also chaired the Ad Hoc Ministerial Group on Iraq Rehabilitation (AHMGIR).

**10.** Two teams in the FCO had a key role in relation to SSR:

- the Iraq Planning Unit (IPU), established to improve Whitehall co-ordination on post-conflict issues and provide policy guidance on the practical questions that UK civilian officials and military commanders would face in Iraq; and
- the United Nations Department (UND), which would help to identify, train and deploy civilian police to Iraq.

**11.** The US-led Coalition Military Assistance and Training Team (CMATT) was responsible for the training of the New Iraqi Army. The UK provided nine military officers in June 2003 to assist with that task, one of which was to act as the Deputy Commander of CMATT. It appears from the evidence that, in practice, the MOD led on this aspect of SSR.

**12.** On the eve of the invasion, there was no coherent SSR strategy in place between Coalition partners. That was described as a “high-level risk”<sup>6</sup> by the MOD’s Defence Advisory Team.

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<sup>4</sup> [Paper FCO Middle East Department, 10 December 2002, ‘Iraq: Security Sector Reform’.](#)

<sup>5</sup> [Paper MOD \[unattributed\], 5 February 2003, ‘Iraq – Phase IV Subjects’.](#)

<sup>6</sup> [Minute IPU \[junior official\] to IPU, 18 March 2003, ‘Security Sector Reform: Future Iraqi Armed Forces’ attaching Paper Defence Advisory Team, March 2003, ‘Security Sector Reform: Future Iraqi Armed Forces’.](#)

**13.** Even though officials had warned that knowledge of conditions within Iraq was incomplete, it was assumed that Iraq would have a functioning criminal justice system and security forces which, after the removal of Ba’athist leadership, would have the capacity to play their part in its reconstruction.

**14.** It was unclear how the international SSR effort would be co-ordinated and therefore what contribution the UK would make.

## Occupation

**15.** Immediately after the fall of Saddam Hussein’s regime there was widespread looting by the Iraqi population, including in Baghdad and Basra. As described in Section 9.8, UK forces in Basra were not given instructions by their commanders in the UK on how to deal with it.

**16.** Brigadier Graham Binns, commanding the 7 Armoured Brigade which had taken Basra City, concluded that “the best way to stop looting was just to get to a point where there was nothing left to loot”.<sup>7</sup>

**17.** As the need for a functioning police force to control lawless behaviour became increasingly apparent, there remained no strategy for SSR.

**18.** Officials from the Department for International Development (DFID) reported that the Office of Reconstruction and Humanitarian Assistance (ORHA) had drawn up extensive plans for SSR but that those had been disregarded by the US and Coalition military.

**19.** The UK recognised that an SSR strategy was needed. On 24 April, the AHMGIR agreed that the UK should lobby the US to create a “comprehensive strategy”, and to involve UK personnel in ORHA scoping studies.

**20.** A paper produced for the AHMGIR on 8 May indicated that the UK’s approach continued to be based on the assumption that “the UK will neither be required nor able to develop an independent policy on SSR in Iraq”.<sup>8</sup> The UK’s immediate priorities were therefore to influence the development of US policy, recognising that:

“Reform across the full range of security activities (armed forces, intelligence agencies, justice and law enforcement institutions) is an essential element of the overall Coalition strategy to establish a united and representative Iraqi Government and to create the conditions under which the Coalition can eventually disengage.”

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<sup>7</sup> Private hearing, 2 June 2010, page 11.

<sup>8</sup> Paper IPU, May 2003, ‘Iraq – Security Sector Reform’.

## CPA Order No.2: 'Dissolution of Entities'

In May 2003, Coalition Provisional Authority (CPA) Order No.2 "dissolved" a number of military and other security entities that had operated as part of Saddam Hussein's regime, including the Armed Forces. Neither the Iraqi Police Service (IPS) nor the Ministry of Interior (MOI) was dissolved. The UK's role in the development of this Order is addressed in Section 9.8.

There was nothing in CPA Order No.2 that prevented former employees of the military from applying to join the New Iraqi Army (NIA), although the provisions of Order No.1 (removing "full" members of the Ba'ath Party – see Section 11.1) would apply.

Sir David Manning, the Prime Minister's Foreign Policy Adviser and Head of the Overseas and Defence Secretariat, told the Inquiry:

"... these were policies that added to the difficulties, because we might have addressed the security vacuum by trying to encourage Iraqi police, Iraqi military, to co-operate with us, instead of which, they are disbanded and then become natural dissidents and potential insurgents."<sup>9</sup>

Disbanding the Iraqi Army automatically increased unemployment in Iraq.

In November 2003, Mr David Richmond, the Prime Minister's Special Representative on Iraq,<sup>10</sup> reported that issue had dominated discussions during his recent visit to Ar Ramadi, the capital of Anbar Province. He stated that "unemployment had forced many to do illegal acts, including attacks on the Coalition".<sup>11</sup> De-Ba'athification had "made it impossible for most of them to be employed by the State. The governor said that 50 percent had joined the Ba'ath Party not out of conviction but because it was a condition of employment; 40 percent for material gain; and only some 10 percent because they supported Ba'athist ideology".

Although a monthly stipend for those with at least 15 years' service (who were not senior Ba'athists) had been introduced at the end of June, many struggled to gain access to the payments. Ms Ann Clwyd, the Prime Minister's Special Envoy to Iraq on Human Rights from 2003 to 2009, told the Inquiry about a meeting with a senior army officer who had queued for his stipend for two weeks without reaching the front of the queue. He had told her: "if they want to humiliate us, this is the way of doing it".<sup>12</sup>

Issuing Order No.2 was a key CPA decision which should have been considered between Washington and London. It was to have a long-term impact on the development of the insurgency in Iraq.

**21.** A more proactive UK strategy for policing in Iraq – produced by UND and sent to No.10 by Mr Straw – was endorsed by Mr Blair in early June. Its immediate objective was "to stabilise the security situation by creating an effective interim police force with international civilian police working alongside Iraqi police and Coalition military

<sup>9</sup> Public hearing, 30 November 2009, page 91.

<sup>10</sup> Mr David Richmond was temporarily the Prime Minister's Special Representative on Iraq. In September 2003 (on the arrival of Sir Jeremy Greenstock) Mr Richmond became the Deputy.

<sup>11</sup> Teleletter Richmond to FCO London, 23 November 2003, 'Iraq: Sunni Outreach: Visit to Ar Ramadi'.

<sup>12</sup> Public hearing, 3 February 2010, pages 26-27.

forces”.<sup>13</sup> The strategy’s longer-term objective was “to establish an effective, viable and sustainable police force within a fully functioning security sector”.

**22.** The initial action would be deployment of “an armed International Police Monitoring Force ... to Baghdad and Basra, to conduct joint patrols with the current Iraqi police force and Coalition military”, requiring 3,000 armed police officers. Once the Iraqi police were considered to have received sufficient initial training, the international presence would shift to a longer-term training focus, eventually taking on a mentoring role. UND suggested agreeing a strategy on how to reform the Iraqi Police Service (IPS) by 14 June and that the international force should be in place by 31 August.

**23.** The AHMGIR, under Mr Straw’s chairmanship, did not discuss how the strategy would be implemented, or consider inconsistencies with the Coalition Provisional Authority (CPA) plans for police reform, as highlighted by the MOD. The MOD had been in touch with Mr Bernard Kerik, a former New York City Police Commissioner and the CPA Director of Interior Affairs. As a result, the MOD considered that the FCO’s policing strategy was “about three weeks behind the curve”<sup>14</sup> because Mr Kerik did not want an international force – instead he wanted 7,000 trainers. UND suggested maintaining its approach until the US produced a policing strategy.

**24.** As set out in Section 9.8, the UK struggled to have a decisive impact on CPA policies.

**25.** In July, responsibilities for SSR within the CPA were divided. Mr Kerik took on responsibility for the Iraqi Ministry of Interior (MOI), including policing, fire, customs, border control, immigration, passports, citizenship and disaster relief. Mr Walt Slocombe, CPA Senior Advisor for National Security and Defense, focused on the development of the Iraqi armed forces. That split was seen by the UK as a set-back to agreeing a coherent national SSR strategy.

**26.** By mid-July, there were just four senior UK personnel in Iraq working across SSR as a whole (including reform of the police and army). The FCO had deployed Acting Deputy Chief Constable Douglas Brand to lead the UK’s attempt to influence the CPA police reform programme and Acting Deputy Chief Constable Stephen White to lead on policing in Basra. DCC White was accompanied by two MOD police officers.

**27.** SSR strategies began to develop on a regional basis, largely in isolation from each other.

**28.** On 17 July, the AHMGIR discussed a paper by the IPU which stated that there “was still no cohesive strategy”<sup>15</sup> but that this was “not necessarily a cause for current alarm”

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<sup>13</sup> [Minute Straw to Blair, 5 June 2003, ‘Iraq: Winning the Peace’ attaching Paper UND, 3 June 2003, ‘Iraq: Security Sector Reform: Policing Strategy’.](#)

<sup>14</sup> Email UND [junior official] to Lowe [MOD], 9 June 2003, ‘Policing Meeting – Tuesday 10 June’.

<sup>15</sup> Annotated Agenda, 17 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting attaching Paper IPU, 16 July 2003, ‘Security Sector Reform the Next Steps’.

because it reflected the rapidly moving situation in Iraq. The Inquiry does not agree with that analysis. A shared understanding of what sort of police force was required in Iraq and how it could be delivered was essential to ensuring that SSR resources were used effectively and coherently.

**29.** The AHMGIR identified the requirement for approximately 7,000 international police officers – of which it was intended that the UK would provide 100 – as “ambitious” but did not commission further work to understand the impact on CPA plans if the total could not be reached.

**30.** In August, UND asked DCC Brand to lobby the US for the creation of a policing strategy for Iraq. There was no established UK policy position at that point on what sort of police force was appropriate for Iraq, the role of an Iraqi police officer, the ideal force structure, or how police reform should be delivered. That hampered DCC Brand’s ability to influence US strategy.

**31.** Mr Kerik estimated in early August that Iraq would need 65,000-75,000 police officers and that it would take six years to develop a force of that size. There was no Coalition plan to deliver that number of officers.

**32.** By the end of August, the CPA’s plans for a 7,000-strong international training force were recognised to be unachievable. The aspiration was now “1,500 to 2,000” officers.<sup>16</sup>

**33.** A policing strategy for Iraq was also essential to ensure that the international effort was coherent across the country. The lack of co-ordination between police reform in Baghdad and Basra could be seen in a report produced by DCC White on 26 August. He assessed that 91 international officers would be required to support the policing mission in Multi-National Division (South-East) (MND(SE)) and an additional 48 would be required to provide force protection. DCC White told the Inquiry that that caused some controversy when the numbers were communicated to the CPA staff in Baghdad as they were considered to be inconsistent with the new ‘MOI 60/90 day Strategic Plan’ which DCC White had not seen.

**34.** In the absence of a clear strategy for what type of force was needed, and a realistic assessment of how it could be delivered, priority was given to pushing Iraqi police officers through basic training in large numbers.

### **Initial problems deploying UK police officers**

Mr Stephen Pattison, Head of UND until June 2003, told the Inquiry that the process of recruiting officers to deploy overseas was “always a struggle”<sup>17</sup> and “not straightforward”. The requirement was often for armed police which ruled out the majority of UK officers.

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<sup>16</sup> Minute Brand, 10 August 2003, ‘Report from Iraq – Douglas Brand’.

<sup>17</sup> Statement, 6 January 2011, pages 12-13.

The focus was therefore on getting UK officers into niche roles in which they could use their experience without being operational. As any officers deployed would have to be volunteers, certain security conditions also had to be met and funding identified. Government officials do not appear to have appreciated the scope of that task before they started recruiting officers for Iraq.

The UK's target was to have deployed 100 UK officers to conduct basic training by the end of September 2003.

On 18 July, Mr Straw wrote to Mr David Blunkett, the Home Secretary, asking him to seek nominations of up to 200 officers for firearms training. By September, 260 had applied but none had been deployed.

It is unclear whether that was because of a reluctance on the part of the Association of Chief Police Officers (ACPO) and Chief Constables (concerned about breaching their duty of care given the security situation in Iraq) to release officers or whether it was because the officers who had applied were not suitably qualified.

In addition to the officers required to run basic training, DCC Brand had also requested support staff and officers to address more specific training needs such as intelligence and operational planning. He told the Inquiry how, after lobbying for a Special Branch system, he was unable to find someone to make the concept a reality and consequently lost the opportunity.

An email from DCC Brand on 21 September expressed frustration that officers had still not been deployed to a Joint Command Centre in Baghdad designed to prevent friendly fire incidents:

“ ... I don't mind where they come from as long as they get here ASAP ... I made my original request ... **6 weeks ago** ... If we are only just thinking about approaching PSNI [Police Service of Northern Ireland] it may be weeks or months before the officers are able to travel and we would lose all credibility with the American military ... To remind you, **this was our idea** ... I urge you to act swiftly and not delay any longer.”<sup>18</sup>

The FCO, and in particular UND, had prior experience of deploying officers overseas but was unable to meet the large-scale requirements of Iraq. Sir Michael Jay should have ensured that his department provided the resources that the senior UK officers needed.

In November, after meeting DCC White, Mr Bill Rammell, FCO Parliamentary Under-Secretary of State, reported that DCC White's assessment of progress was at odds with the way the situation was being described in public.

The Home Office record of the Iraq Senior Officials Group of 4 November recorded that Mr Straw's initial reaction to DCC White's complaints was to call a “special meeting of Ministers to discuss what more could be done”<sup>19</sup> but that FCO officials had advised that that was not necessary.

Following a visit in November, Mr Straw directed Mr John Sawers, FCO Director General Political, to resolve the matter: “A combination of the Byzantine bureaucracy of ACPO and a lack of understanding in the FCO about police issues and practice ... threaten further

<sup>18</sup> [Email Brand to FCO \[junior official\], 21 September 2003, 'Re: Police Training plan'](#).

<sup>19</sup> Minute Storr to Acton, 5 November 2003, 'Iraq: Senior Officials Meeting on 4 November'.

delays and a sub-optimal delivery in an area where the UK has a serious contribution to make.”<sup>20</sup>

After a slow start, the UK reached its target of 100 trainers in January 2004. The first tranche deployed to the training centre in Jordan<sup>21</sup> in November 2003 and the first tranche of 24 officers for az-Zubayr Academy in Basra deployed in December. DCC Brand did not receive his additional officers for non-training roles until March 2004.

## Iraqiisation

**35.** From early June 2003, and throughout the summer, there had been signs that security in both Baghdad and MND(SE) was deteriorating. As the summer wore on, authoritative sources in the UK system, such as the Joint Intelligence Committee (JIC), began to identify issues with the potential to escalate into conflict and to recognise the likelihood that extremist groups would become more co-ordinated (see Section 14.1).

**36.** In September Mr Donald Rumsfeld, the US Defense Secretary, applied pressure on the CPA to increase the number of Iraqi Army officers by ordering an acceleration of the training programme, halving the training time to one year, and increasing its budget from US\$173m to US\$2.2bn.

### The Iraqi Civil Defence Corps (ICDC)

The Iraqi Civil Defence Corps (ICDC) was created in July 2003 to:

- give Coalition operations an Iraqi face;
- keep unemployed young men out of the insurgency; and
- increase the number of security forces available.

Established by CPA Order No.28, the ICDC was described as “a security and emergency agency for Iraq”<sup>22</sup> and was authorised to perform a wide range of constabulary duties. It operated under the authority of the Administrator of the CPA but was subject to the supervision of Coalition Forces.

The ICDC’s performance received mixed reviews but it became an important component of SSR while other elements, such as the Iraqi Police Service and Iraqi Army, were being developed.

**37.** As security worsened, Ministers sought to expedite “Iraqiisation”, the term used to refer to the ability of the Iraqi Security Forces (ISF) to take the lead responsibility for security.

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<sup>20</sup> [Minute Straw to Sawers, 27 November 2003, ‘UK Police Assistance to Iraq’.](#)

<sup>21</sup> The majority of police training took place at the Jordan International Police Training College (JIPTC).

<sup>22</sup> Coalition Provisional Authority Order Number 28 – Establishment of the Iraqi Civil Defense Corps, 3 September 2003.

**38.** On 2 September 2003, in a meeting of Ministers and senior personnel, Mr Blair said that he believed that the key to the security situation in Iraq was “the rapid mobilisation of an effective Iraqi police force”.<sup>23</sup> That included increasing Iraqi police manpower to 70,000 within three months. That ambitious new target brought forward the timescale set by the CPA for reaching that size of force by more than six months.

**39.** The Inquiry has seen no evidence pre-dating 2 September of the origins of the proposal to accelerate training so dramatically, or of analysis of whether it was achievable.

**40.** The IPU advised that existing policy was to provide 70,000 police officers by mid-2004 and train 40,000 for the New Iraqi Army within one year. It listed some ideas for how SSR could be accelerated and improved but did not suggest any further resources beyond those which were already in train. The advice did not assess how those suggestions would be resourced and implemented and did not provide an analysis of whether Mr Blair’s target of 70,000 officers was achievable.

**41.** A briefing paper for Mr Blair by Mr Richmond stated that Ambassador Bremer did not think that Mr Blair’s target was achievable.

**42.** The IPU paper and Mr Richmond’s advice suggested that, at the very least, detailed work was needed to assess whether it was possible to accelerate the training timetable in the way Mr Blair proposed, and what resources that would require, before the idea was pursued further.

**43.** Sir Michael Jay, as the senior official accountable for the resourcing of the UK’s police reform effort, should have ensured that such an assessment was made. The AHMGIR, chaired by Mr Straw, failed to assess whether Mr Blair’s target and the IPU’s suggestions could be achieved.

**44.** Mr Blair pressed the idea of acceleration, including with President Bush, without having requested or considered such detailed advice. Ahead of a video conference with President Bush on 5 September, Mr Blair sent the President a Note which stated:

“Iraq has 37,000 police. We need to double that. Given the number of trainers and their facilities, that will take a year. We cannot wait that long. So: if we need to treble or quadruple the trainers and expand the numbers of Iraqi police even beyond that contemplated, we should do it ...”<sup>24</sup>

**45.** The record of the video conference between Mr Blair and President Bush stated that Mr Blair had said a “big push” was required to boost numbers and speed up training of Iraqi Security Forces.<sup>25</sup>

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<sup>23</sup> [Letter Cannon to Adams, 2 September 2003, ‘Iraq: Briefing for the Prime Minister’.](#)

<sup>24</sup> Letter Sheinwald to Rice, 5 September 2003 [attaching ‘Note on Iraq’.](#)

<sup>25</sup> Letter Canon to Adams, 5 September 2003, ‘Iraq: Prime Minister’s Video-Conference with Bush, 5 September’.

**46.** For the first meeting of the Iraq Senior Officials Group on 9 September, an IPU paper maintained that the focus should be on the Iraqi Civil Defence Corps (ICDC) and the police “as the most likely to produce quick results, while continuing to support the longer-term development of the New Iraqi Army”.<sup>26</sup> It did not address Mr Blair’s target of doubling police officer numbers. It assessed that “the main problem in developing the Iraqi Police is the slowness with which CPA is developing its strategy, concept and timelines for reform” and that “in the absence of a central strategy, we are pursuing regional options”.

**47.** The Annotated Agenda for the meeting of the AHMGIR on 18 September re-affirmed the requirement for a “coherent overall policing strategy”.<sup>27</sup> Cabinet Office officials reported that the UK was lobbying Ambassador Bremer, and Washington, to expedite creation of a strategy and operational plan, and was offering the services of DCC Brand to write them. The Annotated Agenda did not reflect Mr Blair’s desire to double the number of police officers.

**48.** Despite the IPU’s analysis that lack of strategic direction for police reform was the “main problem”, it was not mentioned in a report to Mr Blair from Mr Straw’s office on 17 October. That risked giving an unrealistic impression of both what had been achieved and what might be achieved in the future. The report stated: “We judge that the Coalition now has a credible and deliverable strategy to train 30,000 Iraqi police over the next year.”<sup>28</sup> By that stage, around 40,000 police officers were considered to have been trained.

**49.** Mr Straw told the Inquiry that he considered that judgement to be “reasonable”<sup>29</sup> at the time but that with hindsight he could see that it was not.

**50.** Following the FCO Police Contributors conference in early October, it was clear that sufficient additional international support to make plans for accelerated training deliverable was unlikely to be forthcoming.

**51.** In October, a public order incident in Basra demonstrated the continued deficiencies of the local police.

**52.** Shortly afterwards, DCC White publicly expressed concerns about the SSR programme in Iraq, and the UK’s resourcing of it, in a documentary broadcast by BBC Northern Ireland. DCC White told the Inquiry that his remarks had caused controversy in the UK and he was left “feeling unsupported and isolated”<sup>30</sup> but for the support of Sir Hilary Synnott, Head of CPA(South), and Ms Jane Kennedy, Minister of State for Northern Ireland.

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<sup>26</sup> [Paper IPU, 8 September 2003, ‘Iraq: Security Action Plan’](#).

<sup>27</sup> Annotated Agenda, 18 September 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>28</sup> [Letter Sinclair to Sheinwald, 17 October 2003, ‘Iraq: Security and Policing’](#).

<sup>29</sup> Public hearing, 2 February 2011, page 140.

<sup>30</sup> Statement, 20 June 2010, pages 30-31.

**53.** Following a review, Combined Joint Taskforce-7 (CJTF-7)<sup>31</sup> issued an Order on 27 October entitled ‘Acceleration of the Iraqi Police Services’ which envisaged enhanced support from CJTF-7 for enlarged and accelerated police training programmes. It had been developed without consultation with the UK.

**54.** Sir Hilary Synnott reported that the Order had:

“... considerable implications for military resources to be devoted to police training; for our current plans, including the recently inaugurated Basra Regional Police Academy; and for the significant Danish effort at present and in future. We had no warning of this from CPA Baghdad (beyond a slight reference to such a possibility), no subsequent information from them and no consultation.”<sup>32</sup>

**55.** On 6 November, the AHMGIR was told that the new approach included “accelerating recruitment, training and deployment of Iraqi security forces”.<sup>33</sup> The ICDC was set to increase by April 2004 and the target for 70,000 police should be reached by August 2004 rather than March 2005. The training of the Iraqi Army would be slowed, but the Army would “now be allowed to undertake internal as well as external security tasks”.

**56.** Although the US military had produced plans for accelerating training, they had not addressed DCC White’s concerns about the quality of that training.

**57.** Former DCC Brand told the Inquiry:

“Trying to persuade my military colleagues at two-star and three-star level that this was a long-term investment of restructuring the police seemed to work against their sort of short-term mission goals, and I very vividly remember the presentation that was done to the Commanding General which was entitled ‘30,000 in 30 Days’ ... I had to say ‘Okay, in that case then, why don’t you give me the military to train? I have read a few war books, I have seen a few war films, it can’t be as difficult as that, or is that as ridiculous as what you are suggesting, which is we recruit 30,000 in 30 days, call them police, label them police, give them weapons and say ‘You are now in the police’ but actually have no capability to do the things that policemen should do at all?”<sup>34</sup>

**58.** In November, Chief Constable Paul Kernaghan, the lead on international affairs for the Association of Chief Police Officers (ACPO), told Mr Straw that police reform in Iraq still lacked vision and that the UK contribution was insufficient.

**59.** At about the same time, Mr Jim Daniel, a senior ex-Home Office adviser sent to Iraq to help the CPA generate a policing strategy, decided to resign. The combination of

<sup>31</sup> CJTF-7, the Coalition HQ in Iraq, was a small command. It was led by Lieutenant General Ricardo Sanchez.

<sup>32</sup> Telegram 110 FCO London [on behalf of CPA Basra] to UKRep Iraq, 31 October 2003, ‘Police Training in South Iraq’.

<sup>33</sup> Annotated Agenda Cabinet Office, 6 November 2003, Ad Hoc Group on Iraq Rehabilitation.

<sup>34</sup> Public hearing, 29 June 2010, pages 24-25.

CC Kernaghan's advice, DCC White's views and Mr Daniel's resignation were sufficient to highlight that police reform – an essential part of the UK's exit strategy – was in serious difficulties.

**60.** By the end of November 2003, Mr Straw had clear evidence that police reform in Iraq lacked strategic direction. He should have instigated consideration of the UK's options for resolving the problem, including work to define a UK position on the right strategy for Iraqi policing.

**61.** The response of the AHMGIR, chaired by Mr Straw, was instead that the UK should lobby the US to make improvements in police training. Mr Straw should have recognised that lobbying alone would be insufficient to address the critical lack of a strategy/vision for policing in Iraq. Mr Straw's direction to Mr Sawers (see Box, 'Initial problems deploying UK police officers', earlier in this Section) focused too narrowly on the deployment of UK police officers rather than on the wider issues in police reform.

#### THE US MILITARY TAKE THE LEAD ON POLICE REFORM

**62.** In mid-November, a new political timetable for Iraq was announced, which brought forward the handover of power from the CPA to the Iraqi Transitional Government (ITG) to June 2004.<sup>35</sup> Former DCC Brand told the Inquiry that the change of timetable critically changed everyone's outlook: "all the focus was on 'Let's get this over to the Iraqis', and so our longer-term intentions were almost squashed from there on".<sup>36</sup>

**63.** Towards the end of 2003, within the UK there was awareness that assessments given by US commanders were "exaggerated"<sup>37</sup> and there were doubts about Iraqi capacity. A significant gap in figures was highlighted by the FCO, which assessed that there were around 45,000 operational police officers throughout Iraq, all requiring some level of re-training. The US assessment was that there were 63,000 operational police officers.

**64.** In the absence of a coherent strategy, Coalition partners continued to work independently of one another. An example of this occurred in February 2004, when the UK started recruiting 40 retired UK officers to act as mentors. At the same time, the US was developing plans to recruit around 500 police advisers from Dyncorps to act as mentors, of which 50 were planned for deployment to the South. That was met with some consternation by Mr Steve Casteel, who replaced Mr Kerik as CPA Director of Internal Affairs in September 2003. He reportedly said: "This isn't two countries, you know."<sup>38</sup>

**65.** Secretary Rumsfeld transferred the responsibility for training and mentoring police officers to the US military in March 2004 following a report by Major General

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<sup>35</sup> Minute Cannon to Prime Minister, 18 November 2003, 'Iraq: Political Timetable'.

<sup>36</sup> Public hearing, 29 June 2010, page 67.

<sup>37</sup> Minute Dodd to Sheinwald, 10 December 2003, 'Iraq: Strategy Group'.

<sup>38</sup> Minute FCO [junior official], to Buck, 4 February 2004, 'Visit to Iraq 26-30 Jan'.

Karl Eikenberry, former US Security Co-ordinator and Chief of the Office of Military Co-operation in Afghanistan. It was thought that the change would provide the unity of command across the security sector that was needed. The report reiterated that the Army's focus should remain on external threats but its training rate be reduced to allow the development of other security forces.

**66.** The change in responsibilities led to the creation of a new umbrella structure, the Office of Security Co-operation (OSC), commanded by Major General Paul Eaton, the former commander of CMATT. CMATT and the newly named policing equivalent – the Coalition Police Assistance Training Team (CPATT) – would report to the OSC and the OSC would report to the CJTF-7.

**67.** It appears that DCC Brand and Mr Casteel had not been consulted about that significant change in approach. Former DCC Brand told the Inquiry that the creation of the OSC was a shock to both him and Mr Casteel. He said that, while the military could do “the volume stuff”,<sup>39</sup> they did not have the skill set to conduct basic training or the policy advice on policing. That meant “they were making it up ... from theatre, rather than back at the policy headquarters”.

**68.** On 25 March 2004, the FCO's Weekly Update on Iraq for No.10 stated that a CENTCOM review had concluded that transition to local control across Iraq was “likely to be delayed by up to eight months from their original over optimistic target of May 2004”.<sup>40</sup> The paper stated that was “not a surprise”:

“The Iraqi Security Forces do not just have to be hired; they must be vetted, trained, equipped, mentored and certified ie capability, not numbers, is the key ... Bremer has been pushing for quality for months, without the support in Washington, where the emphasis has been on numbers. On the positive side, a lesson has now been learned.”

**69.** The Cabinet Office sent an update for Ministers on 2 April, stating that police training was to be accelerated under the new structures with a target of completing in-service training of 43,000 officers by January 2005.

**70.** Although advice and information sent to Ministers consistently emphasised the importance of training competent police officers, the focus of effort continued to be on training officers in high numbers.

## SECURITY DECLINES

**71.** There was a significant worsening of security in the spring of 2004. Coupled with revelations of abuse by members of the US military of Iraqi detainees in Abu Ghraib

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<sup>39</sup> Public hearing, 29 June 2010, pages 94-95.

<sup>40</sup> Minute Owen to Cannon, 25 March 2004, ‘Iraq: Weekly Update’ attaching paper FCO ‘Iraq: No 10 Weekly Update’.

prison, this led many of the Inquiry's witnesses to conclude that the spring of 2004 was a turning point, as described in Section 9.8.

**72.** In April, weaknesses in the ICDC and IPS were exposed as a result of uprisings in Fallujah and Najaf. Some officers abandoned their posts and aided the insurgency. Others mutinied when they came under fire.

**73.** The ICDC was affected worst of all. 12,000 members deserted within two weeks. Consideration was given to re-engaging military officers dismissed under the policy of de-Ba'athification (see Section 11.1). Ambassador Paul Bremer, Presidential Envoy to Iraq and Head of the CPA, maintained that the de-Ba'thification policy was correct, but had been poorly implemented. Mr Blair told President Bush that the Coalition needed to do "whatever it takes"<sup>41</sup> to get the ICDC and police into shape. He added: "I'm not sure we really have our entire system focused on this; and it needs to be".

**74.** Mr Blair held a meeting with Ministers and senior officials on 13 May to discuss security in Iraq. He expressed a clear view that there were two key issues in Iraq: the political process and security, of which security was "fundamental".<sup>42</sup> After the transfer of sovereignty, Mr Blair felt that the Iraqis would be reluctant to ask the Coalition to manage security for them and this "put a real premium on building capacity urgently".

**75.** At Mr Blair's request, a team led by Major General Nicholas Houghton, Assistant Chief of the Defence Staff (Operations), visited Iraq from 20 to 23 May to see what could be done to speed up Iraqiisation of the security sector.

**76.** Maj Gen Houghton's frank assessment identified issues that should already have been clear to Ministers and officials. He noted the lack of strategy, "bureaucratic complexity"<sup>43</sup> hindering access to funds and resources, "initiative overload" and a short-term focus. He stated that the concept of acceleration was "misplaced". It was "Sustained Effort", with some change in emphasis, that would produce the desired capability. He highlighted the need for "honest acceptance" of the likely timescales.

**77.** Maj Gen Houghton assessed that:

"The biggest single thing that will move the creation of capability forward is the increased use of military and police assets in mentoring roles. This should involve, for example, widening the concept of embedding troops within ICDC Units. Given available assets this will mean taking risk on maintaining security."

**78.** Maj Gen Houghton judged that an SSR strategy must be "authored, owned and executed" in Iraq, not in London.

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<sup>41</sup> Letter Sheinwald to Rice, 26 April 2004 [attaching Note from PM for President Bush](#).

<sup>42</sup> [Letter Bowen to Baker, 13 May 2004, 'Iraq: security'](#).

<sup>43</sup> [Minute ACDS\(Ops\) to Rycroft, 25 May 2004, 'How Best to Progress the Iraqiisation of the Security Sector'](#).

**79.** Maj Gen Houghton stated that over 80,000 police officers were operational with approximately 20,000 having received training. An accelerated training programme was being put in place by CPATT.

**80.** Mr Blair tried to inject a new sense of urgency into Iraqisation. In five meetings and conversations with President Bush in May and June, Mr Blair raised Iraqisation, emphasising its importance and his hope that Lieutenant General David Petraeus, Commanding General Multi-National Force – Iraq,<sup>44</sup> and Prime Minister Designate Dr Ayad Allawi could agree a joint plan on Iraqisation for publication.

**81.** On 3 June, Mr Blair asked to be informed of “any obstacles or log jams”<sup>45</sup> which he might need to raise with President Bush. He commissioned a round-up on Iraqisation every two weeks.

**82.** Mr Geoff Hoon, the Defence Secretary, and General Sir Mike Walker, Chief of the Defence Staff, provided Mr Blair with an update on Iraqisation two weeks later. Mr Blair again asked to be informed of any issues automatically rather than having to ask.

**83.** On 16 June, Mr Blair wrote to President Bush that the problem with Iraqisation was “obvious”: “The numbers in the police are there. But not the quality or equipment ...”<sup>46</sup>

**84.** By the end of the Coalition’s Occupation in June 2004, Ministers were aware that Iraqisation was critical to the UK’s withdrawal and that it was the quality, not quantity, of officers in the ISF that was critical. But the US and UK were no closer to achieving a coherent SSR strategy for Iraq. As the CPA was disbanded and responsibility for day-to-day interaction with the Iraqi Interim Government on civil affairs passed to the newly appointed British and US Ambassadors, there was no plan to develop one.

### The justice sector

For SSR, the UK’s overwhelming focus was on the army and police. The need for a robust judicial system had been recognised but was poorly supported.

Prisons were listed as a “priority one area”<sup>47</sup> in April 2003 but by December it was reported that “not much work had been done in this area”.

In June 2003, Lord Goldsmith, the Attorney General, told the AHMGIR that corruption and intimidation had left the Iraqi judicial system in a worse state than expected and that it would require a long-term commitment from the international community to rebuild it.

In March 2004, a report from Mr Robert Davies, Chief Police Adviser to the Ministry of Interior, stated that only one out of five Iraqi Correctional Service facilities was functioning in the UK’s Area of Responsibility. Even that facility was in poor condition and overcrowded. In January, the prison held 478 prisoners against a capacity of 230.

<sup>44</sup> The MNF-I subsumed OSC in June 2004.

<sup>45</sup> [Letter Rycroft to Baker, 3 June 2004, ‘Iraq: Prime Minister’s Meeting, 3 June’.](#)

<sup>46</sup> [Letter Sheinwald to Rice, 16 June 2004, \[untitled\] attaching Note Blair \[to Bush\], \[undated\], ‘Note’.](#)

<sup>47</sup> Minutes, 4 December 2003, Security Sector Reform meeting.

Part of the reason identified for this rise had been a weakness in the due process where prisoners were kept on remand without judicial review.

SSR projects in the justice sector were small in comparison with efforts being made to reform the Iraqi Army and Iraqi Police Service:

- In January 2004, DFID approved a contribution of £2.2m over two years towards the International Legal Assistance Consortium (ILAC). A review of the programme in June 2006 stated “that the project was put together under pressure rapidly to get programme activities started with some quick-win activities ... The pressure to move fast, however, may well have sown the seeds for the eventual, limited impact”.<sup>48</sup>
- A support programme for prisons in southern Iraq was approved during the summer of 2004. The UK awarded £1.7m to the programme (after a bid of £5.53m) to train and mentor staff. All prisons within the CPA(South) boundary run by the Iraqi Prison Service were overseen and maintained by the UK.
- The UK contributed some staff towards the EU JustLex programme that began in February 2005. The programme was an integrated police and Rule of Law mission for Iraq by Member States arranging senior management training for the police, judiciary and prison service. Over four years, it comprised 40 staff from across the EU and spent roughly €30m.

As with the majority of SSR programmes, success seemed to be measured by the number of Iraqi staff trained. The programmes were not effective in solving the underlying problems of corruption and intimidation that thwarted significant improvement.

Officials were still reporting in May 2006 that justice continued to be “the missing link”.<sup>49</sup>

In March 2007, the Better Basra plan described Iraq’s judiciary as “weak and unable to prosecute serious crime”.<sup>50</sup> Prisons were described as “old, overcrowded” and said to “not meet minimum international human rights standards”. That assessment suggested that little progress had been made from the UK’s early assessments of Iraq’s justice sector.

Severe overcrowding was still an issue in December 2007 when an FCO official reported that:

“Through a combination of negligence, incompetence, poor co-ordination and lack of adequate facilities it can take a long time to process detainees through the investigative, judicial and correctional systems.”<sup>51</sup>

## Transition

**85.** After the UK and US ceased to be Occupying Powers in Iraq in June 2004, SSR was conducted under the authority of resolution 1546 (2004) and the annexed letters from Dr Ayad Allawi, the Iraqi Prime Minister, and US Secretary of State Mr Colin Powell.

<sup>48</sup> Report DFID, 30 June 2006, ‘Iraq International Legal Consortium Justice Sector’.

<sup>49</sup> Email FCO [junior official] to IPU [junior official], 25 May 2006, ‘Rule of Law – The Justice Sector’.

<sup>50</sup> [Letter Marsden to Aldred, 2 March 2007, ‘Better Basra’ attaching Paper, 1 March 2007, ‘Better Basra Mark 3: The 2007 Plan’.](#)

<sup>51</sup> Minute FCO [junior official] to PS/SofS [FCO], 20 December 2007, ‘Iraq: Detention and Reconciliation: UK Approach for 2008’.

The role of the Multi-National Force (MNF) was to continue building the capability of the ISF and its institutions through a programme of recruitment, training, equipping, mentoring and monitoring.

**86.** During the CPA era, the metric used to measure progress in relation to the ISF had been the number of personnel on duty. Immediately after the transition, that metric was replaced by “trained and equipped”<sup>52</sup> personnel. The net result was a 75 percent drop in the totals of force personnel attributed to the MOI from 181,297 “on duty” personnel on 15 June to 47,255 “trained and equipped” personnel on 25 August.

**87.** Shortly after transition, Mr Straw advised the Ministerial Committee on Defence and Overseas Policy (DOP) that the SSR objective for the following six months should be for the ISF to be in control across much of the country. That was the basis on which UK troop reductions would be feasible. DOP agreed. It is not clear how Mr Straw reached the conclusion that that was a viable objective.

**88.** By early October, there was clear evidence that the SSR objective agreed by DOP was unlikely to be achievable because:

- The Basra police chief was working with militants who were causing disruption in the area.
- There remained significant capacity issues within key ministries.
- There was a need for more focused IPS training in areas of operational planning and intelligence.
- Warnings from theatre continued to stress that the focus on numbers was misplaced – the morale and integrity of officers who had joined the ISF was questionable and those issues needed to be addressed to deliver the capabilities required.

**89.** In November, FCO officials informed Mr Straw that they were factoring such concerns into their planning. They assessed that the two most serious problems were the dysfunctional MOI and the lack of equipment, both of which were being addressed by UK-funded initiatives.

**90.** It should have been clear to Mr Straw and FCO officials, for whose advice Sir Michael Jay was accountable, that the ISF were unlikely to be able to provide security and that troop reductions based on the assumption that Iraqisation would be successful needed to be reconsidered.

**91.** On 9 December, despite evidence to the contrary, the FCO continued to advise that, by the summer of 2005, the ISF could take the lead on security. It was overly optimistic of the FCO, under Mr Straw’s leadership, to believe that would be the case. That over-optimism distorted consideration of when UK forces should be withdrawn from Iraq.

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<sup>52</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

**92.** A JIC Assessment of 15 December assessed that a credible ISF, capable of managing the insurgency unaided, would not emerge until 2006 at the earliest.

**93.** The JIC Assessment was discussed at the Ad Hoc Ministerial Group on Iraq the following day. Ministers agreed that a number of papers should be prepared, including practical suggestions to adjust the Petraeus Plan<sup>53</sup> for SSR, ways of improving the Iraqi Ministry of Defence and MOI, a list of security and funding issues for Mr Blair to raise with President Bush and a list of useful activities that other countries could be asked to undertake. The lack of a policing strategy for Iraq, which had been identified by the IPU as early as July 2003, had still not been addressed.

**94.** In February 2005, the FCO produced a paper for the AHMGIR that contained proposals for a greater focus at the national level where there was “an urgent need for an Iraqi national policing strategy, supported by an appropriate training syllabus to address established weaknesses”.<sup>54</sup> The proposals were for the development of a National Police Plan and in the areas of forensics and intelligence. The FCO paper also pointed to potential funding pressures if those new proposals were to be adopted and if current projects were extended.

**95.** The FCO told the AHMGIR that the key message from the paper was that funding beyond September was extremely tight and tough decisions would need to be made.

**96.** In the absence of an SSR strategy against which the merits and contribution of any particular project or programme could be judged, the basis on which such decisions could be made was unclear.

**97.** Just three months after the JIC had raised concerns about the development of the ISF, the MOD advised No.10 in March that the Petraeus Plan was “largely on track, meeting the demands of a well-entrenched counter insurgency”.<sup>55</sup> The ISF was expected to achieve full strength by January 2006 and the transfer of regional control would be under way. The view from No.10 was that the MOD’s advice was “rather insubstantial, and almost certainly too optimistic in its assessment of the quality of much of the ISF”.<sup>56</sup>

**98.** The MOD’s assessment was also contrary to other reports coming from Iraq around that time and it became difficult for Ministers to know which evidence was most accurate. In his Hauldown Report, Lieutenant General John Kiszely, Senior British Military Representative, Iraq (SBMR-I) from October 2004 to April 2005, described the MOI as dysfunctional and stated that any expectation that the IPS would be able to perform well against the insurgency was unrealistic.

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<sup>53</sup> The Petraeus Plan followed a ‘Troops to Task’ assessment carried out by Lt Gen Petraeus in the summer of 2004. The resulting plan was to increase the Iraqi Police Service and Iraqi National Guard by roughly 50 percent.

<sup>54</sup> [Note FCO, 21 February 2005, ‘Iraq – UK Support to Civil Policing in Iraq – 2005’.](#)

<sup>55</sup> [Letter Naworynsky to Quarrey, 17 March 2005, ‘Petraeus Plan Update’.](#)

<sup>56</sup> Minute Quarrey to Prime Minister, 18 March 2005, ‘Iraq Update’.

**99.** During the summer of 2005, there is evidence that UK officials were not clear about their departments' role within the SSR effort and felt disconnected from what was happening on the ground. That was exemplified in June when DFID commissioned a consultant to assist the FCO in drawing together a cross-Whitehall strategy for UK support to the development of Iraqi policing capacity. The FCO, the MOD and DFID struggled to reach an agreement on what the strategy should say and acknowledged they simply did not know whether policing was on track or not.

**100.** Lieutenant General Robin Brims, SBMR-I, reported in July that, although the Iraqi Army was steadily increasing in confidence, it did not yet have the ability to conduct complex operations. The police were lagging behind the army and were of doubtful quality but plans were in place to address that.

**101.** Mr Blair saw Lt Gen Brims' report and sought an honest assessment of the progress of Iraqiisation, which suggests a lack of confidence in the MOD's reporting. Dr John Reid, the Defence Secretary, admitted that there was still a focus on quantity rather than quality in stating "numerically, generation of ISF remains on track, but significant development in key capability areas is still needed".<sup>57</sup>

**102.** The information on ISF numbers also masked other issues. In September, an FCO transition plan for the IPS showed, when compared with earlier MOD papers, that the overall figure of 55 percent of police trained masked considerable variations across MND(SE) – although 90 percent of personnel in Dhi Qar province had received training, the figures for Muthanna and Basra were considerably lower (40 percent and 42 percent respectively).

**103.** Mr Blair expressed his concerns about ISF capability, following reports of police involvement in attacks on the Multi-National Forces in Basra. But despite concerns that had been expressed about the capacity of the ISF, Dr Reid recommended a reduction in UK forces should take place in October or November of 2005.

**104.** A few days after Dr Reid made his recommendation the Jameat incident in Basra on 19 September raised questions about the ISF in MND(SE). Officials from the FCO, the MOD and DFID judged that the incident had highlighted the risks to achieving UK objectives in MND(SE), and that those risks had implications for military resources. Nevertheless, assumptions about ISF readiness were not re-examined by Ministers. Reluctance to consider the potential implications of the Jameat incident obscured what it had revealed about the security situation in MND(SE).

**105.** Sir Nigel Sheinwald, Mr Blair's Foreign Policy Adviser, wrote: "It is clear that we need to review whether our police training strategy in the South-East is working, and whether the national policing strategy knits together."<sup>58</sup> Sir Nigel reported that Mr Blair had agreed that Sir Ronnie Flanagan, Her Majesty's Chief Inspector of Constabulary,

<sup>57</sup> [Minute Reid to Blair, 28 August 2005, 'Update on progress of the Iraqi security forces \(ISF\)'](#).

<sup>58</sup> [Letter Sheinwald to Hayes, 4 October 2005, 'Iraq Strategy'](#).

should be asked to visit Iraq and that he wanted a UK Minister to take ownership of the overall policing strategy, including liaison with the US over national strategy, supported by a dedicated team in London.

### The MOD takes the lead for policing

**106.** The critical importance of ISF capability in assessing readiness for transfer to Provincial Iraqi Control, on which UK plans to draw down were based, was emphasised by the ‘Conditions for Provincial Transfer’ published by the Joint Iraqi/MNF Committee to Transfer Security Responsibility, and by Dr Reid, who told the Defence and Overseas Policy Committee on Iraq (DOP(I)) on 12 October that “successful Iraqiisation remains the key”.<sup>59</sup> DOP(I) decided that Dr Reid should have lead responsibility for building the capacity of the IPS in Basra in addition to his responsibility for the Iraqi Army.

**107.** DOP(I) discussed the need “to do more to speed up the development of police” but considered that “the plan for ISF development that was in place was largely sound”.<sup>60</sup>

**108.** Mr Blair asked for a major and sustained push to make progress on the ability of the ISF to take the lead on security.

**109.** General Sir Mike Jackson, Chief of the General Staff, raised concerns about ISF effectiveness in a minute to Gen Walker and concluded: “it is not to our credit that we have known about the inadequacies of the IPS for so long and yet failed to address them”.<sup>61</sup>

**110.** At the same time, the JIC stated that the Iraqi armed forces stood at 91,000 personnel and MOI forces at 106,000 personnel, but that those figures did not take account of absenteeism or provide an indication of true capability. The IPS suffered from divided loyalties and a significant number were involved in criminality for financial gain.

**111.** In MND(SE), there was a lack of confidence that plans to tackle corruption within the IPS were working. There were questions about whether the IPS should be disbanded and started from scratch. Major General James Dutton, General Officer Commanding MND(SE) (GOC MND(SE)) from June 2005 to December 2005, told the Inquiry that was why he had proposed a three-point plan on 24 October. It was more focused on reform than re-design and reflected the new approach that “we should be aiming for a police force that is relevant and ‘good enough’ for this region”.<sup>62</sup>

**112.** The need for a single SSR strategy was raised again by Sir Ronnie Flanagan when he visited Iraq in November to conduct another review of the effectiveness of the UK’s policing strategy. In his final report of 31 January 2006, Sir Ronnie reported that a

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<sup>59</sup> [Paper Reid, 11 October 2005, ‘Iraq: Security update’.](#)

<sup>60</sup> Minutes, 12 October 2005, DOP(I) meeting.

<sup>61</sup> Minute CGS to CDS, October 2005, ‘CGS visit to Iraq: 10-13 Oct 05’.

<sup>62</sup> [Letter Dutton to Wall, 24 October 2005, ‘Policing SE Iraq’.](#)

broad strategic plan was being developed and the disconnected ways of working were becoming a thing of the past. While that work may have been under way at that time, the Inquiry has not seen any evidence of a national strategy being produced as a result.

**113.** By the end of 2005, Whitehall remained overly optimistic about ISF development. In papers prepared for DOP(I) on 20 December, the MOD stated that the development of the Iraqi Army remained on track for the fully funded and trained figure of 130,000 by December 2006 and the IPS was making an increasingly significant contribution although it was behind the Iraqi Army in development terms. There remained a significant issue about whether the Iraqi Government and ministries had the capacity to direct and sustain the civil and military security forces. That was alongside the risk of increasing sectarianism and militia infiltration.

**114.** Mr Blair told President Bush on 23 December: “The two clear messages were: the vital nature of leadership of the MOI and MOD; and 2006 being the year of the police.”<sup>63</sup>

## Preparation for withdrawal

### “Good enough”

**115.** In late 2005, General George Casey, who became Commander of the CJTF-7 in June 2004, designated 2006 as the “Year of the Police”, recognising that a national police force was vital to any exit strategy.

**116.** From 2006, the UK appears to have stopped lobbying for the creation of a national SSR strategy and instead focused on what was necessary to enable the withdrawal of troops. Without a means to measure progress objectively, success continued to mean the number of officers trained.

**117.** Acting Deputy Chief Constable Colin Smith, Chief Police Adviser Iraq, wrote about the Year of the Police in January 2006 that “the strap line that ‘just enough is good enough’ is, whilst probably realistic, not particularly encouraging”.<sup>64</sup> He wrote that it could be “a defining factor in the development of an effective Iraqi Police Service”.

**118.** In March 2006, Dr Reid continued to press ahead with drawdown and announced that troop levels would reduce in May 2006 from approximately 8,000 to around 7,200 based on “completion of various security sector reform tasks, a reduction in the support levels for those tasks, and recent efficiency measures in theatre”.<sup>65</sup> That rationale did not include an assessment of the effect of those tasks on the capability of the ISF.

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<sup>63</sup> [Letter Quarrey to O’Sullivan, 23 December 2005, ‘Iraq’ attaching ‘Note Prime Minister to President Bush’.](#)

<sup>64</sup> Minute Smith, 1 January 2006, ‘UK Chief Police Advisor – Iraq: Weekly Report: Week Ending Sunday 1<sup>st</sup> Jan 2006’.

<sup>65</sup> Letter Reid to Blair, 9 March 2006, ‘Iraq: Force Level Review and Announcement’.

**119.** The assessment of ISF capability from other sources was still discouraging:

- Operation CORRODE, an operation aimed at removing corrupt police, proved difficult to implement with limited political engagement in Basra. The JIC afterwards reported that it suspected that officers had been reassigned rather than removed.
- The JIC reported that the ISF could cope with low-level threats but its readiness to handle Shia extremists or intra-Shia violence was uncertain. Army command, control and logistics capabilities were all still developing, making major operations without MNF support difficult.
- Mr Robin Lamb, British Consul General in Basra, reported that local staff regarded the IPS “as at best ineffective, and at worst complicit in the assassinations. We would support that assessment”.

**120.** The security situation in MND(SE) continued to decline in 2006, and the UK continued to plan for drawdown. That is addressed in Section 9.8.

**121.** The MOD’s assessment in June was that the ISF programme was “on target to complete by December 2006 with 80 percent of the ISF trained and equipped (less the forces in Anbar province and the Air Force and Navy capability)”.<sup>66</sup> The police were “some way behind” but “significant progress” was expected by the end of the year. Their effectiveness rested on their credibility with the Iraqi people, which was “increasing but remain[ed] an issue”. The ISF should “be capable of managing the threat that they will face but could be quickly undermined by poor leadership”.

**122.** On 1 September, an eGram from the British Embassy Baghdad reported an “important step psychologically”<sup>67</sup> for the Iraqi military: the Iraqi Ground Forces Command and Iraqi Ministry of Defence would commence “a staggered handover” of command and control functions from MNF-I on 3 September. The Embassy stated that “while the assumption of responsibility looks gradual and sensibly phased, in reality the pace will be demanding to both MNF-I and the IGFC [Iraqi Ground Forces Command]”. As “life support and logistics capabilities” were “developing at their own, much slower, pace”, the Embassy predicted that “IA Divisions will remain dependent on MNF-I for some time to come”.

## BETTER BASRA

**123.** In summer 2006, in recognition of the need to stabilise Basra and prepare it for transition to Iraqi control, the UK developed the Basra Security Plan and Better Basra Plan. The former was “a plan to improve Basra through operations, high impact

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<sup>66</sup> Minute DJC/Iraq to CO [junior official], 7 June 2006, ‘Iraq: Strategy Group Workstrands’ attaching Paper ‘Update on Progress of the Iraqi Security Forces (ISF)’.

<sup>67</sup> eGram 38264/06 Baghdad to FCO, 1 September 2006, ‘Iraq: Iraqis to Take Over Command and Control of its First Army Division’.

reconstruction and SSR ... lasting for up to six months”,<sup>68</sup> the military element of which became known as Operation SALAMANCA and included operations against militia groups.

**124.** Major General Richard Shirreff, GOC MND(SE) from July 2006 until January 2007, anticipated that during Op SALAMANCA there would be “a concerted and sustained effort by Police Training Teams”<sup>69</sup> to “turn those police stations capable of improvement into police stations that are capable of providing basic security in their local areas”. His aim was “to cull the unredeemable and rehabilitate the ‘just about’ salvageable”.

**125.** In September, as set out in Section 9.8, the scope of Op SALAMANCA was constrained. It later became known as Operation SINBAD.

**126.** While most reports from theatre indicated that Op SINBAD had progressed well, it does not appear to have created the significant development in the Iraqi Army’s capability that had been desired. On 27 October, Mr Blair was informed that the Iraqi Army had performed well in some areas but it still lacked maturity.

**127.** Operations designed to weed out corrupt officers were only able to achieve limited success because a proper governance structure within the ministries and judicial system was lacking. Operation THYME in December 2006 sought to purge the Serious Crime Unit of corrupt officers, but the DOP(I) was told in January 2007 that, although arrest warrants had been issued for members of the Serious Crime Unit, they had not been actioned. There were signs that those members of the Serious Crime Unit were “continuing to operate”.<sup>70</sup>

**128.** Mr Blair stated that, during his visit to Iraq at the end of 2006, “he had sensed, for the first time, that Iraqi Generals felt that if they were given the right training and equipment they would be able to do the job”.<sup>71</sup>

**129.** On 24 January 2007, Mr Des Browne, the Defence Secretary from May 2006 to October 2008, wrote to Mr Blair to update him on the rationale behind a planned reduction in troops from 7,000 to 4,500-5,000:

“There is no question of us leaving a vacuum in the city [Basra], as the IA and IPS are already doing patrols and we will remain present in the Provincial Joint Co-ordination Centre and military transition teams. Early evidence from the final stages of Op SINBAD, where the IA are in some areas not just in the lead but doing it by themselves, is that inevitably they enjoy a greater level of consent than we do – but also that they are doing a decent job. They are far from the finished

<sup>68</sup> Minute Burke-Davies to APS/Secretary of State [MOD], 24 August 2006, ‘Iraq: Op SALAMANCA’.

<sup>69</sup> Minute Shirreff, 15 September 2006, ‘GOC MND(SE) – Southern Iraq Update – 15 September 2006’.

<sup>70</sup> Minutes, 11 January 2007, DOP(I) meeting.

<sup>71</sup> Cabinet Conclusions, 11 January 2007.

article but after re-posturing our shift towards mentoring and support will ensure they continue to develop.”<sup>72</sup>

**130.** The third iteration of the Better Basra Plan was produced on 2 March 2007. It looked to develop capacity and capability across wider SSR components, such as the judiciary and prison service. It repeated the benchmark that the police would be brought to a “good enough” standard to transition to Provincial Iraqi Control (PIC). It also announced that over the next six months, the UK would be deploying military transition teams (MiTTs) within the 10th Division of the Iraqi Army (see Box, ‘MiTTs’, below).

**131.** In June, Major General Jonathan Shaw, GOC MND(SE) from January 2007 to August 2007, stated that he was not convinced that the ISF was ready for transition. That was in the light of the continuing decline in security. The US and parts of the Iraqi Government had serious concerns over the ability of the ISF in Basra to cope with the security situation.

**132.** Concerns continued to be raised about the security situation in MND(SE) and that the ISF would not be able to maintain security alone. Mr Dominic Asquith, British Ambassador to Iraq, reported in July that Basrawis had expressed the view to the visiting House of Commons Defence Committee that “a British withdrawal would ‘be followed by chaos sweeping the province like a hurricane’”.<sup>73</sup>

**133.** On 8 October 2007, Mr Gordon Brown, who had become Prime Minister in June, announced plans for a significant troop drawdown over the next 12 months. He described the need for two remaining phases:

“In the first, the British forces that remain in Iraq will have the following tasks: training and mentoring the Iraqi Army and police force; securing supply routes and policing the Iran-Iraq border; and the ability to come to the assistance of the Iraqi Security Forces when called upon. Then in the spring of next year – and guided as always by the advice of our military commanders – we plan to move to a second stage of overwatch where the coalition would maintain a more limited re-intervention capacity and where the main focus will be on training and mentoring.”<sup>74</sup>

**134.** On 9 October, Lieutenant General Sir Nicholas Houghton, Chief of Joint Operations, briefed the Chiefs of Staff that the plan for the Iraqi 14th Division<sup>75</sup> would see initial operating capability by December 2007, with training complete by June 2008.

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<sup>72</sup> [Letter Browne to Blair, 24 January 2007, ‘Next Steps on Force Levels in Iraq’.](#)

<sup>73</sup> eGram 30010/07 Baghdad to FCO London, 13 July 2007, ‘Iraq: Visit of House of Commons Defence Committee, 8-11 July’.

<sup>74</sup> House of Commons, *Official Report*, 8 October 2007, column 23.

<sup>75</sup> The 10th Division was the Iraqi Army division in MND(SE) which had been trained by UK personnel. It was given an additional brigade in June 2007 to create a new Division: 14th Division, which would assume responsibility for Basra while 10th Division would be responsible for the rest of the South-East, across Muthanna, Dhi Qar and Maysan provinces.

**135.** Basra transitioned to Provincial Iraqi Control on 16 December 2007. Maj Gen Binns told the Inquiry that the ISF “were well trained, as individuals, but their leadership was not experienced, they were capable of conducting tactical, low-level operations, but their ability to conduct manoeuvre, to sustain themselves logistically, was a challenge to them”.<sup>76</sup> The police were “a mixed bag”.

**136.** Reports on the ISF’s capability did not change materially in the period leading up to the UK’s withdrawal. There remained concern over their ability and willingness to maintain security in the South. When Mr Brown and Mr Browne had breakfast with the Chiefs of Staff on 6 March 2008, the Chiefs told them that “there was quality in the ISF but it was not broadening as rapidly as hoped, so training and mentoring of 14Div remained a vital job”.<sup>77</sup>

**137.** On 2 April, a junior official in PJHQ wrote to Mr Browne, advising him that MND(SE) was intending to embed MiTTs within 14th Division to strengthen some of the key vulnerabilities that had been demonstrated during the recent operation, Operation Charge of the Knights. That decision is addressed in the Box below. The operation and its impact are described in Section 9.8.

### MiTTs

The concept of military transition teams (MiTTs), in which US military personnel were embedded within Iraqi fighting units, was first put forward by the US in early 2005. It was seen as a successful tactic, and had been used by the UK in Afghanistan.

Although the UK deployed MiTTs to work with 10th Division during the summer of 2007, it did not adopt the same approach for 14th Division until April 2008, choosing instead to focus on leadership and embedding UK personnel at brigade and divisional level.

The different approaches taken by the UK and the US between 2005 and 2007 again demonstrated the lack of coherence across the SSR effort. It also created tensions with the US who believed that the UK had not adopted the same approach because of an aversion to casualties.

**138.** By mid-April, confidence in the IPS was so low that Major General Barney White-Spunner, GOC MND(SE) from February 2008 to May 2008, warned that there were discussions in Multi-National Corps-Iraq (MNC-I) and the Iraqi Government over whether to disband the Basra police entirely and start again.

**139.** On 14 May, the JIC stated that public confidence in the ISF had grown but the same concerns remained about how it would fare against Jaysh al-Mahdi (JAM) resistance.

<sup>76</sup> Public hearing, 15 January 2010, page 25-26.

<sup>77</sup> Letter Fletcher to Rimmer, 6 March 2008, ‘Prime Minister’s Breakfast with Chiefs of Staff, 6 March’.

**140.** Mr John Hutton, the Defence Secretary, wrote to Mr Brown after he visited Iraq in October:

“The Iraqi Security Forces (ISF), the Army in particular, are looking confident and capable. Their show of force in the areas which I visited, where they took the lead in providing my security, was genuinely impressive. There is no doubt that Basra itself has been transformed and the ISF now have complete freedom of movement throughout the city. While they do not yet have all the capabilities that we would like to see in a fully-formed Division, and there is important work still to do, we will soon have reached the point where we can say with confidence that we have fulfilled our training mission for 14 Division ...”<sup>78</sup>

**141.** On 27 March 2009, a junior official informed Mr Brown that 14th Division was considered to be effective and that all UK mentors and trainers had been withdrawn.

## Security Sector Reform strategy

**142.** Between 2003 and 2009, there was no coherent US/UK strategy for SSR in Iraq.

**143.** In 2003, the UK expected the production of an SSR strategy to be led by the US and, when it was clear that one did not exist, was unable to exert the necessary influence on the CPA in Baghdad to ensure that one was developed.

**144.** As a consequence, instead of working within an SSR framework that was understood and agreed between international partners, the UK developed its own SSR policies and plans for MND(SE) without a clear understanding of how they contributed to – or whether they were fully consistent with – the SSR approach across Iraq.

**145.** Without a coherent US/UK strategy for SSR, the UK was unable to fully understand its role and how or whether its plans contributed to the overall rebuilding of Iraq’s security sector. It was unclear what success looked like and therefore how to measure it.

**146.** The development of effective Iraqi Security Forces, which could take the lead on security very rapidly, became a key element of the UK’s “exit strategy” for Iraq. In the absence of a clearly defined end state, and driven by the desire to reduce UK troop levels, the focus of SSR work became the quantity of officers trained, not their quality. There were numerous warning signs that that was a flawed approach, including reports directly from those on the ground and JIC Assessments. But there was a reluctance to pause and consider what was required to deliver the quality needed.

**147.** After June 2004, it became even more challenging to reach consensus on a strategy for SSR with the establishment of the Interim Iraqi Government, another party that was expected to take the lead on developing a national SSR strategy. That did not happen.

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<sup>78</sup> Letter Hutton to Brown, 23 October 2008, [untitled].

**148.** Underlying problems with SSR started to be more clearly visible: the simple metrics used to gauge success during the CPA era had obscured the actual number of trained police officers; the integrity of many police officers was in doubt; and the Iraqi ministries responsible for the ISF were dysfunctional. These issues had not been gripped because the Coalition had focused too simply on the number of officers.

**149.** Sir Ronnie Flanagan’s review in November 2005 appears to be the last serious attempt to argue that there should be a single, coherent policy on SSR in Iraq. Although Sir Ronnie’s final report in January 2006 stated that a broad strategic plan was being prepared in conjunction with the Interim Iraqi Government, subsequent SSR strategy remained largely incoherent.

**150.** Sir Ronnie’s final report came at a crucial time. The December 2005 Parliamentary election signalled a shift to greater Iraqi political independence. In January 2006 the UK Cabinet approved the deployment of UK troops to Helmand province in Afghanistan. The UK’s SSR objective in Iraq became almost exclusively to demonstrate that the conditions for withdrawal were met. The requirement for a coherent SSR strategy which would establish viable long-term Iraqi Security Forces was set aside.

## Measuring success

**151.** After six years in Iraq, it was difficult to judge what the UK had achieved in the field of SSR. While the number of police appeared to have increased and the Iraqi Army’s confidence had undoubtedly grown, without a clearly defined end state for either there was not an appropriate benchmark by which the UK could measure whether it had achieved what it set out to do.

**152.** The UK knew that the capability of the ISF was critical to withdrawal but did not design an effective way by which it could measure that capability. Judgements were based mainly on reports from theatre – the authors of which were also without a formal means of measuring the ISF’s capability.

**153.** Focusing on the number of trained officers was a problem in Iraq because it was too simplistic. It hid many of the complexities that sat behind and skewed the numbers. The UK was unable to adjust that approach in Iraq because, up to 2006 (after which point its ambitions for SSR changed), it never truly understood what measurements would indicate whether the ISF was capable of maintaining security in Iraq.

**154.** After 2006, “good enough” for Iraq informally became the benchmark. It was never clear exactly what that meant. This loose benchmark was used as a justification for continuing to plan for withdrawal in the face of contradictory evidence.

**155.** In 2009, the fragility of the situation in Basra, which had been the focus of UK effort in MND(SE), was clear. Threats to its security remained. The ISF continued to be reliant on support from Multi-National Forces to address weaknesses in leadership and tactical support. If the capabilities of the ISF had been good enough, it seems unlikely that the

US would have embarked on the action that it did – to deploy its own forces to Basra when the UK withdrew, so as to secure the border and protect supply lines. The US and the UK appear to have had different definitions of what “good enough” meant.

## Lessons

**156.** In Section 6.5, the Inquiry states that better planning and preparation for a post-Saddam Hussein Iraq would not necessarily have prevented the events that unfolded in Iraq between 2003 and 2009. It would not have been possible for the UK to prepare for every eventuality. However, better plans and preparation could have mitigated some of the risks to which the UK and Iraq were exposed between 2003 and 2009 and increased the likelihood of achieving the outcomes desired by the UK and the Iraqi people.

**157.** The lessons identified by the Inquiry with regards to planning and preparation for post-conflict operations are described in Section 10.4. Those lessons, which focus on the essential tasks that should be undertaken, also apply to SSR planning.

**158.** An SSR strategy should define the functions of different elements of the relevant security sector and the structures needed to perform those functions. Considering those questions should drive a robust debate about how security requirements might change over time.

**159.** An understanding of the many different models that exist internationally for internal security, policing and criminal justice is essential. But those models cannot be considered in isolation because what works in one country will not necessarily work in another which may have very different traditions. It is therefore critical for the SSR strategy to take full account of the history, culture and inherited practices of the country or region in question. The strategy also needs to be informed by the views and aspirations of the local population.

**160.** A strategy should set out the desired operating standard for each function and state how that differs, if at all, from what exists. In doing so, the strategy should specify where capacity needs to be developed and inform a serious assessment of how the material resources available could best be deployed.

**161.** It is essential that the UK has an appropriate way to measure the success of any SSR plan. If a clear strategy is in place and has taken account of the views of the local population, the indicators of that success should be obvious. It should rarely concentrate on a one-dimensional set of numbers but instead be a more qualitative and rounded assessment.

## SECTION 13.1

### RESOURCES

#### Contents

Introduction .....	445
The cost of the UK's intervention in Iraq .....	445
How the UK's intervention in Iraq was funded .....	447
Estimates and arrangements for funding military operations .....	452
Agreement on arrangements for funding Urgent Operational Requirements .....	458
Agreement on arrangements for reclaiming NACMO .....	465
Estimates and allocations for non-military activities .....	473
Humanitarian assistance and reconstruction .....	473
The first comprehensive estimate of costs, 19 February 2003 .....	484
Mr Blair's 6 March 2003 meeting on post-conflict issues .....	490
Humanitarian assistance in the UK's Area of Operations .....	494
DFID secures additional funding from the Reserve .....	496
Funding for a British Embassy and security .....	501
Accuracy of pre-conflict estimates of costs .....	501
Funding for military operations in the post-conflict period .....	503
Cost of the UK's post-conflict military presence .....	503
Impact on operations of the MOD's financial position, 2002 to 2004 .....	505
The MOD reflects on the reasons for its increased cash requirement .....	518
The impact of the Treasury controls .....	520
Mr Brown's evidence to the Inquiry on increases in the MOD's core budget ..	521
New arrangements for funding Urgent Operational Requirements, July 2007 .....	523
Funding for civilian activities in the post-conflict period .....	529
Initial funding for reconstruction .....	529
Initial funding for Security Sector Reform .....	531
Pressure for additional funding, autumn 2003 .....	533
Pressure for additional funding for diplomatic representation and security .....	533
Pressure for additional funding for reconstruction .....	535
Funding military equipment for the Iraqi Security Forces .....	541
Better Basra Plan, July 2006 .....	544

New funding mechanisms for civilian operations .....	546
Reflections on the allocation of funding .....	551
Differences in funding military operations and civilian activities .....	551
Funding civilian activities .....	553
Scrutiny of UK expenditure in relation to Iraq .....	557
Analyses of expenditure .....	563
Total direct cost (by financial year) .....	563
Cost of accommodation, security, medical services and life support .....	565

## Introduction

1. This Section addresses:

- the cost of the UK's involvement in Iraq;
- the main sources of funding for the UK's involvement, the different arrangements for funding military operations and civilian activities, and how those arrangements changed;
- the estimates of the cost of military operations and civilian activities that were made before the invasion, and the extent to which those estimates influenced key decisions;
- the imposition of controls over the MOD's management of its resources by the Treasury in September 2003;
- the allocations for civilian activities that were made before, during and after the conflict; and
- how expenditure was scrutinised.

2. This Section does not address how departments used the resources available to them. Specifically:

- The provision of military equipment is considered in Sections 6.3 and 14.
- The UK's support for reconstruction is considered in Section 10.
- The UK's support for Security Sector Reform is considered in Section 12.

## The cost of the UK's intervention in Iraq

3. The direct cost to the UK Government of its intervention in Iraq between the UK financial years 2002/03 and 2009/10 was at least £9.2bn in cash terms<sup>1</sup> (£11.83bn in 2016 prices).<sup>2</sup> That comprised:

Category	£bn	Percentage
Military operations	8.20	89
Humanitarian and development assistance <sup>3</sup>	0.58	6
Diplomatic representation <sup>4</sup>	0.30	3
Inter-departmental Pools and peacekeeping	0.16	2
<b>Total</b>	<b>9.24</b>	<b>100</b>

<sup>1</sup> The Government has confirmed that the expenditure figures for DFID and the FCO that were provided by Sir Nicholas Macpherson, Director General in charge of Public Expenditure from 2001 to 2005 and then Permanent Secretary at the Treasury, in his statement to the Inquiry of 15 January 2010, were inaccurate. That statement was published by the Inquiry on 22 January 2010.

<sup>2</sup> 2016 price equivalent calculated using Consumer Price Inflation Time Series Dataset December 2015, Office for National Statistics.

<sup>3</sup> Includes the imputed share of UK contributions to multilateral organisations.

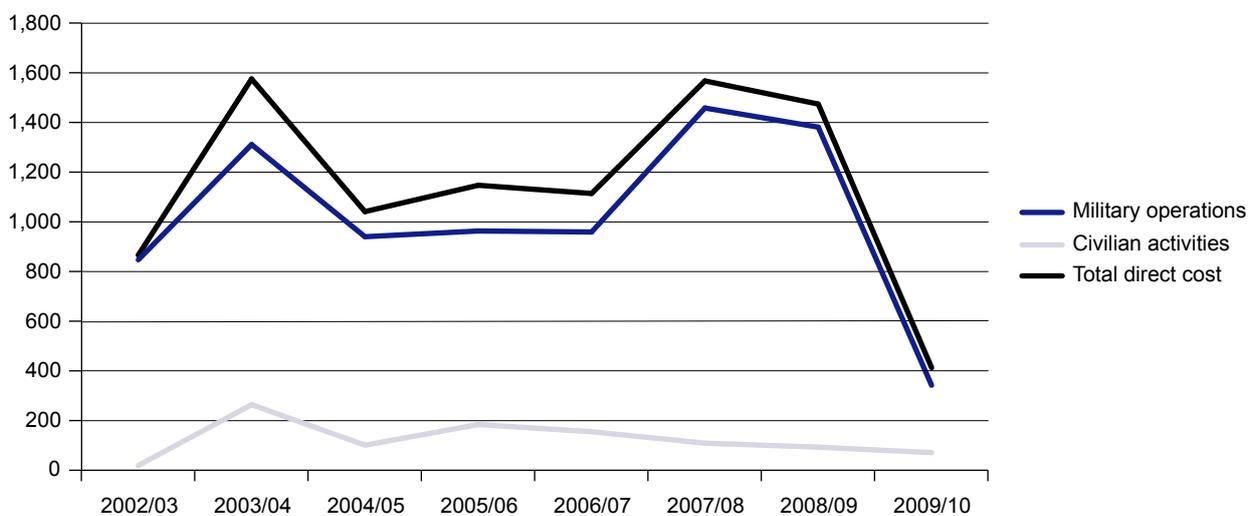
<sup>4</sup> Includes support provided by the FCO to UK secondees to the Coalition Provisional Authority (CPA).

4. In addition, the UK provided £0.95bn in debt relief to Iraq.

5. The figures above do not include expenditure by departments other than the MOD, the FCO and DFID. Although other departments made important contributions to the UK effort, in particular in the post-conflict period, their expenditure was relatively small. The Inquiry has made no estimate of the opportunity cost of the UK's involvement in Iraq.

6. The chart below shows the direct cost of military operations and civilian activities by financial year. A more detailed breakdown of direct costs is provided at the end of this Section.

Figure 1: Direct cost of military operations and civilian activities by financial year (£m)



7. The Inquiry asked Sir Nicholas Macpherson, Director General in charge of Public Expenditure from 2001 to 2005 and then Permanent Secretary at the Treasury, about additional, or indirect, costs such as continuing disability and medical costs for veterans.<sup>5</sup> Sir Nicholas confirmed that such costs were not captured in the information provided to the Inquiry by the Government.

8. In October 2002, the Treasury estimated that the indirect cost of a conflict could more than double the direct cost.<sup>6</sup>

9. Several estimates have been made of the total (direct and indirect) cost of the Iraq War. In their 2007 book, *The Three Trillion Dollar War*, Professor Joseph Stiglitz and Ms Linda Bilmes estimated that the total cost of US involvement in Iraq could be double the direct cost to the US Government.<sup>7</sup> The total cost included: veterans' future costs

<sup>5</sup> Public hearing, 22 January 2010, pages 6-7.

<sup>6</sup> Minute Cunliffe to Chancellor, 22 October 2002, 'Iraqi War: Risks to Treasury Objectives' attaching Paper Treasury, [undated], 'Impact of a War on Treasury Business'.

<sup>7</sup> Stiglitz J and Bilmes L, *The Three Trillion Dollar War*, Allen Lane, 2008. The Inquiry is not able to comment on the methodology used by Professor Stiglitz and Ms Bilmes.

(medical, disability and social security); other social costs; military cost adjustments; interest on debt incurred; and other macroeconomic costs.

**10.** Indirect costs include the costs of the inquiries that have been established to investigate aspects of the UK's intervention in Iraq. Those include:

- The Al-Sweady Public Inquiry, which reported in December 2014, cost £25m.<sup>8</sup>
- The Baha Mousa Public Inquiry, which reported in September 2011, cost £13m.<sup>9</sup>
- The cost of the Iraq Inquiry, which is published on the Inquiry's website.
- The Iraq Historic Allegations Team (IHAT), which was established in 2010, has a budget of £57.2m up to the end of 2019.<sup>10</sup>

**11.** The US Congress appropriated US\$686bn for operations in Iraq between the US fiscal years 2002<sup>11</sup> and 2009.<sup>12</sup> That comprised:

- US\$646bn (94 percent) for the US Department of Defense;
- US\$36bn (five percent) for the US Department of State and the US Agency for International Development (USAID); and
- US\$4bn (one percent) for the Department of Veterans Administration (DVA).

**12.** US Department of Defense figures included costs associated with the Commanders Emergency Response Program (CERPs) and the Iraq Security Forces Fund (ISFF). US Department of State and USAID figures included the cost of reconstruction, foreign aid programmes, and embassy operation and construction. DVA costs included medical programmes for Operation Iraqi Freedom veterans.

## How the UK's intervention in Iraq was funded

**13.** There were three main sources of UK funding for the UK's operations in Iraq:

- departments' baseline spending settlements;
- the Reserve (including the Special Reserve); and
- inter-departmental funds (the Global Conflict Prevention Pool, the Conflict Pool and the Stabilisation Aid Fund).<sup>13</sup>

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<sup>8</sup> Al-Sweady Public Inquiry website, *Inquiry Expenditure and Costs*. The costs of some Core Participants and witnesses were met directly by the MOD; those costs are not included in this figure.

<sup>9</sup> Baha Mousa Public Inquiry website, *Inquiry Expenditure*. The costs of some Core Participants were met directly by the MOD; those costs are not included in this figure.

<sup>10</sup> House of Commons Library, Briefing Paper Number 7478, 22 January 2016, *Iraq Historic Allegations Team*.

<sup>11</sup> The US fiscal year runs from 1 October to 30 September. US fiscal year 2002 began on 1 October 2001 and ended on 30 September 2002.

<sup>12</sup> Congressional Research Service Report, 29 March 2011, *The Cost of Iraq, Afghanistan, and Other Global War on Terror Operations since 9/11*.

<sup>13</sup> Statement Macpherson, 15 January 2010, pages 1-2.

**14.** A department's budget comprises Departmental Expenditure Limits (DEL) and Annually Managed Expenditure (AME).

**15.** In general, DEL covers running costs and all programmed expenditure. It is split into Resource DEL (RDEL) (operating costs) and Capital DEL (CDEL) (new investment). From 2002/03, when full Resource Accounting and Budgeting was introduced, RDEL included 'non-cash' costs. The introduction of Resource Accounting and Budgeting is considered later in this Section.

**16.** Non-cash costs are costs which are not reflected by cash transactions, for example depreciation and provisions for bad debts.<sup>14</sup> They are included in budgets to ensure that the budgets reflect the full economic cost of activities.

**17.** AME relates to expenditure that is demand-led (for example, for the MOD, the payment of War Pensions) and therefore cannot be controlled by departments and accommodated within a structured budget process.

**18.** In the period covered by the Inquiry, the Treasury allowed departments to carry forward unspent funds from one financial year to the next under the End-Year Flexibility (EYF) system. Unspent funds would otherwise have to be returned to the Treasury.

**19.** The EYF system was replaced in 2011/12 by the Budget Exchange system.<sup>15</sup>

### **The roles of the Treasury and the Chancellor, and the Ministerial Code**

The Chancellor of the Exchequer has overall responsibility for the work of the Treasury and is the Government's Finance Minister.<sup>16</sup>

The Treasury is the UK's economic and finance ministry, setting the direction of the UK's economic and fiscal policy. The finance ministry side of the department is responsible for overall fiscal policy, including control of public expenditure and strategic oversight of the UK tax system. The Treasury's economic ministry role includes responsibility for growth, infrastructure, productivity and oversight of the financial services sector. The Treasury is also responsible for the UK's overall macroeconomic strategy, including the setting of the monetary policy framework.

In his statement to the Inquiry, Sir Nicholas Macpherson, Permanent Secretary at the Treasury from 2005, stated that the Treasury had two principal roles in relation to Iraq:

- as an economics ministry, to help ensure the potential economic impacts of war in Iraq were taken into account in economic forecasting and policy-making, help plan the economic reconstruction of Iraq, and provide economic expertise to support the UK's post-conflict reconstruction efforts; and

<sup>14</sup> Email Treasury [junior official] to Iraq Inquiry [junior official], 17 April 2014, 'Further Queries Relating to Resources'.

<sup>15</sup> Treasury, *2011 Budget*, 23 March 2011.

<sup>16</sup> The Inquiry has drawn on a number of official sources to develop a statement of the responsibilities of the Chancellor of the Exchequer.

- as a finance ministry, to ensure an appropriate level of funding was provided to achieve the UK's objectives in Iraq and that it was used cost-effectively.<sup>17</sup>

This Section describes the Treasury's involvement on Iraq in relation to both those roles. The Treasury's involvement in planning for and supporting Iraq's post-conflict economic reconstruction is described in Sections 6.4, 6.5 and 10.

The version of the *Ministerial Code* that was current in 2003 stated that the cost of a proposal should be calculated and discussed with the Treasury before that proposal was submitted for discussion at Cabinet level:

"It is the responsibility of the initiating department to ensure that proposals have been discussed with other departments and the results of these discussions reflected in the memorandum submitted to Cabinet or a Ministerial Committee. Proposals involving expenditure or affecting general financial policy should be discussed with the Treasury before being submitted to the Cabinet or a Ministerial Committee. The result of the discussion together with an estimate of the cost to the Exchequer (or estimates, including the Treasury's estimate, if the department and the Treasury disagree) should be included, along with an indication of how the cost would be met (e.g. by offsetting savings). The estimate of the cost should identify any impact on other departments."<sup>18</sup>

**20.** Sir Nicholas Macpherson told the Inquiry that departmental settlements were the main source of funding for FCO activity in Iraq, including the UK's diplomatic presence in Baghdad and Basra, and for DFID's contribution to the humanitarian and reconstruction effort.<sup>19</sup> Before the invasion, the Treasury worked with departments to produce estimates of the potential cost of intervention and to ensure that, where appropriate, sufficient funding had been set aside within their existing budgets.

**21.** If departments were unable to fund activities from their departmental settlements, they could bid to the Treasury for additional funding from the Reserve.

**22.** The table below shows the departmental settlements for the MOD, the FCO and DFID from 2002/03 to 2009/10 (under the 2002, 2004 and 2007 Comprehensive Spending Reviews).<sup>20</sup>

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<sup>17</sup> Statement, 15 January 2010, page 1.

<sup>18</sup> Cabinet Office, *Ministerial Code*, 2001.

<sup>19</sup> Statement, 15 January 2010, page 1.

<sup>20</sup> Email Treasury [junior official] to Iraq Inquiry [junior official], 17 April 2014, 'Further Queries Relating to Resources'. Figures are near cash settlements, in real terms (2008/09 prices). Figures may differ from Comprehensive Spending Review settlement letters due to budget exchange, inter-departmental transfers and other factors.

Table 1: Departmental settlements, 2002/03 to 2009/10 (£bn)

	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10
<b>MOD</b>	28.0	29.0	29.2	29.9	30.2	30.2	30.8	31.1
<b>FCO</b>	1.5	1.5	1.6	1.7	1.7	1.6	1.6	1.6
<b>DFID</b>	3.9	4.0	4.0	4.9	5.3	5.5	5.7	6.6

**23.** The Reserve is a fund held by the Treasury intended for genuinely unforeseen contingencies which departments cannot manage from their own resources.<sup>21</sup>

**24.** Sir Nicholas Macpherson told the Inquiry that the MOD was funded through its departmental settlement to be ready for war, but not to go to war.<sup>22</sup> The costs of going to war – the net additional costs of military operations, or NACMO – were reclaimed by the MOD from the Reserve.

**25.** Sir Nicholas also told the Inquiry that the main call on the Reserve in relation to Iraq had been from the MOD, to pay for NACMO.<sup>23</sup> The Treasury had also accepted “small claims” against the Reserve from DFID and the FCO in relation to expenditure on Iraq that could not be met from their own resources or interdepartmental budgets.

**26.** NACMO included expenditure on Urgent Operational Requirements (UORs). UORs are urgent requirements for military equipment that arise due to the particular demands of a specific operational threat and may need to be delivered within a shorter period of time than is normal for defence procurement.<sup>24</sup>

**27.** The table below shows the size of the Reserve from 2002/03 to 2008/09, the percentage spent on the UK’s intervention in Iraq, and the size of the Special Reserve.<sup>25</sup> The creation of the Special Reserve in November 2002 is described later in this Section.

Table 2: Size of the Reserve, 2002/03 to 2008/09 (£m)

	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09
<b>Total Reserve</b>	2,600	4,100	3,300	3,600	3,000	3,600	4,200
<b>Of which spent on Iraq</b>	847	1,456	910	958	962.5	1,458	1,381
<b>% of Reserve spent on Iraq</b>	33	35.5	28	27	32	41	33
<b>Special Reserve (included in Total Reserve)</b>	1,000	2,500	1,200	1,000	1,100	800	–

<sup>21</sup> Statement Macpherson, 15 January 2010, page 2.

<sup>22</sup> Public hearing, 22 January 2010, page 2.

<sup>23</sup> Statement, 15 January 2010, page 2.

<sup>24</sup> Minute Treasury [junior official] to Chief Secretary, 9 January 2007, ‘Increase in the Urgent Operational Requirements Envelope’.

<sup>25</sup> Statement Macpherson, 15 January 2010, page 5.

**28.** The Global Conflict Prevention Pool (GCPP) and the Africa Conflict Prevention Pool (ACPP) were established in the 2001 Spending Review to fund peacekeeping and peace enforcement operations and conflict prevention programmes.<sup>26</sup>

**29.** The two Pools were financed by transfers of existing budgets (and activities) from the MOD, the FCO and DFID and the provision of additional funds by the Treasury.<sup>27</sup> The three departments took decisions collectively on allocations from the Pools.

**30.** The GCPP and ACPP budgets had two elements: programme spending and peacekeeping costs.<sup>28</sup> The peacekeeping budget was used to pay UK contributions to peace support operations mandated by multi-national or inter-governmental organisations. It also covered the costs of deploying UK personnel in both UN and non-UN peace support operations and the UK contribution to international criminal courts. The budget covered both assessed and non-assessed (or voluntary) contributions.

**31.** Sir Nicholas Macpherson told the Inquiry that the Government had intended that the Pools should promote a more co-ordinated approach across departments.<sup>29</sup>

**32.** The budget for the GCPP for 2003/04 was £483m, of which £378m was allocated to fund the UK's contributions to peacekeeping and peace enforcement operations and £105m was allocated for conflict prevention programmes.<sup>30</sup>

**33.** The ACPP and the GCPP were merged in April 2008 to form the Conflict Prevention Pool. A separate funding mechanism, the Stabilisation Aid Fund (SAF), was established in the same year to support stabilisation activity in Iraq and Afghanistan. The SAF was merged into the Conflict Prevention Pool in 2009.

**34.** The UK military also had access to significant amounts of US funding from CERPs, to spend on urgent relief and reconstruction needs.

**35.** The US Congress appropriated US\$3.6bn for CERPs between 2004 and 30 June 2009, to be used by military commanders to address urgent relief and reconstruction needs in their areas of responsibility.<sup>31</sup> Of that, almost US\$3.2bn was spent.

**36.** The US Special Inspector General for Iraq Reconstruction (SIGIR) reported in July 2009 that, by April 2009, the US had spent or allocated to ongoing projects

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<sup>26</sup> Department for International Development, *Evaluation of the Conflict Prevention Pools: Portfolio Review*, March 2004.

<sup>27</sup> Statement Macpherson, 15 January 2010, page 2.

<sup>28</sup> Department for International Development, *Evaluation of the Conflict Prevention Pools: Portfolio Review*, March 2004.

<sup>29</sup> Public hearing, 22 January 2010, pages 46-47.

<sup>30</sup> Department for International Development, *Evaluation of the Conflict Prevention Pools: Portfolio Review*, March 2004.

<sup>31</sup> Special Inspector General for Iraq Reconstruction, *Quarterly Report and Semiannual Report to the US Congress*, 30 July 2009.

US\$351m from CERPs in the four Iraqi provinces comprising Multi-National Division (South-East) (MND(SE)).<sup>32</sup>

**37.** In comparison, between the UK financial years 2003/04 and 2008/09, DFID spent at least £100m in MND(SE)<sup>33</sup> and UK forces spent £38m from UK funds on Quick Impact Projects (QIPs).<sup>34</sup>

**38.** The UK Government has not been able to provide the Inquiry with information on the total amount of CERPs funding available to and used by UK military commanders, but has provided documents that show available CERPs funding in some financial years.<sup>35</sup>

**39.** MOD briefing provided for an October 2005 Parliamentary Question advised that US\$74m of CERPs funding had been “received and expended” by MND(SE) in the financial years 2004/05 and 2005/06.<sup>36</sup>

**40.** MOD briefing for an October 2006 Parliamentary Question advised that US\$66.2m of CERPs funding had been allocated to MND(SE) in the US fiscal year 2005/06.<sup>37</sup>

**41.** In comparison, in the UK financial year 2005/06, DFID spent some £35m on infrastructure and job creation in MND(SE)<sup>38</sup> and UK forces spent £3m from UK funds on QIPs.<sup>39</sup>

## Estimates and arrangements for funding military operations

**42.** Mr Geoff Hoon, the Defence Secretary, wrote to Mr Blair on 31 May 2002 setting out the “preliminary conclusions” from the MOD’s contingency planning for Iraq.<sup>40</sup> A copy of his minute was sent to Mr Gordon Brown, the Chancellor of the Exchequer.

**43.** Mr Hoon described three options for UK military deployment:

- With three months’ notice, the UK could deploy a medium-scale force comprising air and naval assets and a land force of 15,000 personnel. The cost of preparing

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<sup>32</sup> Special Inspector General for Iraq Reconstruction, *Quarterly Report and Semiannual Report to the US Congress*, 30 July 2009.

<sup>33</sup> Paper DFID, January 2010, ‘DFID Non-Humanitarian Spend by Region’. Calculation excludes DFID funding for humanitarian assistance, the World Bank and UN Trust Funds, and programme support costs such as security, accommodation and communications. It is not possible to produce a reliable estimate of the proportion of the funding provided for those purposes that related to the South.

<sup>34</sup> Statement Macpherson, 15 January 2010, page 7.

<sup>35</sup> Email MOD [junior official] to Iraq Inquiry [junior official], 9 June 2014, ‘Iraq Inquiry – Queries Relating to Resources’.

<sup>36</sup> Note, October 2005, ‘PQ1282S: Background Note’.

<sup>37</sup> Note, October 2006, ‘PQ06267S: CERP Funds FY06 (1 Oct 05 – 30 Sep 06)’.

<sup>38</sup> Paper DFID, January 2010, ‘DFID Non-Humanitarian Spend by Region’.

<sup>39</sup> Statement Macpherson, 15 January 2010, page 7.

<sup>40</sup> [Minute Hoon to Blair, 31 May 2002, ‘Iraq’](#), attaching Paper MOD, [undated], ‘Annex B: Iraq Contingency Planning Interim Conclusions’.

that force to the required standard of readiness, including essential work to meet equipment shortfalls, would be between £500m and £800m.

- With six months' notice, the UK could deploy a large-scale force comprising air and naval assets and a land force of 35,000 personnel. The cost of preparing that force would be between £800m and £1.1bn.
- With nine months' notice, the UK could deploy the large-scale force at less risk. The cost of preparing that force would be between £900m and £1.2bn.

**44.** The costs of deployment and campaigning were additional to the cost of preparing those forces.

**45.** Mr William Nye, Head of the Treasury Defence, Diplomacy and Intelligence Team, provided Mr Brown with "some wider context" on 7 June.<sup>41</sup> Mr Nye advised that there would be four elements in the cost of military operations against Iraq:

- preparing for the operation;
- deployment;
- the campaign; and
- any follow-up operation, "e.g. a sustained peacekeeping deployment if part of Iraq was occupied".

**46.** Mr Nye advised that Mr Hoon's minute covered only the first of those elements. The MOD estimated the cost of deploying a large-scale force at £100m, plus a similar amount for bringing it back. Estimating the cost of a campaign was "impossible" in the absence of any concept of operations, but would be "several £100 millions". The MOD had "understandably" given no thought to costs "after the war", but:

"... there must at least be the possibility of some medium-term deployment for peacekeeping or occupation. If on the scale of the Balkans, it would cost several £100 millions a year."

**47.** Mr Nye advised that, while a smaller military contribution would reduce costs, the MOD was "strongly in favour of the more expensive large-scale land contribution ... Ostensibly this is for reasons of strategic influence." Another way to reduce costs would be to provide a more specialised contribution; for example, a land component, or an air component, but not both. The MOD argued that it was premature to close off any option until the US had a clear concept of operations.

**48.** Mr Nye stated that he assumed Mr Brown would not want to comment on Mr Hoon's minute on paper, but that he might want to factor those points into his discussions with Mr Blair.

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<sup>41</sup> [Minute Nye to Chancellor, 7 June 2002, 'Iraq: Potential Costs'](#).

**49.** Mr Brown told the Inquiry:

“I think Mr Hoon wrote [to] me in June – I think the Treasury did a paper in June about these very issues. I was then advised ... to talk to Mr Blair. I told him [Mr Blair] that I would not ... try to rule out any military option on the grounds of cost. Quite the opposite ... we understood that some options were more expensive than others, but we should accept the option that was right for our country.”<sup>42</sup>

**50.** Sir David Manning, Mr Blair’s Foreign Policy Adviser, replied to Mr Hoon’s minute of 31 May on 25 June, stating:

“The Prime Minister has asked for further advice on precisely what steps would have to be taken now, including financial commitments, in order to keep open the possibility of deploying a large-scale force by the end of this year ...”<sup>43</sup>

**51.** Mr Peter Watkins, Mr Hoon’s Private Secretary, replied to Sir David on 26 June, providing an update on the MOD’s understanding of US plans.<sup>44</sup> Mr Watkins stated that Mr Hoon believed that, before committing UK forces, Ministers would want to be clear on four issues including “whether the prospective outcome looks worth the risk, costs and losses”. A key issue, which would determine the need to commit resources, would be whether the UK could “secure adequate influence for a large-scale contribution”.

**52.** On 5 July, prompted by updates on US planning circulated by the MOD, Mr Nye advised Mr Mark Bowman, Mr Brown’s Private Secretary, that Mr Brown should write to the MOD to propose that all options for UK participation in military operations (including smaller and more specialised options) should be costed, so that the Government could assess how much it wished to devote – in terms of risk to UK troops, the opportunity cost of withdrawing from other operations, and the financial cost – to securing a degree of influence over US policy and operations.<sup>45</sup> Mr Nye concluded:

“No.10, MOD, and FCO officials are likely to take as read that the UK should participate if the US decides to go ahead, and on a large scale. Actually, we have some choices ...”

**53.** The Treasury informed the Inquiry that Mr Brown decided not to write to the MOD.<sup>46</sup>

**54.** Mr Blair discussed Iraq with Mr Jack Straw (the Foreign Secretary), Mr Hoon, Lord Goldsmith (the Attorney General), Mr Alastair Campbell (Mr Blair’s Director of Communications and Strategy), Admiral Sir Michael Boyce (Chief of the Defence Staff) and other senior military officers and officials on 23 July.<sup>47</sup> Mr Brown was not present.

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<sup>42</sup> Public hearing, 5 March 2010, page 14.

<sup>43</sup> [Letter Manning to Watkins, 25 June 2002, ‘Iraq’.](#)

<sup>44</sup> [Letter Watkins to Manning, 26 June 2002, ‘Iraq’.](#)

<sup>45</sup> [Minute Nye to Bowman, 5 July 2002, ‘Iraq’.](#)

<sup>46</sup> Email Treasury [junior official] to Iraq Inquiry [junior official], 26 February 2010, [untitled].

<sup>47</sup> [Minute Rycroft to Manning, 23 July 2002, ‘Iraq: Prime Minister’s Meeting, 23 July’.](#)

**55.** In a paper prepared for the meeting, the Cabinet Office invited Ministers to “note the potentially long lead times involved in equipping UK Armed Forces to undertake operations in the Iraqi theatre and agree that MOD should bring forward proposals for the procurement of Urgent Operational Requirements”.<sup>48</sup>

**56.** The record of the meeting produced by Mr Matthew Rycroft, Mr Blair’s Private Secretary for Foreign Affairs, included the conclusions that:

- We should work on the assumption that the UK would take part in any military action. But we needed a fuller picture of US planning before we could take any firm decisions ...
- The Prime Minister would revert on the question of whether funds could be spent in preparation for this operation.”<sup>49</sup>

**57.** Mr Rycroft’s record of the meeting was sent to the participants only.

**58.** Mr Campbell described the meeting in his diaries.<sup>50</sup> He recalled that Mr Blair had said that “he did not want any discussions with any other departments at this stage ... He meant the Treasury.”

**59.** Mr Rycroft told the Inquiry that Mr Blair followed up the question of funding for preparing for an operation through “separate contacts” with Mr Brown.<sup>51</sup> Mr Rycroft agreed with the Inquiry that, due to the nature of the relationship between Mr Blair and Mr Brown, matters involving Mr Brown were usually handled personally by Mr Blair, rather than through a letter or note to the Treasury. Mr Rycroft told the Inquiry that the use of that personal channel did not imply that Mr Brown was not aligned with UK policy.

**60.** The MOD provided No.10 with advice on options for a UK contribution to US-led military operations in Iraq on 26 July (see Section 6.1).<sup>52</sup>

**61.** The advice defined three options:

- Package 1 – an “in-place support package” using forces already in the region;
- Package 2 – an “enhanced support package” comprising Package 1 with additional air and maritime forces; and
- Package 3 – a “discrete UK package” based on deployment of an armoured division, in addition to the forces in Package 2.

**62.** Those three options provided the broad framework for discussions within the UK Government until the end of 2002.

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<sup>48</sup> Paper Cabinet Office, 19 July 2002, ‘Iraq: Conditions for Military Action’.

<sup>49</sup> [Minute Rycroft to Manning, 23 July 2002, ‘Iraq: Prime Minister’s Meeting, 23 July’.](#)

<sup>50</sup> Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq.* Hutchinson, 2012.

<sup>51</sup> Private hearing, 10 September 2010, pages 31-32.

<sup>52</sup> [Letter Watkins to Rycroft, 26 July 2002, ‘Iraq’.](#)

**63.** An MOD official advised Mr Watkins on 30 July that in order to respond to a Ministerial decision on operations in Iraq, the MOD would need to submit a “strategic estimate” of additional costs to the Treasury “as soon as practicably possible”.<sup>53</sup>

**64.** Mr Watkins forwarded that advice to Mr Hoon with the comment:

“In principle, it would be sensible to do more staff work to refine costs ... but, pending the PM/Chancellor discussion, it cannot involve financial commitments.”<sup>54</sup>

**65.** Mr Watkins replied to the MOD official the following day, confirming that Mr Hoon had seen the advice and reporting:

“The question of whether funds could be expended in preparation for an operation in Iraq is being considered separately elsewhere. In the meantime, no costs should be incurred ... No estimates should be submitted to Treasury officials. I will minute further once the funding position is clearer.”<sup>55</sup>

**66.** The MOD told the Inquiry that neither Mr Watkins nor any other official wrote to provide further advice on the funding position.<sup>56</sup>

**67.** On 4 September, in advance of a planned meeting between Mr Hoon and Mr Brown, Mr Nye briefed Mr Brown that the MOD officials had done little work to refine their cost estimates for preparing a medium and large-scale force, as they were under no pressure from Ministers to do so.<sup>57</sup> Neither had the MOD done any work to assess the cost of campaign itself. Mr Nye said that it would be useful for Mr Brown to emphasise that the Treasury needed to be involved in some of the discussions on military planning, to enable it “to be kept informed of the context of financial and strategic decisions”.

**68.** The Treasury informed the Inquiry that the meeting between Mr Brown and Mr Hoon was one-to-one and no record was taken.<sup>58</sup>

**69.** Mr Watkins recorded the following day that Mr Hoon had, again, explained to Mr Brown the three options being considered by the UK and alerted him to the likely broad order costs of Package 2.<sup>59</sup>

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<sup>53</sup> [Minute MOD \[junior official\] to PS/Secretary of State \[MOD\], 30 July 2002, ‘Iraq – Enhancements Required for Potential UK Contribution’.](#)

<sup>54</sup> Manuscript comment Watkins to Hoon, 30 July 2002, on [Minute MOD \[junior official\] to PS/Secretary of State \[MOD\], 30 July 2002, ‘Iraq – Enhancements Required for Potential UK Contribution’.](#)

<sup>55</sup> Minute Watkins to MOD [junior official], 31 July 2002, ‘Iraq – Enhancements Required for Possible UK Contribution’.

<sup>56</sup> Email MOD [junior official] to Iraq Inquiry [junior official], 25 September 2013, ‘Iraq Inquiry: Queries Relating to Resourcing – MOD response’.

<sup>57</sup> Minute Nye to Bowman, 4 September 2002, ‘Meeting with Geoff Hoon: Iraq’.

<sup>58</sup> Email Treasury [junior official] to Iraq Inquiry [junior official], 26 February 2010, [untitled].

<sup>59</sup> Minute Watkins to DG Op Pol, 5 September 2002, ‘Iraq’.

**70.** A further minute from Mr Watkins stated that, at their 5 September meeting, Mr Hoon and Mr Brown had agreed to “meet periodically ... so that Mr Hoon could keep Mr Brown in touch with our emerging thinking on the options for UK involvement in any military action and the implications for UORs”.<sup>60</sup>

**71.** On 6 September, a Treasury official sent Mr Brown a paper on the global, regional and local (Iraqi) economic impact of war in Iraq.<sup>61</sup> The paper advised that, globally, a conflict could lead to a rise in the oil price of US\$10 a barrel and a consequent reduction in global growth by 0.5 percentage points and a rise in inflation of between 0.4 and 0.8 percentage points. The paper did not consider the impact of a war on the UK economy.

**72.** The paper also considered Iraq’s post-war needs. That analysis is described later in this Section.

**73.** The Inquiry has seen no indication that Mr Brown responded to the paper.

**74.** On 16 September, a Treasury official produced an analysis for Mr Ed Balls (Special Adviser to Mr Brown), at Mr Balls’ request, on the implications of military action in Iraq for UK public spending.<sup>62</sup> The official suggested that a “central estimate” of the cost of “military action” might be £2.5bn, although that could rise considerably if the campaign was protracted or a large-scale occupation was required. The official also suggested that the cost of reconstruction was likely to be in the order of US\$9bn, in addition to International Monetary Fund (IMF) and peacekeeping costs.

**75.** The official continued:

“... **the wider economic impact of conflict could be very significant** ... [R] educed economic growth would hit ... revenues ... and would feed through to higher AME forecasts.

“... this year’s Reserve is already heavily overcommitted. There is a very real risk that we will breach the DEL limit ...

“In summary ... military action is very likely to constrain our TME [Total Managed Expenditure] and fiscal flexibility over this and possibly the next financial year.”

**76.** The analysis was also sent to the Private Offices of Mr Brown and Mr Paul Boateng, the Chief Secretary to the Treasury.

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<sup>60</sup> Minute Watkins to DG RP, 18 September 2002, ‘Iraq: Meeting with the Chancellor: 23 September’.

<sup>61</sup> [Email Treasury \[junior official\] to Bowman, 6 September 2002, ‘What Would be the Economic Impact of a War in Iraq?’](#) attaching Paper Treasury, September 2002, ‘What Would be the Economic Impact of War in Iraq?’.

<sup>62</sup> Minute Treasury [junior official] to Balls, 16 September 2002, [untitled].

**77.** Sir Nicholas Macpherson told the Inquiry:

“I don’t think at a macro level this intervention [Iraq] has had a significant effect on spending elsewhere ... I think the peak year of spending was 2003/04, which was about £1.6bn. When you [the Government] are spending £500bn, £1.6bn is significant and it bears a lot of attention and focus, but it is not going to divert fiscal policy in a massive sense.”<sup>63</sup>

**78.** Mr Brown told the Inquiry:

“I think we managed to meet the requirements of Iraq and Afghanistan without having to cut other services ...

“... it did make my life more difficult, because we had to find £17bn over a period of time, but we thought and believed that these [costs] were manageable, given the priority that we attached to doing the things that we did.”<sup>64</sup>

**79.** The £17bn referred to by Mr Brown represented the NACMO in Iraq and Afghanistan.

**80.** Mr Boateng told the Inquiry that the Treasury’s analyses of the impact of war on the UK’s public finances were not conducted with the intention of “second-guessing” Ministers, but to enable the Treasury to contribute to planning and policy discussions.<sup>65</sup>

**81.** The Treasury provided a more detailed analysis on the potential impact of intervention in Iraq on UK public finances for Mr Brown on 22 October.

## **Agreement on arrangements for funding Urgent Operational Requirements**

**82.** Section 6.3 describes the increasing concern within the MOD over possible delays in procuring and delivering UORs for operations against Iraq arising from the decision in July not to engage the Treasury in military contingency planning.

**83.** On 19 September, in the context of discussions within the MOD on how to secure funding for a number of critical UORs relating to potential UK Special Forces operations in Iraq, the Private Office of Sir Kevin Tebbit, MOD Permanent Under Secretary, advised that Sir Kevin believed that Mr Hoon should discuss the issue of funding for UORs with Mr Brown “as soon as possible”, which would be at their meeting scheduled for 23 September.<sup>66</sup>

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<sup>63</sup> Public hearing, 22 January 2010, page 9.

<sup>64</sup> Public hearing, 5 March 2010, pages 103–105.

<sup>65</sup> Public hearing, 14 July 2010, page 22.

<sup>66</sup> Minute APS/PUS [MOD] to Sec(HSF)2, 19 September 2002, ‘Op ROW: SF Urgent Operational Requirements (UORs)’.

**84.** Mr Watkins wrote to Sir David Manning on 20 September, advising that two issues needed to be addressed quickly:

- what potential UK force contribution should be presented to the forthcoming US Central Command (CENTCOM) planning conference the following week; and
- whether to replace army units already allocated to Operation FRESCO<sup>67</sup> so that they would be available if a land force contribution was approved.<sup>68</sup>

**85.** Mr Watkins advised that Mr Hoon believed that Package 2 (the air and maritime package, plus Special Forces) should be presented to the conference as a potential UK contribution.

**86.** Providing a land contribution in addition to Package 2 was “more complicated”. The option required further development.

**87.** Mr Watkins wrote that Mr Hoon felt it would be “premature” to offer a land contribution on the same basis as Package 2:

“... we should indicate to CENTCOM that we are still considering this option and that they should model two plans in parallel, one including the UK land force contribution and one without it.”

**88.** Mr Blair discussed the contribution that might be offered to the US with Mr Hoon on 23 September (see Section 6.1). Mr Blair agreed with Mr Hoon that Package 2 could be offered as a potential UK contribution but there was a misunderstanding over whether the US should be informed that the UK was still considering a land option (Package 3).

**89.** Following the meeting, Mr Watkins informed officials in the MOD that:

“The Prime Minister is content for us to proceed broadly as set out in my letter of 20 September. The Prime Minister remains very cautious about the viability of Package 3, not least because of its implications for our ability to meet other contingencies and the significant cost premium entailed.”<sup>69</sup>

**90.** In his diaries, Mr Campbell described a meeting between Mr Brown and Mr Blair on 23 September.<sup>70</sup> Mr Campbell wrote that Mr Blair had reported that Mr Brown “was basically just saying we could not afford a military conflict and making clear he had to be consulted on every piece of spending”. Mr Campbell also described the very difficult relationship between Mr Blair and Mr Brown at this time.

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<sup>67</sup> Op FRESCO was the provision of emergency cover by the Armed Forces in the event of industrial action by civilian firefighters.

<sup>68</sup> [Letter Watkins to Manning, 20 September 2002, 'Iraq: Potential UK Contribution to any Military Action'](#).

<sup>69</sup> [Minute Watkins to DG Op Pol, 23 September 2002, 'Iraq: Meeting with the Prime Minister: 23 September'](#).

<sup>70</sup> Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

**91.** There is no official note of the meeting and none of the witnesses referred to it in their evidence to the Inquiry.

**92.** Mr Brown and Mr Hoon met separately on 23 September to agree the process for funding UORs for Iraq.<sup>71</sup>

**93.** Before the meeting, Mr Hoon was advised by Mr Guy Lester, MOD Director Defence Resources and Plans, that it would make sense to use the arrangements in place for Afghanistan: Ministers would agree a “ceiling” on UOR expenditure, within which Treasury officials could authorise expenditure on individual requests without seeking approval from Treasury Ministers.<sup>72</sup> The MOD expected the first and most urgent tranche of UORs to cost £150m.

**94.** Mr Watkins commented on that advice:

“We are told that Treasury officials are happy [to use the Afghanistan model], but Mr Brown may want to clear them [UOR requests] individually himself. This would create a major bureaucratic bottleneck.”<sup>73</sup>

**95.** Mr Watkins’ record of the 23 September meeting stated that Mr Brown’s “initial line” was that he should approve each UOR individually, but “Mr Hoon persuaded him that this would not be practical or sensible”.<sup>74</sup>

**96.** Mr Hoon wrote to Mr Brown on 25 September, to confirm their agreement that the MOD would adopt a similar approach to managing Iraq UORs to that already in place for Afghanistan UORs, with an initial ceiling of £150m.<sup>75</sup> MOD and Treasury officials were tasked to work out the detailed arrangements.

**97.** In response to a request from Mr Brown on “how to handle future requests for Iraq UOR funding”, a Treasury official wrote to Mr Bowman on 8 October 2002, describing how a UOR arrangement might operate and how the Treasury might “reduce the UOR bill” by arguing that UORs were in fact generic enhancements of military capability, and by ensuring that the MOD had not already planned to procure items presented as UORs.<sup>76</sup>

**98.** The Inquiry has seen no evidence that Mr Brown had asked for advice on the specific question of how to reduce the UOR bill.

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<sup>71</sup> Letter Hoon to Brown, 25 September 2002, ‘Iraq: Urgent Operational Requirements’.

<sup>72</sup> Minute Lester to PS/Secretary of State [MOD], 20 September 2002, ‘Iraq: Meeting with the Chancellor: 23 September 2002’.

<sup>73</sup> Manuscript comment Watkins to SoS [MOD], 20 September 2002, on Minute Lester to PS/Secretary of State [MOD], 20 September 2002, ‘Iraq: Meeting with the Chancellor: 23 September 2002’.

<sup>74</sup> [Minute Watkins to D Def RP, 23 September 2003, ‘Iraq: Meeting with the Chancellor: 23 September’](#).

<sup>75</sup> Letter Hoon to Brown, 25 September 2002, ‘Iraq: Urgent Operational Requirements’.

<sup>76</sup> Minute Treasury [junior official] to Bowman, 8 October 2002, ‘Iraq – Urgent Operational Requirements – Next Steps’.

**99.** Mr Brown told the Inquiry that all the MOD's claims for UORs had been met.<sup>77</sup> He also explained that the "ceiling" was not a limit on UOR expenditure, but an estimate of likely expenditure:

"At all times we said, 'Here is the money ... Once you have spent that, then we are prepared – and always were ready to and actually did – deliver more.'"

**100.** Mr Tom McKane, MOD Director General Resources and Plans from September 2002 to January 2006, who was responsible for establishing the arrangements for securing funding for UORs in the period leading up to the invasion, told the Inquiry that he was satisfied with the Treasury's response to the MOD's requests for UORs:

"Inevitably ... there is an anxiety and a concern on the part of the Ministry of Defence to get on with things ... and it did take a month or so after my first engagement in this for the agreements [on UORs] to be reached ... But thereafter, the process operated smoothly.

"There were some, I think, who were probably frustrated at the fact ... that we were given tranches of money ... we would get quite quickly to the point where we had exhausted the first tranche and were then involved in the preparation of ministerial correspondence to secure the release of the next tranche ...

"... but I don't remember it [the use of tranches] being a major obstacle to the preparations."<sup>78</sup>

**101.** The provision of military equipment, including UORs, is described in Sections 6.3 and 14.

**102.** Mr Nye advised Mr Brown on 11 October that Mr Hoon was expected to write to Mr Blair shortly, setting out the military forces required for a campaign.<sup>79</sup> The Treasury had now established good communications with the MOD, and MOD officials had assured the Treasury that Mr Blair would be presented with "cost information".

**103.** While there were still huge uncertainties involved in forecasting costs, the MOD had provided the Treasury with "some indicative breakdowns" which the Treasury was scrutinising. The MOD estimated that Package 2 (predominantly air and maritime forces) was likely to cost up to £1bn, and Package 3 (Package 2 plus ground forces) between £1.5bn and £2bn.

**104.** Mr Nye invited Mr Brown to "consider whether the extra political impact for the UK of Package 3 merits the additional £0.5bn to £1bn cost (and of course the additional risk to British troops)".

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<sup>77</sup> Public hearing, 5 March 2010, page 94.

<sup>78</sup> Public hearing, 2 July 2010, pages 35-36.

<sup>79</sup> [Minute Nye to Chancellor, 11 October 2002, 'Iraq: Decisions Nearing'](#).

**105.** Mr Nye also identified the need to consider long-term, post-conflict military costs. The US appeared to envisage a “quite lengthy occupation/reconstruction effort”. Mr Nye commented:

“Although some in the MOD hope that British participation in the original conflict would exempt us from having to play a large role in the subsequent peacekeeping ... this is not realistic ... the UK may well face a situation like Kosovo, having to be involved in policing an occupied country post conflict: possibly £0.5 billion a year ... for several years.”

**106.** Mr Nye concluded: “If you want to influence the Prime Minister [Mr Blair] in considering the scale of the UK commitment, you should talk to him next week.”

**107.** Mr Hoon wrote to Mr Blair on 15 October, seeking a decision that week on whether the US should be offered Package 3 on the same basis as Package 2, as a possible UK contribution to a conflict.<sup>80</sup> Mr Hoon stated that Package 2 was likely to cost up to £1bn and Package 3 between £1.5bn and £2bn.

**108.** An MOD paper attached to Mr Hoon’s minute stated that the larger the UK’s contribution to military action in the war-fighting phase, the “more plausibly we will be able to argue that we have done our bit”. It also stated that the MOD could not yet estimate the cost of all the components of a campaign: the cost estimates provided in the paper were therefore “ball-park figures”.

**109.** Copies of the letter and attached paper were sent to Mr Brown, Mr Straw and Sir Andrew Turnbull, the Cabinet Secretary.

**110.** The following day, Sir David Manning sent Mr Blair his comments on Mr Hoon’s minute.<sup>81</sup> Sir David described some of the arguments in the minute as “pretty dubious”, including:

“... if we help with the war fighting, we shall be spared the post-conflict washing up. It didn’t work like that in Afghanistan. Experience shows that once you’re in, you’re in deep, without queues of grateful countries waiting to take over when the shooting stops.”

**111.** Sir David suggested that Mr Blair might explore a number of questions with Mr Hoon, including: “Can we afford Package 3?”

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<sup>80</sup> [Minute Hoon to Prime Minister, 15 October 2002, ‘Iraq: UK Military Options’, attaching Paper MOD, 14 October 2002, ‘Iraq: UK Contingency Planning’.](#)

<sup>81</sup> [Minute Manning to Blair, 16 October 2002, ‘Iraq: UK Military Options’.](#)

**112.** Mr Blair, Mr Straw, Mr Hoon and Adm Boyce met on 17 October to discuss military options.<sup>82</sup> Mr Rycroft recorded that Mr Blair acknowledged the arguments in favour of Package 3, but:

“... remained concerned about costs. He concluded that he wanted to keep open the option of Package 3. But we must not commit to it at this stage.”

**113.** Mr Campbell wrote in his diaries that at that meeting, Mr Blair said “it was not no, but it was not yet yes, and he wanted more work done analysing the cost”.<sup>83</sup>

**114.** On 22 October Mr Jon Cunliffe, Treasury Managing Director for Macroeconomic Policy and International Finance, sent Mr Brown a paper on the risks to the Treasury’s objectives arising from a war in Iraq.<sup>84</sup> Mr Cunliffe identified nine main risks and assessed the likelihood and impact of each in four scenarios: no war; a short war; a protracted war; and a war involving weapons of mass destruction (WMD).

**115.** The nine main risks were:

- a substantial rise in public spending;
- lower growth, higher inflation and unemployment;
- negative productivity shock;
- public finances less sound;
- inflation deviates from target;
- loss of insurance capacity/risk of insurance failures;
- more IMF lending leading to higher UK gross debt;
- revival of popular pressure for lower fuel taxes; and
- developing countries knocked by oil prices, leading to lower growth.

**116.** On public spending, Mr Cunliffe assessed that indirect costs could more than double the direct costs. In the protracted war and WMD scenarios, the impact of a worsening economy on AME could match the military costs.

**117.** In his covering minute, Mr Cunliffe advised that the Treasury’s main concern related to its “ability to maintain sound public finances, especially in the more pessimistic cases”. There would be some risk to the “Golden Rule” in all three war scenarios; the risk would be much greater if a war involved WMD. Mr Cunliffe concluded by suggesting that Mr Brown might want to warn colleagues about the risk to public finances.

**118.** Section 6.1 describes the growing pressure from the MOD to offer Package 3 to the US for planning purposes.

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<sup>82</sup> [Letter Rycroft to Watkins, 17 October 2002, ‘Iraq: UK Military Options’.](#)

<sup>83</sup> Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq.* Hutchinson, 2012.

<sup>84</sup> Minute Cunliffe to Chancellor, 22 October 2002, ‘Iraqi War: Risks to Treasury Objectives’ attaching Paper Treasury, [undated], ‘Impact of a War on Treasury Business’.

**119.** On 31 October, Mr Blair, Mr Straw, Mr Hoon and Adm Boyce discussed the MOD's wish to offer Package 3 to the US for planning purposes.<sup>85</sup> Mr Blair asked about the additional costs associated with Package 3 and whether they had been discussed with the Treasury. Adm Boyce said that he believed that:

“... if we [the UK] made a major financial contribution to the campaign through Package 3, we would be under less pressure to finance a big share of the post-conflict reconstruction effort.”

**120.** The record of the meeting does not indicate whether Mr Blair's question about the costs of Package 3, and whether they had been discussed with the Treasury, was answered.

**121.** Mr Blair concluded that the MOD should tell the US that the UK was prepared to “put Package 3 on the same basis as Package 2 for planning purposes”.

**122.** A copy of the record of the meeting was sent to Mr Bowman.

**123.** Mr John Dodds, who had replaced Mr Nye as Head of the Treasury Defence, Diplomacy and Intelligence Team, advised Mr Brown on 8 November 2002 that the Treasury's “instinct” was that Package 3 would cost £2.5bn, rather than the £1.5bn to £2bn estimated by the MOD.<sup>86</sup> That did not include any “follow-on” cost, such as peacekeeping or reconstruction.

**124.** Mr Brown received advice from a Treasury official on 17 November on whether to create an allocation in the Pre-Budget Report (PBR) to cover the cost of military action in Iraq.<sup>87</sup> The main advantage would be to enable the Treasury to set out, in a transparent way, the exceptional additional costs of military action, above the underlying state of public finances.

**125.** The allocation would cover the cost of military action in Iraq and the further costs of military occupation and/or a contribution to a stabilisation force. The official added that if Mr Brown was attracted to the idea of making such an allocation, it might be expanded to cover some of the existing costs relating to the war against terror.

**126.** The official also advised that, based on informal discussions with MOD officials, the military costs relating to “occupation and/or a stabilisation force” could be up to £1bn in the first year and up to £500m a year thereafter. The official commented:

“From this it's clear that any future decision on a UK role in post-conflict Iraq should properly factor in the potential costs.”

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<sup>85</sup> [Letter Wechsberg to Watkins, 31 October 2002, 'Iraq: Military Options'](#).

<sup>86</sup> Minute Dodds to Brown, 8 November 2002, 'Iraq: Diplomatic and Military Update'.

<sup>87</sup> Minute Treasury [junior official] to Chancellor, 17 November 2002, 'A PBR Allocation for Iraq?'

**127.** Mr Brown telephoned Mr Hoon on 27 November, to inform him that he would be making an allocation of £1bn in his PBR for “Defence issues”.<sup>88</sup> Mr Brown reassured Mr Hoon that this was not an upper limit on expenditure, but rather a “purely nominal figure: it was neither an upper or lower limit”. The usual process for securing funding from the Reserve would stand.

**128.** Mr Brown announced to Parliament later that day that the Government had “set aside to meet our international defence responsibilities a provision of £1 billion to be drawn on if necessary”.<sup>89</sup>

**129.** Sir Nicholas Macpherson told the Inquiry that the decision to create a Special Reserve was driven by a Treasury assessment that the existing Reserve would not be sufficient to cover other Government contingencies while paying for the costs of Iraq.<sup>90</sup>

**130.** In late November, in the context of a submission to Mr Hoon on UORs, Mr McKane reported that the Treasury had asked the MOD for an estimate of the cost of post-conflict deployments.<sup>91</sup> Mr McKane advised Mr Hoon that, based on experience in the Balkans, the cost might be in the region of £1bn for the first year, and £400m for the following 18 months.

### Agreement on arrangements for reclaiming NACMO

**131.** Mr Hoon wrote to Mr Brown on 28 November to request an increase in the UOR ceiling from £150m to £300m and to secure agreement that the MOD should begin to capture all non-UOR additional costs (the net additional costs of military operations – NACMO), with a view to repayment from the Reserve in due course.<sup>92</sup>

**132.** Mr Brown replied on 9 December, agreeing to increase the ceiling for UORs to £300m and that the MOD should begin to capture NACMO, but adding that those costs should be contained within the UOR ceiling “until any [military] operation is initiated”.<sup>93</sup>

**133.** Mr Blair agreed on 9 December that the MOD should plan on the basis of a possible decision to commit land forces, as early as 15 February 2003.<sup>94</sup> A copy of the letter recording Mr Blair’s decision was sent to Mr Bowman.

**134.** Mr Hoon wrote to Mr Brown on 13 December, warning him that Mr Blair’s decision of 9 December would increase the rate at which the MOD incurred additional costs.<sup>95</sup> Mr Hoon requested an additional £200m for UORs, and also asked that Mr Brown

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<sup>88</sup> Letter Davies to Finance Director, 28 November 2002, ‘Pre-Budget Report’.

<sup>89</sup> House of Commons, *Official Report*, 27 November 2002, columns 318-46.

<sup>90</sup> Statement, 15 January 2010, pages 2-3.

<sup>91</sup> Minute McKane to APS/Secretary of State [MOD], 27 November 2002, ‘Iraq Costs’.

<sup>92</sup> Letter Hoon to Brown, 28 November 2002, ‘Iraq: Urgent Operational Requirements’.

<sup>93</sup> Letter Brown to Hoon, 9 December 2002, ‘Iraq: Urgent Operational Requirements’.

<sup>94</sup> [Letter Rycroft to Watkins, 9 December 2002, ‘Iraq: Military Planning’](#).

<sup>95</sup> Letter Hoon to Brown, 13 December 2002, ‘Iraq: Costs’.

reconsider his position that non-UOR NACMO should be contained within the UOR ceiling.

**135.** Mr Hoon attached a spreadsheet showing the MOD's actual and estimated costs (to April 2003) for "Iraq contingency planning", which totalled £1.65bn.

**136.** Copies of Mr Hoon's letter were sent to Mr Blair and Mr Straw.

**137.** A Treasury official advised Mr Brown on 17 December that he should agree both of Mr Hoon's requests.<sup>96</sup> On UOR costs, the official advised:

"Some of this [UOR] spending is arguably for equipment that would have been bought anyway later ... We should stress that in such cases we will claim back by either docking MOD's EYF, or reducing their Estimates accordingly next year."

**138.** On non-UOR NACMO, the official advised that if preparations were to move forward on the track agreed by Mr Hoon and Mr Blair, access to the Reserve was necessary. Preparing a force would cost about £650m and maintaining it at a state of readiness about £200m a month, whether the UK went to war or not. The official advised Mr Brown that the Treasury should put in place arrangements "that keep the costs clearly on the agenda", and that Mr Brown should ask Mr Hoon for monthly reports on current and planned activities. Those reports would provide the basis for "ongoing joint consideration of the costs of the strategy".

**139.** The official also advised that the £1.65bn figure represented the cost if the military operation was "cancelled end of March, clear up and go home in April". The costs of war-fighting, missiles and ammunition, and "post-conflict stabilisation" would be additional.

**140.** Mr Hoon telephoned Mr Boateng on 23 December to discuss access to the Reserve.<sup>97</sup> Mr Hoon's Private Secretary reported to MOD officials that Mr Boateng had said that any system needed to meet the MOD's needs, take account of "broader financial implications", and enable the Treasury to identify clearly that costs were genuinely additional.

**141.** Mr Boateng wrote to Mr Hoon later that day.<sup>98</sup> Mr Boateng agreed to increase the ceiling for UORs by £200m, to £500m. With regard to non-UOR NACMO, Mr Boateng stated that access to the Reserve was usually only granted once an operation had been "declared". In the current "preparatory phase", he offered to create a "distinct envelope for build-up costs", with four specific Heads of Expenditure (operation-specific training; air/sea charter; spares, maintenance and logistics; and other infrastructure elements), with an initial allocation of £500m. The Treasury would authorise and monitor expenditure within those Heads of Expenditure, rather than as a single block.

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<sup>96</sup> Minute Treasury [junior official] to Chancellor, 17 December 2002, [untitled].

<sup>97</sup> Minute Watkins to MOD DG RP, 23 December 2002, 'Iraq: Briefing the Chief Secretary to the Treasury'.

<sup>98</sup> Letter Boateng to Hoon, 23 December 2002, 'Iraq Costs'.

**142.** Mr Boateng asked that Mr Hoon provide fortnightly forecasts of UOR and non-UOR NACMO. The MOD would provide the first forecast on 16 January 2003.

**143.** Mr Boateng concluded: “Where further decisions are taken – for example over the call up of reserves or the deployment of significant numbers of troops to theatre – Gordon and I will of course stand ready to discuss funding issues.”

**144.** Mr Watkins described that arrangement to MOD officials as “generally acceptable”, and passed on Mr Hoon’s thanks for negotiating it.<sup>99</sup>

**145.** Mr Boateng’s Private Secretary wrote to Mr Watkins on 13 January, to “record the circumstances in which we have agreed that decisions should be cleared with Treasury Ministers”.<sup>100</sup> Expenditure outside the four specific Heads of Expenditure within the non-UOR NACMO envelope, and “any policy decisions that will lead to future costs”, would require Treasury approval.

**146.** Mr Watkins wrote against the proposal that the Treasury should be consulted on any policy decision with cost implications:

“This is a try-on which we will correct in the reply.”

**147.** Mr Boateng agreed an MOD request for “some flexibility” to transfer resources between the four Heads of Expenditure on 15 January.<sup>101</sup>

**148.** Mr Hoon’s Private Secretary replied to the Treasury’s letters of 23 December and 13 January on 16 January.<sup>102</sup> He stated that Mr Hoon “would, of course, continue to include the Chancellor in correspondence on major policy decisions which have expenditure implications”.

**149.** The letter also provided the MOD’s first detailed forecasts of expenditure on UOR and non-UOR NACMO, covering the period up to April 2003.

**150.** The MOD provided its first report on actual expenditure on UORs and non-UOR NACMO to the Treasury on 5 March.<sup>103</sup>

**151.** Section 6.5 describes discussions within the UK Government on whether the UK should take responsibility, in the post-conflict period, for a geographical sector in Iraq.

**152.** On 13 February, Mr McKane wrote to Mr Dodds setting out the MOD’s assessments of the costs of military operations and the aftermath.<sup>104</sup>

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<sup>99</sup> Minute Watkins to MOD DG RP, 23 December 2002, ‘Iraq: Briefing the Chief Secretary to the Treasury’.

<sup>100</sup> Letter Treasury [junior official] to Watkins, 13 January 2003, ‘Iraq: Funding’.

<sup>101</sup> Email Treasury [junior official] to Treasury [junior official], 15 January 2003, ‘Iraq Resource Costs’.

<sup>102</sup> Letter MOD [junior official] to Treasury [junior official], 16 January 2003, ‘Op Telic: Iraq Costs’.

<sup>103</sup> Letter PS/Hoon to PS/Boateng, 5 March 2003, ‘Operation Telic: Iraq Costs Update’.

<sup>104</sup> Letter McKane to Dodds, 13 February 2003, Op Telic: Iraq Costs – Active Operations and the Aftermath’.

**153.** Mr McKane advised that the cost of military combat operations, including “repairs, replenishment and reconfiguration”, could be between £2.5bn and £3bn.

**154.** Mr McKane also provided the MOD’s “outline ‘first thoughts’ projection” of the cost of maintaining a military presence in post-conflict Iraq. Mr McKane advised that the MOD had not yet been assigned “firm tasks” for the post-conflict period and that the size and type of forces required would depend on US plans. With that caveat, the MOD estimated that UK forces might be required for 30 months at a cost of £2.3bn (including a six-month deployment of HQ Allied Rapid Reaction Corps (ARRC), but excluding UORs related to military post-conflict tasks).

**155.** On 19 February, in advance of meetings with Mr John Snow, the US Secretary of the Treasury, and other G7 finance Ministers, Mr Brown received a number of papers on Iraq.<sup>105</sup>

**156.** A paper by Mr Dodds and a junior Treasury official provided the first comprehensive estimate of the cost of the UK’s intervention in Iraq (including military and non-military, conflict and post-conflict costs).<sup>106</sup> The advice on non-military costs is described later in this Section.

**157.** The officials advised that the Treasury’s best estimate of the cost of UK military combat operations was now £3bn over the three financial years from 2002/03, with an associated £400m in RAB costs over the three financial years from 2003/04. The MOD’s estimate remained lower: the Treasury doubted that the MOD had shared with it the full cost of replacing and restocking armaments and equipment used in a conflict.

**158.** The officials advised that the Treasury was “now starting to get some sense” from the MOD on the cost of post-conflict peacekeeping/stabilisation. While no decision had yet been taken on whether to contribute UK forces after a conflict:

“In practice once we are on the ground, unless contributions from other nations are available the political pressure to stay will be intense.”

**159.** There were a number of ways that an “occupation ... force” might be organised. The “biggest commitment, and hence the most expensive” would be if the UK became responsible for a particular geographical sector. The Treasury’s estimate reflected that commitment.

**160.** The MOD had not yet provided firm estimates for how much such an occupation force (including responsibility for a geographical sector) might cost. Internal Treasury work suggested £500m in 2003/04 and £1bn in 2004/05 (in addition to the cost of military combat operations).

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<sup>105</sup> [Minute Treasury \[junior official\] to Chancellor, 19 February 2003, ‘Update on Iraq’.](#)

<sup>106</sup> [Minute Treasury \[junior official\] to Chancellor, 19 February 2003, ‘Update on Iraq’ attaching Paper Treasury, 19 February 2003, ‘Iraq Conflict – Public Expenditure Impact’.](#)

**161.** Mr Brown also received a minute from Mr Dodds which highlighted the potential implications of the UK taking overall responsibility for a geographical sector in Iraq:

“This is a decision that will have substantial public expenditure implications. If there were a UK sector we would find ourselves locked into the management of the aftermath for a substantial period (perhaps as long as five years) rather than allowing other countries – who will not have borne any costs of the conflict itself – to make their contribution. The net additional cost to the UK is difficult to quantify but would certainly be hundreds of millions of pounds a year.”<sup>107</sup>

**162.** Mr Dodds added that there were other reasons why a UK sector would be unattractive. The need to bring in expertise from the widest possible range of sources and to avoid the perception that the UK was occupying “part of the Arab world” argued for a more internationalist approach.

**163.** Mr Dodds advised that Treasury officials were taking every opportunity to stress to FCO and MOD colleagues that Mr Brown would want to have an input to any decision on sectorisation, and recommended that Mr Brown underline that point himself with Mr Blair, Mr Straw and Mr Hoon.

**164.** Mr Brown and Mr Boateng received a further update on military costs from a Treasury official the following day.<sup>108</sup> The official reported that the Treasury now had the MOD’s first estimates of the likely total cost of conflict in Iraq “if a decision is made to stay ... and provide a medium term stabilisation/peace keeping force”. The upper limit, based on what was feasible in military terms, was a two-year commitment at a total cost of £1.6bn. The official commented:

“The extent to which any of this is optional is unclear. We think that, because of our Geneva convention obligations, it will be impossible to resist keeping a substantial force in theatre for at least six months post the end of fighting ... In practice the emerging politics of a post-conflict Iraq point to a much more substantial commitment both in terms of size and length of stay.”

**165.** On 6 March, Mr Blair chaired a meeting on post-conflict issues with Mr Brown, Mr Hoon, Ms Clare Short (the International Development Secretary), Baroness Symons (joint FCO/DTI Minister of State for International Trade and Investment, representing Mr Straw), Sir Michael Jay (FCO Permanent Under Secretary) and “other officials”.<sup>109</sup>

**166.** In an annotated agenda for the meeting, the Iraq Planning Unit (IPU) invited Ministers to take a view on a number of key post-conflict issues, including whether to

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<sup>107</sup> Minute Dodds to Chancellor, 19 February 2003, ‘Iraq – “Aftermath” – UK Role’.

<sup>108</sup> [Minute Treasury \[junior official\] to Chancellor, 20 February 2003, ‘Iraq: Update on Potential Cost and How Should We Present Them?’.](#)

<sup>109</sup> [Letter Cannon to Owen, 7 March 2003, ‘Iraq: Post-Conflict Issues’.](#)

seek “general UK responsibility for the administration of any geographic area of Iraq in the medium term”.<sup>110</sup>

**167.** Mr Dominick Chilcott, the Head of the IPU from February 2003 to June 2004, told the Inquiry that there was:

“... a great deal of hesitancy within Whitehall about the concept of a British sector mainly because of the resources that would be involved in making a success of it ... the Treasury and DFID both expressing, for slightly different reasons, hesitancy about the assumption that there would be a British sector.”<sup>111</sup>

**168.** Mr Brown received a number of papers from Treasury officials before the meeting.

**169.** A paper produced by Mr Dodds highlighted the financial implications of the assumption in “US/UK military planning” that UK forces would take responsibility for an area of Iraq after the conflict.<sup>112</sup>

**170.** Mr Dodds advised that the Chiefs of Staff had estimated that the UK could sustain a brigade and headquarters (around 10,000 troops) in Iraq indefinitely, and that this force would be sufficient to fulfil the UK responsibilities for Basra Province.

**171.** Mr Dodds advised that the cost of such an ongoing operation was likely to be about £1bn a year. It was a reasonable assumption that the UK’s commitment would last “at least two years and possibly significantly longer”. He continued:

“We have pressed MOD on how these costs might be reduced. The options are:

- a. to tell the US that we feel we have played our part after Phase IVA [immediate post-conflict stabilisation] and that other coalition partners must be found to take on our role ...;
- b. to give up the leadership role and to contribute a small component to the leadership of others;
- c. to lead a sector ... with a range of forces drawn from other countries.

To keep cost to a minimum, we should scale down our commitments as rapidly as possible.”

**172.** Mr Dodds summarised his arguments:

- On public finance grounds there is a strong case for stepping back from military leadership in the aftermath and allowing other countries to take on this role.
- If Ministers want Britain to continue to be in a leadership position there will be significant costs ...

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<sup>110</sup> [Paper IPU, 5 March 2003, ‘Planning for the UK’s Role in Iraq after Saddam’.](#)

<sup>111</sup> Public hearing, 8 December 2009, page 28.

<sup>112</sup> [Paper Treasury, 4 March 2003, ‘Iraq – the Aftermath – Military Options’.](#)

...

- There are risks that our taking on military leadership will result in our being sucked into wider responsibilities for reconstruction with even higher costs.”

**173.** Mr Dodds told the Inquiry why he had written that paper:

“... I think we had a specific request ... from the Chancellor’s Office for a piece of advice on the aftermath and I think what had happened was that it had become clear, quite suddenly really, to the Chancellor ... to the Treasury, that there was a set of options being considered for the role that the UK [military] might play ... in Phase IV ...”<sup>113</sup>

**174.** Mr Dodds told the Inquiry that the Treasury’s earlier work had focused on the major conflict phase of operations, using a three-year planning framework. However:

“... it suddenly became clear to us ... if we had been wiser, we might have kind of anticipated this, but it was a bit of a surprise ... that there were discussions going on between parts of the UK Government and others around the role that the UK might play, which had the potential to see us in Iraq for significantly longer than we had been initially supposing.

“... the Treasury wasn’t in the loop before early ... March, around this thinking, and .... when this thinking emerged, there ... appeared to have been an assumption on behalf of some other parts of government that this was another thing where ... the Treasury would just sign the cheques ... without being involved in the strategic decision.”

**175.** Mr Brown also received a paper from a Treasury official on the potential impact of all military and non-military expenditure in Iraq on public expenditure.<sup>114</sup> The best estimate of the cost of UK military combat operations was £3.1bn. Maintaining a “medium-term stabilisation/peace-keeping force” might cost up to £1bn a year for two years. The official advised that:

“... whilst the costs of the actual fighting are now pretty inescapable ***we still have a window of opportunity to exert some influence over the scale of this post-conflict commitment.***”

**176.** The 6 March meeting is described in detail later in this Section.

**177.** The 14 March meeting of the Ad Hoc Group on Iraq (AHGI)<sup>115</sup> was advised that the IPU was considering how best to approach other donors for support on reconstruction,

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<sup>113</sup> Public hearing, 14 July 2010, pages 13-16.

<sup>114</sup> Minute Treasury [junior official] to Chancellor, 4 March 2003, ‘Iraq - Potential Public Spending Impact’.

<sup>115</sup> From 20 September 2002, the Ad Hoc Group on Iraq (AHGI) co-ordinated all non-military cross-government work on post-conflict issues.

and that the FCO was considering whether there was scope to approach other countries to contribute to UK military campaign costs (though the prospects were not good).<sup>116</sup>

### Cash contributions to Operation GRANBY

There was precedent for approaching other governments to contribute to UK military costs. Other governments pledged over £2bn to the UK to cover the costs incurred on Operation GRANBY, the UK contribution to the international response to Iraq's invasion of Kuwait in 1990.<sup>117</sup> The cost of Op GRANBY was some £2.5bn.

**178.** Treasury officials advised Mr Boateng on 14 March that the MOD's estimate for infrastructure costs within the NACMO envelope included £10m for:

"CIMIC – Civilian-Military co-operation. This spend is for force protection with the goal of pacifying local, potentially aggressive populations ... This is an integral part of military operations and is still within agreed control totals – due to over-forecasting in other areas ..."<sup>118</sup>

**179.** The MOD subsequently referred to that allocation as being for QIPs.<sup>119</sup>

**180.** On 17 March, Cabinet took collective responsibility for the conclusion that:

"... the diplomatic process was now at an end. Saddam Hussein would be given an ultimatum to leave Iraq; and the House of Commons would be asked to endorse the use of military action against Iraq to enforce compliance, if necessary."<sup>120</sup>

**181.** Mr Brown told the Inquiry how he had responded to advice from Treasury officials that he should raise the issue of the cost of the military options being considered by the Government:

"I ... made it clear that the military option had to be one that was best for the military, and that the Treasury would not in any way interfere and suggest that there were cost grounds for choosing one option against another. That was not our job. The Treasury was there to advise on how we could deal with the financial issues that arose from the military decisions and the political decisions that were made.

"So there was no time from June [2002] when the Treasury said, 'This is a better military option because it is cheaper or less costly'. At every point, I made it clear that we would support whatever option the military decided upon with the Prime

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<sup>116</sup> Minute Dodd to Manning, 17 March 2003, 'Ad Hoc Group on Iraq'.

<sup>117</sup> Ministry of Defence, *Statement of the Defence Estimates*, 1991, Cm 1559-I.

<sup>118</sup> Minute Treasury [junior officials] to Chief Secretary, 14 March 2003, 'Iraq Funding'.

<sup>119</sup> Minute Dodd to Manning, 17 March 2003, 'Ad Hoc Group on Iraq'; [Minute Straw and Hoon to Blair, 19 March 2003, 'Iraq: UK Military Contribution to Post-Conflict Iraq'](#).

<sup>120</sup> [Cabinet Conclusions, 17 March 2003.](#)

Minister and the Cabinet and that there would be no financial barrier to us doing what was necessary to be done.<sup>121</sup>

**182.** Mr Blair described the Government’s planning for a post-Saddam Iraq in his 14 January 2011 statement to the Inquiry. He wrote that, on funding:

“... the Chancellor [Mr Brown] had throughout made it clear resources would not be an obstacle. The Treasury had made certain calculations of the cost both of the initial action and the aftermath. The Chancellor was present at Cabinet meetings in the run-up to the conflict. Throughout he made it clear resource was not a constraint. Subsequently he was part of the War Cabinet. Of course the Treasury queried and questioned costings. They always did. But at no point did anyone say to me: the Treasury are stopping us doing what need. So I see in evidence to the Inquiry that resource issues were being raised with some frustration by officials. I can only say that had such frustrations been raised with me, I would have acted on them and I believe the Chancellor would have been fully supportive.”<sup>122</sup>

## Estimates and allocations for non-military activities

### Humanitarian assistance and reconstruction

**183.** A Treasury official sent Mr Brown a paper on the global, regional and local (Iraqi) economic impact of “war” in Iraq on 6 September 2002.<sup>123</sup> The official’s analysis of the global economic impact of war is described earlier in this Section.

**184.** As part of his analysis of the local (Iraqi) economic impact, the official assessed the contribution that the IMF, the World Bank, bilateral donors, the UN and the Paris Club (through debt relief) had made to meeting the “post-war challenge” in the Federal Republic of Yugoslavia (FRY), East Timor and Afghanistan, under five headings: reconstruction; institution-building; economic stabilisation; economic transition; and peacekeeping.

**185.** The official concluded that the cost of “putting a country back on its feet” could be high. The FRY had already received US\$10bn in support (excluding IMF support). Iraq could be “even more expensive”, given:

- the possibility that a conflict could cause significant damage, and the existing poor state of Iraq’s infrastructure;
- the need to stabilise the economy, including by addressing Iraq’s huge external debt;

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<sup>121</sup> Public hearing, 5 March 2010, pages 25-26.

<sup>122</sup> Statement, 14 January 2011, pages 15-16.

<sup>123</sup> [Email Treasury \[junior official\] to Bowman, 6 September 2002, ‘What Would be the Economic Impact of a War in Iraq?’ attaching Paper Treasury, September 2002, ‘What Would be the Economic Impact of War in Iraq?’.](#)

- the need for a large peace-keeping force “to keep a lid on the ethnic and religious tensions that Saddam’s dictatorship has hidden for so long”; and
- the pressure for a “generous [reconstruction] package, given the perception in the region that invading Iraq is of dubious legality and worth”.

**186.** On who would pay for that generous package, the official assessed that:

“... the US might expect Iraq to pick up the bill after a short ‘bridging’ period, especially as – with investment – oil revenues could quickly exceed US\$20 billion per year.

“But it is more likely that strong pressure will come to bear on the US and its allies to pay the lion’s share, given their role in the war ...”

**187.** The official did not consider what the UK’s contribution to meeting post-war costs might be.

**188.** The Inquiry has seen no evidence that Mr Brown responded to this analysis, or that it was circulated outside the Treasury.

**189.** Mr Brown told the Inquiry that the Treasury was among the first to consider the challenges involved in reconstruction.<sup>124</sup>

**190.** From 20 September 2002, the Ad Hoc Group on Iraq (AHGI) co-ordinated all non-military cross-government work on post-conflict issues (see Section 6.4). The AHGI was chaired by the Cabinet Office.

**191.** Mr Alistair Fernie, Head of DFID’s Middle East and North Africa Department, circulated a draft paper on the potential humanitarian implications of conflict in Iraq to members of the AHGI on 11 October, with the caveat that the paper had not yet been seen by Ms Short or other departments.<sup>125</sup>

**192.** The draft paper stated that:

“Any large-scale UK humanitarian response would require additional funding from the Central Reserve. DFID’s existing small (£6m) humanitarian programme in Iraq is fully committed; available humanitarian funds within CHAD [DFID’s Conflict and Humanitarian Affairs Department] are likely to be grossly insufficient and most of DFID’s Contingency Reserve has already been allocated.”

**193.** On 4 November, Mr Fernie invited Ms Short to agree that a revised version of the paper should be shared with the US as a work in progress.<sup>126</sup> He advised that the

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<sup>124</sup> Public hearing, 5 March 2010, page 19.

<sup>125</sup> Letter Fernie to Dodd, 11 October 2002, ‘Iraq: Humanitarian Contingency Planning’ attaching Paper [draft] DFID, 11 October 2002, ‘Iraq: Potential Humanitarian Implications’.

<sup>126</sup> [Minute Fernie to Private Secretary/Secretary of State \[DFID\], 4 November 2002, ‘Iraq: Contingency Planning: Humanitarian Paper’ attaching Paper DFID, 5 November 2002 \[sic\], ‘Iraq: Potential Humanitarian Implications’.](#)

revised paper incorporated her comments on an earlier draft. On funding, in place of the statement above, the paper stated:

“A large-scale regional response ... would certainly test the already stretched human resource and monetary capacity of many agencies and donors.”

**194.** Mr Fernie’s minute was copied to the Private Office of Mr Suma Chakrabarti, DFID Permanent Secretary.

**195.** Ms Short agreed that the paper could be shared with the US, subject to the inclusion of an explicit reference to DFID’s lack of financial resources to cover the humanitarian contingencies considered in the paper.<sup>127</sup>

**196.** Ms Short held a meeting with DFID officials on 18 November to discuss Iraq.<sup>128</sup> Ms Anna Bewes, Ms Short’s Private Secretary, recorded that the meeting had agreed that it would be important to cost each military option, including both military and “realistic humanitarian” costs. Ms Short was concerned that not only was no money set aside for humanitarian activity, but the issue was not even being considered.

**197.** Mr Fernie set out his understanding of Ms Short’s concern in an email to DFID colleagues the following week:

“... HMT [the Treasury] have been talking to MOD only about the military costs without taking into account the costs to the international community of any humanitarian response, post-Saddam transitional administration and/or reconstruction ... The SoS [Ms Short] is particularly keen to make clear that DFID cannot find substantial funds for any such work from our existing budgets.”

“We [DFID] are trying to cobble together some figures of possible costs – all a bit speculative ... but the point at this stage is to get others in Whitehall thinking about it.”<sup>129</sup>

**198.** On 3 December, Mr Fernie reported to Dr Nicola Brewer, DFID Director General Regional Programmes, that there had been no progress in interesting the Cabinet Office or the Treasury in costing “various scenarios”.<sup>130</sup> Mr Jim Drummond, Assistant Head (Foreign Affairs) of the Cabinet Office Overseas and Defence Secretariat (OD Sec), and the AHGI had both given a “clearly negative response”. The “Cabinet Office line” was that if DFID thought it would incur unaffordable extra costs, it should bid to the Treasury. Mr Dodds had expressed some concern over international burden-sharing, but had shown “little interest” in Ms Short’s concerns and had thought that there would be “no appetite” in the Treasury for producing “Whitehall-wide” costings. DFID’s Conflict and

<sup>127</sup> [Manuscript comment Short, 4 November 2002, on Minute Fernie to Private Secretary/Secretary of State \[DFID\], 4 November 2002, ‘Iraq: Contingency Planning: Humanitarian Paper’.](#)

<sup>128</sup> Minute Bewes to Miller, 19 November 2002, ‘Iraq’.

<sup>129</sup> Email Fernie to Sparkhall, 26 November 2002, ‘Iraq – Expenditure Implications across Whitehall’.

<sup>130</sup> [Minute Fernie to Brewer, 3 December 2002, ‘Iraq: Contingency Planning’.](#)

Humanitarian Affairs Department (CHAD) was working up preliminary costings, but had “no consumer for this product”.

**199.** Mr Fernie asked Dr Brewer for her advice on how to proceed:

“Do we need to take this up at a higher level in CO [the Cabinet Office] or HMT [the Treasury]? Or do as CO says and start circulating some large-ish figures around Whitehall?”

**200.** Dr Brewer replied on 5 December.<sup>131</sup> She advised that she had spoken to Mr Peter Ricketts, the FCO Political Director, who had been:

“... slightly more willing to acknowledge that the likely costs ... should be factored into the decision-making process. But I got no sense at all that the FCO would either push for this or support us in doing so. Their sense is that the Prime Minister’s mind will be made up by other factors.”

**201.** Dr Brewer suggested that the issue could be raised by Mr Chakrabarti with Sir David Manning and Permanent Secretaries, or by Ms Short at Cabinet.

**202.** DFID officials reported the lack of progress to Ms Short on 10 December.<sup>132</sup> Ms Short agreed that officials should raise US and DFID cost estimates at the next AHGI, and directed that DFID officials should intensify discussions with the Treasury on costings.

**203.** There is no reference to a discussion on this issue in the records of the 13 December 2002 and 10 January 2003 meetings of the AHGI.<sup>133</sup>

**204.** The Inquiry has seen no indications that DFID raised this issue again.

**205.** In mid-December 2002, a DFID official advised Ms Short that the MOD did not seem to have recognised that, for a period after any conflict, the UK military would “find themselves in the frontline in caring for injured and vulnerable civilian populations”.<sup>134</sup> The military would need to be resourced to fulfil this responsibility. Dr Brewer said that she would speak to the MOD.

**206.** At the end of December 2002, the focus of the Chiefs of Staff and UK military planners switched from northern to southern Iraq, creating a contingent liability that the UK would be responsible for the post-conflict occupation and administration of a UK Area of Responsibility (AOR) in the region around Basra.

**207.** The Cabinet discussed Iraq on 16 January 2003.<sup>135</sup>

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<sup>131</sup> [Minute Brewer to Fernie, 5 December 2002, ‘Iraq: Contingency Planning’.](#)

<sup>132</sup> [Minute Bewes to Fernie, 13 December 2002, ‘Iraq’.](#)

<sup>133</sup> Minute Dodd to Manning, 19 December 2002, ‘Ad Hoc Group on Iraq’; Minute Dodd to Manning, 13 January 2003, ‘Ad Hoc Group on Iraq’.

<sup>134</sup> [Minute DFID \[junior official\] to Fernie, 13 December 2002, ‘Iraq’.](#)

<sup>135</sup> [Cabinet Conclusions, 16 January 2003.](#)

**208.** Ms Short said that work on post-conflict issues needed to be taken forward urgently and emphasised the need for extra resources, the potential effect of chemical and biological weapons on civilians and the importance of involving the UN.

**209.** Summarising the discussion, Mr Blair said that the “priorities for the immediate future” included preparatory work on planning the aftermath of any military action.

**210.** On 21 January, at Ms Short’s request, Mr Fernie provided advice on “how to maximise the chances of securing additional funding from the Treasury to cover the costs of [a] DFID humanitarian response”.<sup>136</sup>

**211.** Mr Fernie recommended that Ms Short should speak, rather than write, to Mr Brown. A letter would invite a formal response, and Treasury officials were likely to caution Mr Brown against providing any broad assurance on funding and might recommend that DFID “unpick” its 2003/04 spending plan, to be agreed shortly, in order to provide more funding for Iraq.

**212.** Mr Fernie continued:

“Mr [Mark] Lowcock’s [DFID Director Finance and Corporate Performance] advice is that the best time to extract maximum funds from the central Reserve is when the political pressure is at its height. We might guess that such a time will come in a month or so – by which time budgets for our existing programmes would be more secure, with our 2003/04 framework finalised and on its way to publication.”

**213.** Ms Short commented: No – I don’t want to ring Ch X [the Chancellor of the Exchequer] ... I wanted to put humanitarian considerations into Gov[ernment] mind not just to squeeze some money.”<sup>137</sup> Rather than write or speak to Mr Brown, she would write to Mr Blair. That letter was sent on 5 February.

**214.** Ms Short described DFID’s preparations to respond to a humanitarian crisis in Iraq in the House of Commons on 30 January.

**215.** Ms Short’s briefing for the debate included, at her request, a figure for the UK’s “responsibility within the international system” for contributing to humanitarian relief efforts.<sup>138</sup> The briefing stated that the UK’s Gross National Income (GNI) was 5.5 percent of the total GNI of members of the Organisation for Economic Co-operation and Development (OECD) in 2000. The UK would not expect to contribute much more than that percentage to any international humanitarian relief effort.

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<sup>136</sup> Minute Fernie to PS/Secretary of State [DFID], 21 January 2003, ‘Iraq Contingency Planning: Financial Provision’.

<sup>137</sup> Manuscript comment Short, 22 January 2003, on Minute Fernie to PS/Secretary of State [DFID], 21 January 2003, ‘Iraq Contingency Planning: Financial Provision’.

<sup>138</sup> Minute Fernie to PS/Secretary of State [DFID], 28 January 2003, ‘Iraq: Contingency Planning – Commons Debate on Thursday’ attaching Briefing, [undated], ‘House of Commons Opposition Debate, Thursday 30 January 2003: Humanitarian Contingency Planning in Iraq’.

**216.** During the debate, Ms Short reported that the US had committed to fund in full the recent UN appeal for US\$137m to enable UN agencies to prepare their responses to a humanitarian crisis.<sup>139</sup>

**217.** In response to a question from Mr Crispin Blunt about the resources available to DFID, Ms Short stated that:

“... the UK’s contribution to any humanitarian crisis throughout the world, as determined by the Organisation for Economic Co-operation and Development, is just over 5 percent – that is all.”

Ms Short continued:

“... my department’s budget has virtually doubled since 1997, but is under strain ... We have a Contingency Reserve and Iraq would be prioritised. However, I have just been in Africa, where there is a real fear about resources being taken away from southern Africa, the horn of Africa, the Afghan people, the West Bank and Gaza – that would be wrong and we would not contemplate it. We will play our part in the international system, but the department is not flush with resources – I must frankly warn the House that they are short.”

**218.** On 31 January, a DFID official provided advice to Ms Short, at her request, on how much the UK might be expected to contribute to “humanitarian relief/reconstruction” in Iraq in the event of military action.<sup>140</sup>

**219.** The official provided a draft DFID paper which considered in detail Iraq’s possible post-war needs under a number of scenarios. The paper used current Oil-for-Food (OFF) programme expenditure plans as a “benchmark” for a future humanitarian and reconstruction programme, and then considered how those plans would be affected by a number of factors including the nature of any conflict, the availability of Iraqi oil revenues, and how Iraq’s external debt and reparation claims would be resolved.

**220.** The official advised that FCO and Treasury officials had seen an earlier draft of the paper, and that the Treasury was using roughly similar figures in assessing the total cost to the UK of military engagement in Iraq (an issue in which there was increased Ministerial interest).

**221.** In her covering minute, the official summarised the main conclusions of the paper:

- Total humanitarian costs could reach US\$12bn in the first year after any conflict, if the OFF programme collapsed.

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<sup>139</sup> House of Commons, *Official Report*, 30 January 2003, columns 1057-1058.

<sup>140</sup> Minute DFID [junior official] to PS/Secretary of State [DFID], 31 January 2003, ‘Iraq: Cost of Humanitarian Relief/Reconstruction and Potential UK Contribution’ attaching Paper DFID [draft], [undated], ‘Draft: Iraq: Relief and Reconstruction: Implications for UK Government’.

- Reconstruction could cost between US\$2bn and US\$10bn a year over a two to three-year period, depending on the impact of the military conflict, the level of forgiveness secured on debt and other claims, and oil revenues.
- If the UK provided 5.6 percent<sup>141</sup> of the total humanitarian/reconstruction costs (in line with the UK's share of OECD GNI), the UK's contribution to "total humanitarian/reconstruction costs" could reach US\$640m (£400m) a year for the next three years, under a "high case military/low case oil revenue scenario".

**222.** The draft paper stated that DFID had, "traditionally' (Balkans/Afghanistan)", contributed between eight and 10 percent of total relief/reconstruction costs. On that basis, under a high case military/low oil revenue scenario, the UK contribution could be in excess of US\$1bn a year.

**223.** The official also provided advice on how to raise awareness across the UK Government about the potential costs of a major humanitarian operation, "without committing DFID's budget at this stage or jeopardising other programmes".

**224.** The official recommended that DFID should continue to discuss funding with other departments at official level, but seek to postpone discussions on the detailed financial implications for DFID until its 2003/04 spending plans had been agreed. DFID's Iraq team and DFID's Finance Department would continue to work closely together "on tactics to avoid early discussion about the implications [of a UK contribution] for DFID's budget, bearing in mind Mr Lowcock's earlier advice". The Treasury would be keen to share the burden across the international community, to minimise the UK contribution.

**225.** Ms Short commented on that advice:

"Let us be clear ... we have [a] Contingency Reserve of £100 mill[ion] and all our systems strained [we] cannot take money from other poor countries. We are not asking for or promising money. DFID prob[ably] has no more than £50 mill[ion]. If HMG wants to provide more – so be it but DFID limited."<sup>142</sup>

**226.** Ms Short wrote to Mr Blair on 5 February to provide an update on humanitarian planning.<sup>143</sup> In that context, she advised that a "fair share" for the UK of a major humanitarian/reconstruction operation would be around 5.6 percent, equal to the UK's share of OECD GNI. Under one scenario, that could equate to £440m a year for three years.

**227.** The letter did not describe that scenario or provide a cost for any others.

**228.** Ms Short also advised that DFID's resources and those of the international system were already under severe strain.

<sup>141</sup> Rather than the 5.5 percent used in Mr Fernie's minute of 28 January 2003 to Ms Short.

<sup>142</sup> Manuscript comment Short on Minute DFID [junior official] to PS/Secretary of State [DFID], 31 January 2003, 'Iraq: Cost of Humanitarian Relief/Reconstruction and Potential UK Contribution'.

<sup>143</sup> Letter Short to Blair, 5 February 2003, 'Iraq: Humanitarian Planning'.

**229.** Ms Short concluded:

“The immediate question is how big a part the UK should play in humanitarian preparations. It would be helpful to know whether you think the UK should remain modest or aim higher in terms of our humanitarian contribution to resolving the Iraq crisis. If you want the UK to take more of a lead ... then I would be willing to do that. But it would need to be an effort on behalf of the whole Government, not just my department.

“I think the way in which you could best help is to make clear across the system that you want humanitarian considerations to be given more weight. In addition it would help if we could settle the financial questions.”

**230.** Ms Short announced in Parliament on 10 February that she had provided £3.5m to support UN humanitarian contingency planning.<sup>144</sup>

**231.** On 11 February, a Treasury official invited Mr Brown’s comments on officials’ “first thoughts” on Treasury policies in a post-Saddam Hussein Iraq.<sup>145</sup> The official identified the Treasury’s “two main finance ministry interests” in Iraq as ensuring its prosperity and stability while fairly sharing the costs of achieving this. The costs of ensuring Iraq’s prosperity and stability were “potentially massive”, and comprised peacekeeping costs (the UK contribution to peacekeeping in the FRY had peaked at £325m in 1999/2000), humanitarian assistance, environmental costs, reconstruction and economic stabilisation (including IMF lending). An “emerging policy position” would be to:

- maximise the Iraqi contribution, initially by maintaining the OFF programme;
- push for debt rescheduling, to ensure that Iraqi contributions were not knocked off course by having to resume crippling debt service. The cost would “conveniently fall to probable non-combatant countries”;
- maximise contributions from development banks;
- push for bilateral contributions “to take into account military contributions”, assuming that the UK military contribution was significant; and
- ensure a finance ministry/international financial institution (IFI) lead on financing issues, with a clear understanding that no money was committed until needs were properly understood.

**232.** The Treasury told the Inquiry that Mr Brown did not comment.<sup>146</sup>

**233.** Mr Blair convened the first Ministerial meeting on humanitarian issues with Mr Straw, Mr Hoon, Ms Short, Adm Boyce and No.10 officials in the margins of Cabinet

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<sup>144</sup> House of Commons, *Official Report*, 10 February 2003, column 526W.

<sup>145</sup> [Minute Treasury \[junior official\] to Chancellor, 11 February 2003, ‘HMT Policy on Post-Saddam Iraq’ attaching Paper Treasury, 11 February 2003, ‘Post-War Iraq: International Financing Policy’.](#)

<sup>146</sup> Email Treasury [junior official] to Iraq Inquiry [junior official], 26 February 2010, [untitled].

on 13 February.<sup>147</sup> Sir Michael Jay, Sir Kevin Tebbit and Mr Chakrabarti were not present.

**234.** In advance of the meeting, Mr Desmond Bowen, Deputy Head of the Cabinet Office Overseas and Defence Secretariat, advised Sir David Manning that:

“The Prime Minister will ... want to seek Clare [Short]’s engagement in the potential humanitarian relief operation and reconstruction – which will need funding and the commitment of human resources as a priority.”<sup>148</sup>

**235.** IPU briefing for Mr Straw set out three objectives for the meeting, including:

- encourage Ms Short to engage fully in planning;
- persuade Ms Short that she should allow DFID money to finance small scale [reconstruction] projects in the area administered by a UK commander.”<sup>149</sup>

**236.** At the meeting, in response to a question from Mr Blair about whether the UK should “take the lead on humanitarian action in the southern zone”, Ms Short said that she was in favour.<sup>150</sup> The UK could do an “exemplary job” in the zone on both the military and humanitarian fronts.

**237.** Mr Blair concluded that the UK should seek to take the lead on humanitarian issues in the southern zone of Iraq.

**238.** Ms Short wrote to Mr Blair the following day, 14 February, to provide an update on humanitarian preparations and the role of the UN.<sup>151</sup> Ms Short confirmed that, within an agreed international framework set out in a second resolution, there was a “great opportunity” for the UK to play an exemplary humanitarian role in the South:

“But as I made clear in my letter of 5 February, my department has tight budgetary constraints ... Without some understanding on finance, I cannot responsibly commit DFID to the exemplary partnership with MOD which we discussed.”

**239.** Mr Blair wrote on his copy of the letter: “We must get the US to accept the UN role.”<sup>152</sup>

**240.** On 17 February, a DFID official sought Ms Short’s views on the implications of the decision that “the UK should take the lead on humanitarian issues in the southern zone of Iraq, and do an exemplary job on both the military and humanitarian front”, and in particular how it should balance its limited human and financial resources between

<sup>147</sup> [Letter Cannon to Bewes, 13 February 2003, ‘Iraq: Humanitarian Issues’.](#)

<sup>148</sup> Minute Bowen to Manning, 13 February 2003, ‘Meeting on Iraq: Humanitarian Follow-up’.

<sup>149</sup> [Minute Iraq Planning Unit to Private Secretary \[FCO\], 12 February 2003, ‘Meeting on Iraq Day After Issues Before Cabinet 13 February’.](#)

<sup>150</sup> [Letter Cannon to Bewes, 13 February 2003, ‘Iraq: Humanitarian Issues’.](#)

<sup>151</sup> [Letter Short to Blair, 14 February 2003, ‘Iraq: Humanitarian Planning and the Role of the UN’.](#)

<sup>152</sup> [Manuscript comment Blair on Letter Short to Blair, 14 February 2003, ‘Iraq: Humanitarian Planning and the Role of the UN’.](#)

playing an exemplary role in the South and supporting the UN and wider international effort across the country and the region.<sup>153</sup>

**241.** The official recommended that DFID prepare for four roles:

- “• Support humanitarian needs nationally and in the region, primarily through the UN and Red Cross/Red Crescent movement;
- Work alongside and influence humanitarian action by US DART [Disaster Assistance Relief Teams];
- Work alongside the UK military;
- Undertake DFID bilateral humanitarian action.”

**242.** The official identified a number of “further pre-deployment steps which we need to initiate now to be adequately prepared to play these roles effectively”:

- Establish a forward base in Kuwait to allow DFID to build its capacity for deployment into Iraq as humanitarian needs arose and security allowed. A forward base would give DFID an “immediate response capability”.
- Deploy a Humanitarian Adviser to Jordan to liaise and work with humanitarian partners.
- Undertake regional assessment missions, including to Cyprus, Egypt, Turkey and Iran.
- Deploy a civil-military Humanitarian Adviser to 1 (UK) Div in Kuwait, and undertake regular visits to CENTCOM in Qatar.
- Second consultants and provide equipment to support humanitarian co-ordination, initially to the UN Humanitarian Information Centre (HIC) in Cyprus.

**243.** The official warned:

“If we do not have people and assets in place and ready in time, we will not be able to respond quickly and as may be needed. Once conflict has begun logistical constraints will make it extremely difficult to respond unless we have put the preparations in place.”

**244.** The official concluded by considering resource constraints. Until DFID received any indication from the Treasury or No.10 that further funds would be forthcoming in the event of conflict, it was planning on the basis that it could access a substantial share of DFID’s Contingency Reserve to supplement its CHAD emergency funds and its Iraq programme funds.

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<sup>153</sup> [Minute DFID \[junior official\] to PS/Secretary of State \[DFID\], 17 February 2003, ‘Iraq – Contingency Planning: Deployment Plan’.](#)

**245.** If a total of £60m was available from those sources in 2003/04, DFID planned initially to commit £35m to meet immediate relief needs. Exactly how that amount should be allocated would depend on the nature of the conflict and other factors, but an indicative allocation might be:

- £20m to support the work of UN agencies, the Red Cross and NGOs across Iraq;
- £5m to fund QIPs delivered by the UK military, to help generate stability within communities; and
- £10m for DFID's own rapid response capacity.

**246.** The official commented:

“Under many scenarios, £35 million is unlikely to be perceived as an adequate UK contribution to any immediate relief effort, particularly if OFF collapses. Leaving £25 million for further humanitarian need, medium-term rehabilitation and reconstruction could also look very sparse. Action in response to the Secretary of State's previous two letters [Ms Short's letters of 5 and 14 February] to the Prime Minister on this rests with No.10.”

**247.** The official also advised:

“If the military is involved in the direct delivery of humanitarian assistance, there will be an issue about who pays. MOD claim to be financially stretched and are keen for DFID to pay.”

**248.** Ms Short held a meeting the following day to discuss that advice, attended by Dr Brewer, Mr Fernie and other DFID officials.<sup>154</sup> Mr Chakrabarti did not attend, but a copy of the record of the meeting was sent to his Private Office.

**249.** Ms Short said that she was concerned that much of what was proposed in the submission “pre-supposed the financial comfort we had so far failed to receive from the Treasury”. She was “unwilling, without a clear financial package, to plan to do more than support the UN, key international agencies, and perhaps provide some funding to the UK military for QIPs”. She had repeatedly made it clear (to Mr Blair in person and in writing, and in the House of Commons) that DFID did not have the financial resources to play a major role.

**250.** Within those constraints, Ms Short was content for officials:

- to start discussions about possible support to non-governmental organisations (NGOs) not yet involved in Iraq that had specific technical expertise in areas such as water and sanitation;

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<sup>154</sup> [Minute Bewes to DFID \[junior official\], 19 February 2003, 'Iraq Contingency Planning: Update'](#).

- to work closely with the US on a humanitarian response, but only if there was an overarching UN mandate and financial cover; and
- “in principle”, to make money available to the UK military for QIPs, to be re-examined if there was no UN mandate and the UK military was “working under a US lead”.

**251.** Ms Short did not agree to establish a forward base in Kuwait on the grounds that it would imply that military action was a certainty. DFID could make scoping visits to the region and arrange for vehicles to be ready for transportation, but the equipment should not be pre-positioned in the region. Ms Short “accepted that this would mean that DFID would not be prepared for an immediate response in the event of military action or a humanitarian crisis on the ground”. She suggested that DFID consider providing more funds to the International Committee of the Red Cross (ICRC), which was undertaking similar preparations to those recommended by DFID officials.

**252.** Ms Short also rejected the deployment of DFID staff to Jordan and the HIC in Cyprus, on the grounds that it pre-supposed a significant role for DFID, which it was as yet unable to promise.

**253.** The meeting agreed that DFID:

“... should work through the range of different scenarios within which we might have to act and in each case consider how we would respond in terms of financial support and the channels through which it could be provided.”

**254.** In the context of discussion on those scenarios, Ms Short stated that without additional resources, DFID “would not be able to take up the exemplary role, working with the UK military, that the PM had asked us to”.

**255.** Dr Brewer told the 19 February Chiefs of Staff meeting that Ms Short, while working towards full commitment through the UN, would not be seeking additional resources beyond DFID’s £100m Contingency Reserve.<sup>155</sup>

#### THE FIRST COMPREHENSIVE ESTIMATE OF COSTS, 19 FEBRUARY 2003

**256.** On 19 February, in advance of meetings with Mr Snow and other G7 finance Ministers, Mr Brown received a number of papers on Iraq.<sup>156</sup>

**257.** In a covering minute to those papers, a Treasury official warned that on reconstruction:

“Our sense is that momentum ... is developing very fast, and there is a risk that the financing agenda could be set by policy decisions taken in Foreign and Defence Ministries. Sharing ideas with Mr Snow may be a useful way to begin to redress

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<sup>155</sup> Minutes, 19 February 2003, Chiefs of Staff meeting.

<sup>156</sup> [Minute Treasury \[junior official\] to Chancellor, 19 February 2003, ‘Update on Iraq’.](#)

this balance. An additional approach would be to write round Whitehall colleagues sharing your concerns (for instance, about the economic and financing implications of foreign and defence policy decisions).”

**258.** A paper by Treasury officials identified three “pitfalls” to putting Iraq “on a path to stability and prosperity whilst fairly sharing the financing burden for this”.<sup>157</sup> Those pitfalls were:

- UN cover. Without this, the UK would have to contribute more to the reconstruction effort, IFIs would find it hard to engage, and the international community would be unable to resolve crucial financing issues such as debt rescheduling.
- Being realistic about the decisions a transitional Iraqi Government could take. It could be illegitimate and destabilising for the transitional Government to take decisions on Iraqi economic policy.
- The implications of establishing administrative sectors in Iraq: “If the UK takes on one, the cost – in terms of money and administrative burden – could rocket, and our stay lengthen.”

**259.** A paper by Mr Dodds and a junior Treasury official provided the first comprehensive estimate of the cost of the UK’s intervention in Iraq (including military and non-military, conflict and post-conflict costs).<sup>158</sup> The advice on military costs is described earlier in this Section.

**260.** The officials advised that the best estimate of the cost of military (combat and post-conflict) operations was now more than £5bn. In addition:

- The UK might spend between £100m and £250m on humanitarian aid in the first year after any conflict (based on a “typical” UK contribution of 10 percent of total international aid).
- The UK might spend between £100m and £500m on reconstruction in the first year after any conflict (again, based on 10 percent of total international aid).
- It was impossible to estimate costs falling to the Export Credit Guarantee Department (ECGD), including through claims or losses arising from political and economic instability, and from any decisions to write off debt for political reasons.
- Mr Boateng had already agreed to provide an additional £5m to the FCO from the Reserve for a “flat-pack” Embassy. There might be other costs, though the Treasury was pressing the FCO to absorb those within its budget.

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<sup>157</sup> [Minute Treasury \[junior official\] to Chancellor, 19 February 2003, ‘Update on Iraq’ attaching Paper Treasury, 19 February 2003, ‘Iraqi reconstruction: pitfalls and process’.](#)

<sup>158</sup> Minute Treasury [junior official] to Chancellor, 19 February 2003, ‘Update on Iraq’ attaching Paper Treasury, 19 February 2003, ‘Iraq Conflict – Public Expenditure Impact’.

- There might be further indirect costs, including in relation to an increase in people seeking asylum.

**261.** The officials summarised the “big numbers” in a table which is reproduced in full below.

Table 3: The Treasury’s estimate of the direct cost of conflict, February 2003 (£bn)

	2002/03	2003/04	2004/05	2005/06
Military costs – war and immediate aftermath	1.0	1.5	0.5	–
Military – RAB costs	–	0.1	0.15	0.15
Military – aftermath	–	0.5	1.0	?
Humanitarian aid	–	0.1-0.25	?	?
Reconstruction aid	–	0.1-0.5	?	?
ECGD	–	?	?	?
<b>Total</b>	<b>1.0</b>	<b>2.3-c3.0</b>	<b>1.7+</b>	<b>?</b>

**262.** The officials advised that any DFID contribution to humanitarian and reconstruction costs would be constrained by DFID’s commitment to spend 90 percent of its bilateral resources in low-income countries. Ms Short had already written to Mr Blair (on 5 February) asking for advice on the approach that DFID should take and the potential for extra resources. It was “quite credible to imagine DFID putting [in] a bid for several hundred million pounds”.

**263.** Mr Brown and Mr Boateng received a further update on military post-conflict costs from a Treasury official the following day.<sup>159</sup> In that context, the official commented that the Treasury would also need to take account of the costs of humanitarian assistance and reconstruction:

“Our line to date has been that departments (mainly DFID) should meet these [costs] through budget reprioritisation. We would welcome your steer on this but, based on past conflicts, we suspect it is unlikely to be a sustainable line in the long term.”

**264.** The US inter-agency Rock Drill from 21 to 22 February confirmed the scale of the shortcomings in US post-conflict planning, including the deficiencies of the US Office of Reconstruction and Humanitarian Assistance (ORHA) and the continuing gap between UK and US positions on the role of the UN (see Section 6.5).

**265.** Ms Short held a meeting on Iraq with DFID officials, including Dr Brewer and Mr Fernie, on 24 February.<sup>160</sup> The meeting identified the “increased recognition across

<sup>159</sup> Minute Treasury [junior official] to Chancellor, 20 February 2003, ‘Iraq: Update on Potential Cost and How Should We Present Them?’.

<sup>160</sup> [Minute Bewes to Miller, 25 February 2003, ‘Iraq Contingency Planning: Update’.](#)

Whitehall of the likely scale of post-conflict activity, and the essential nature of UN involvement and authority if this was to be effectively addressed”.

**266.** The meeting also reviewed ORHA’s state of preparedness in the light of the Rock Drill:

- Humanitarian plans were the most advanced, but ORHA did not yet have sufficient funds, staff or capacity to deliver them.
- Reconstruction plans were “not nearly as well advanced as they should have been at this point”.
- Civil administration plans were the least advanced, and “would not be ready by the six week deadline they had been set”.

**267.** The meeting concluded that ORHA’s state of preparedness was “extremely worrying”.

**268.** The meeting also considered financial issues. The MOD and FCO appeared to be more aware of DFID’s financial constraints, but DFID had not yet received a “clear response to the issue of the limitation of DFID’s engagement imposed on it by our financial situation”. Ms Short told the meeting that Mr Brown “had indicated to her, in a private conversation, that he ‘would do what he could to help’”.

**269.** Dr Brewer wrote to Mr Bowen on the same day to summarise Ms Short’s position; copies of the letter were sent to the MOD, FCO and Treasury.<sup>161</sup> The letter reflected the conclusions of Ms Short’s meeting with DFID officials on 18 February and Dr Brewer’s presentation to the Chiefs of Staff on 19 February. Dr Brewer stated that:

“Although [Ms Short] would be keen for DFID to support an exemplary humanitarian effort in any UK-controlled sector, our [DFID’s] role will be constrained by the extent of the UN mandate and the financial resources available to us. We have a strong commitment to the UN agencies, and would want to allocate significant funding to them under most scenarios. Drawing heavily on our Contingency Reserve and existing humanitarian aid and Iraq budget lines is unlikely to release more than £60-70m for humanitarian assistance to Iraq in 2003/04. Given our predictions of the humanitarian needs, with this level of funding we would not be able to play the exemplary role [in the South] the Prime Minister has asked for, and it would be irresponsible of us to plan to do so.”

**270.** Mr Jeremy Heywood, Mr Blair’s Principal Private Secretary, sent Mr Bowman a paper on financing Iraqi reconstruction on 24 February.<sup>162</sup> Mr Heywood said that Mr Blair wanted to share the paper, prepared by the No.10 Policy Directorate, with the

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<sup>161</sup> [Letter Brewer to Bowen, 24 February 2003, \[untitled\]](#).

<sup>162</sup> [Letter Heywood to Bowman, 24 February 2003, ‘Iraq: Reconstruction’ attaching Paper, \[undated\], ‘Financing the Reconstruction of Iraq’](#).

US as soon as possible. The letter was copied to the FCO, DFID, the DTI and the Cabinet Office.

**271.** The No.10 paper stated that the cost of “reconstruction and nation building” in Iraq would be between US\$30bn and US\$105bn, excluding the direct cost of conflict and post-conflict peacekeeping. Only an administration enjoying the legitimacy provided by the UN would be free to engage with the financial markets to secure funding for Iraq’s long-term future.

**272.** Mr Bowman replied on 25 February, stating that the Treasury “fully supports the main message of the paper, that, in the absence of a UN mandate, the financing costs of reconstructing Iraq will be significantly higher”.<sup>163</sup> Mr Bowman offered detailed comments on the text and advised that the Treasury was already involved in complementary work alongside the IPU and in liaison with the US and Australia.

**273.** A revised draft was prepared, but not shared with the US.<sup>164</sup>

**274.** Mr David Johnson, Head of the MOD Iraq Secretariat, wrote to Mr Hoon’s Private Office on 26 February about humanitarian assistance during the early stages of a military conflict.<sup>165</sup> The MOD and DFID believed US plans for humanitarian assistance were inadequate, in particular because they relied on delivery by NGOs, who would not be on the ground in Iraq in numbers early on. The UK military would therefore need:

“... immediate access to sufficient expertise and resources to ... make good the deficiencies in the US plans. In particular ... DFID experts deployed in theatre, who can advise what is actually required ... (as opposed to soldiers making it up as they go along) ... There are lead-times associated with this ... Waiting till after a second SCR [resolution] is leaving it too late. We know DFID haven’t got any money. That is why they need to ask for some, now.”

**275.** Mr Blair told Cabinet on 27 February that he would continue to push for a second Security Council resolution.<sup>166</sup>

**276.** Ms Short said that a UN legal mandate was “essential” for the humanitarian and reconstruction tasks that lay ahead; without that, “proper preparation was impossible”. She also advised that it would be “difficult” to accommodate action in Iraq within DFID’s Contingency Reserve: “Greater resources were likely to be needed.”

**277.** After that meeting, Mr Boateng asked Treasury officials for a note on progress towards financing Iraq’s reconstruction.<sup>167</sup> Mr Boateng commented:

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<sup>163</sup> [Letter Bowman to Heywood, 25 February 2003, \[untitled\]](#).

<sup>164</sup> [Manuscript comments Manning and Drummond on Email Heywood to Manning, 3 March 2003, ‘Financing the Reconstruction of Iraq’](#).

<sup>165</sup> Email Sec(O)-Iraq to SofS-PS [MOD], 26 February 2003, ‘Humanitarian Assistance’.

<sup>166</sup> Cabinet Conclusions, 27 February 2003.

<sup>167</sup> Manuscript comment Boateng on Letter Bewes to Heywood, 25 February 2003, ‘Iraq: Reconstruction – Letter to Mark Bowman (HM Treasury), 24 February 2003’.

“Clare [Short] asked for more resources in Cabinet (‘I can’t take resources away from Ethiopia’) and the PM looked at me with one of his smiles – what does she want/need – and what might we offer?”

**278.** Mr Hoon’s Private Office sent Sir David Manning an update on military planning on 28 February.<sup>168</sup>

**279.** The section on “Day After” planning identified five UK concerns, including funding for reconstruction. US planning assumed the rest of the world would pick up 75 percent of the bill for reconstruction. That was “possibly hopelessly optimistic”. As an Occupying Power, the UK would be at the front of the queue of countries the US would approach to make up any deficit.

**280.** Copies of the paper were sent to the FCO, Treasury and Cabinet Office, but not to DFID.

**281.** A Treasury official advised Mr Boateng on 5 March that, with little clarity on the scale of the humanitarian response that would be required and on the UK’s contribution to it and no actual bid for resources from DFID, it was difficult to respond substantively to the concerns expressed by Ms Short in her 5 February and 14 February letters to Mr Blair.<sup>169</sup>

**282.** The official recommended that Mr Boateng write to Ms Short, setting out the Treasury’s two main concerns:

- that funding for reconstruction should be an international effort; and
- that Ministers should be aware that the Reserve was “not in a position to fund large amounts of new expenditure”.

**283.** The Treasury has informed the Inquiry that it has no record of Mr Boateng writing to Ms Short as a result of that advice.<sup>170</sup>

**284.** Ms Short held a meeting with DFID officials on 5 March to discuss Iraq and in particular the legality of “reconstruction work” without a covering UN mandate.<sup>171</sup> Ms Short concluded that without a clear mandate for reconstruction, DFID could only legally fund or undertake humanitarian work. DFID would not undertake reconstruction work, or fund others to do so. DFID “should move away” from any expectation that it would undertake an exemplary role, or that it would focus on any one area.

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<sup>168</sup> Letter Williams to Manning, 28 February 2003, ‘Iraq: Military Planning and Preparation’ attaching Paper, 28 February 2003, ‘Iraq: Military Planning Update – 28 February 2003’.

<sup>169</sup> Minute Treasury [junior official] to Boateng, 5 March 2003, ‘Iraq: Letter from Clare Short on Humanitarian Planning’.

<sup>170</sup> Email Treasury [junior official] to Iraq Inquiry [junior official], 17 April 2014, ‘Further Queries relating to Resources’.

<sup>171</sup> [Minute Bewes to Fernie, 6 March 2003, ‘Iraq Update: 5 March’](#).

**285.** On funding, Ms Short agreed that if DFID was involved in humanitarian work only, it would draw on its Contingency Reserve. In the event that a “wider DFID role” was possible, “should we [DFID] be asked by No.10 or others how much funding DFID would need, we should mention an initial sum of £100 million”.

**286.** Ms Short wrote to Mr Blair on the same day:

“You must ... be aware that without resources larger than my whole Contingency Reserve – just under £100m ... it would be impossible for DFID to take a leading role in humanitarian delivery in the South–East about which we spoke.”<sup>172</sup>

Copies of Ms Short’s letter were sent to Mr Brown, Mr Straw and Mr Hoon.

### MR BLAIR’S 6 MARCH 2003 MEETING ON POST-CONFLICT ISSUES

**287.** On 6 March, Mr Blair chaired a meeting on post-conflict issues with Mr Brown, Mr Hoon, Ms Short, Baroness Symons, Sir Michael Jay and “other officials”.<sup>173</sup> The meeting is described in detail in Section 6.5.

**288.** Mr Brown received a number of papers from Treasury officials before the meeting. Mr Dodds’ advice on military operations in the post-conflict period is described earlier in this Section.

**289.** A Treasury official provided Mr Brown with a draft “DFID paper rewritten by the Treasury” on humanitarian relief and reconstruction costs.<sup>174</sup> The draft paper stated that it was a “first attempt at charting the likely costs of the first three years of the Iraqi reconstruction”. It adopted a different methodology from the draft DFID paper submitted to Ms Short on 31 January, but reached broadly similar conclusions.

**290.** The draft paper stated that cost estimates would remain “very rough” until the IFIs had completed a full needs assessment. However, an analysis of international precedents indicated that:

- In the first year after a conflict, humanitarian costs could be between US\$2bn and US\$12bn, depending on the scale of the humanitarian crisis and the extent to which oil exports were disrupted (the estimates assumed that the OFF programme would continue).
- In the second and third years after a conflict, total reconstruction costs (before Iraq’s oil revenues were taken into account) could be between US\$2bn and US\$15bn per year. The upper limit was not based on an analysis of international precedents, but reflected the potential for “political pressure to spend as much as the OFF [programme] does now (if not more)”.

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<sup>172</sup> [Letter Short to Blair, 5 March 2003, ‘Post Conflict Iraq: UN and US Roles’.](#)

<sup>173</sup> [Letter Cannon to Owen, 7 March 2003, ‘Iraq: Post-Conflict Issues’.](#)

<sup>174</sup> Email Dodds to Private Office [Treasury], 4 March 2003, ‘Iraq: Ministerial Meeting on Thursday Morning’ attaching Paper DFID, March 2003, ‘Draft: Iraq Relief and Reconstruction Costs: an Overview’.

- Oil revenues could pay for most of Iraq’s reconstruction – but only if oil production levels and prices were favourable, Iraq did not have to repay its debts, and the rehabilitation of Iraq’s oil infrastructure was “cheap”.

**291.** The draft paper stated that sources of financing for relief and reconstruction remained uncertain. Significant assistance from the international community including the IFIs would be extremely unlikely without a UN mandate.

**292.** A slightly revised version of that paper was sent to Mr Boateng the following day.<sup>175</sup>

**293.** Mr Brown also received advice from a Treasury official on the potential impact of all military and non-military expenditure in Iraq on public expenditure.<sup>176</sup> The official’s advice on military expenditure is described earlier in this Section.

**294.** The official advised that it remained difficult to assess the scale of the humanitarian and reconstruction response that would be needed. However, based on a “typical” UK contribution of 10 percent of total aid, the UK might spend up to £1.35bn on humanitarian assistance and reconstruction in the two years after a conflict.

**295.** The official concluded:

“DFID have yet to make any formal approach to us on these costs but, ***if you’re minded to, the [6 March Ministerial] meeting might be a good opportunity to dampen their expectations.***

“... we have said that departments should meet new costs through re-prioritisation. It is not clear though how long this position will hold.”

**296.** The IPU prepared an annotated agenda for the meeting, in consultation with other departments.<sup>177</sup>

**297.** With the invasion possibly only weeks away, the IPU stated that US and UK planning assumed that, in the “medium term after the conflict”, Coalition Forces would be “re-deployed into six or seven geographical sectors in order to provide a secure environment for the civil transitional administration to conduct humanitarian assistance and reconstruction work”. The US expected the UK Division in Iraq to be responsible for a geographical sector. That would be “very expensive and could have wider resource implications”. The IPU concluded that: “Ministers need urgently to take a view on this before the military planning assumptions become a fait accompli.”

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<sup>175</sup> Minute Treasury [junior official] to Chief Secretary, 5 March 2003, ‘Iraq: Letter from Clare Short on Humanitarian Planning’ attaching Paper DFID [draft], March 2003, ‘Iraq Relief and Reconstruction Costs: an Overview’.

<sup>176</sup> Minute Treasury [junior official] to Chancellor, 4 March 2003, ‘Iraq – Potential Public Spending Impact’.

<sup>177</sup> [Paper IPU, 5 March 2003, ‘Planning for the UK’s Role in Iraq after Saddam’.](#)

**298.** The IPU asked Ministers a number of specific questions, including:

- Whether they agreed “that the UK does not have the resources to make an ‘exemplary’ effort in providing for basic humanitarian needs in the area controlled by the UK Division”. The cost of making a “significant difference” in a UK Area of Operation (AO) was estimated at between US\$400m and US\$2.4bn for the first year.<sup>178</sup> That was well beyond the financial and implementing capacity of DFID and the MOD, and could become a significant medium-term commitment if the local population became dependent on UK assistance. The alternative to an exemplary effort was to give UK assistance to UN agencies and NGOs, supplemented by support for QIPs in the UK’s AO.
- To choose between options for a post-conflict military presence in the medium term. The cost of maintaining a military force to provide security in a geographic area (which might be based on Basra) would be in the order of £1bn a year.
- Whether to follow the US plan to administer Iraq as a whole and not seek general UK responsibility for the administration of any geographic area in the medium term. In any area where the UK took responsibility for security, it could, with a UN mandate, also take on wider responsibility for reconstruction (including humanitarian assistance and aspects of civil administration), but that would “very likely be beyond the resources of the UK alone and have implications for domestic departments”.

**299.** At the 6 March meeting:

- Ms Short said that the “DFID contingency fund” would prioritise Iraq. The funding available to DFID would not, however, provide for a humanitarian response on the scale of Kosovo. Ms Short also repeated her view that a UN mandate was essential for post-conflict humanitarian and reconstruction operations, both to provide legal cover for reconstruction and to encourage other countries and international organisations to participate.
- Mr Brown said that the military operation would be “very costly”. Estimates for a major humanitarian operation were running at US\$1.9bn to US\$4bn. The burden of reconstruction should not be borne by the US and UK alone; other countries and Iraqi oil revenues should be tapped. In the longer term, Iraqi oil should fund the country’s reconstruction. Mr Brown said that he was particularly concerned that UK funds should not be used to repay Iraq’s substantial debts to Germany, France and Russia.
- Mr Hoon referred to the importance of humanitarian action in the immediate wake of the arrival of UK forces. Ms Short said that DFID had £70m available “for rapid disbursement” on humanitarian activities.<sup>179</sup>

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<sup>178</sup> The paper assumed that the UK’s AO would comprise Basra province and that Basra province contained around 20 percent of Iraq’s population. The figures represented 20 percent of estimated total humanitarian costs in the first year after a conflict (US\$2bn to US\$12bn)

<sup>179</sup> [Letter Cannon to Owen, 7 March 2003, ‘Iraq: Post-Conflict Issues’.](#)

**300.** Mr Blair concluded that:

- “(a) DFID and MOD should draw up a plan for immediate humanitarian action in the area of operations of British forces.
- (b) Planning for medium-term post-conflict action should continue on the assumption that a UN mandate (the ‘third/fourth resolutions’) would be forthcoming ... The FCO should prepare a Phase IV plan with other departments, including the key decisions for Ministers to take.
- (c) The Chancellor should draw up a funding plan, including securing funding from wider international sources, in particular the IFIs.
- (d) The Prime Minister was prepared to pursue with President Bush our need for a UN mandate for a post-conflict administration.”<sup>180</sup>

**301.** Mr Blair stated that the issue of “sectorisation” (whether to seek general responsibility for the administration of a geographic area of Iraq) would need to be addressed and should be covered in the Phase IV plan.

**302.** The record of the meeting did not report any discussion on whether the UK had the resource to make an exemplary effort in providing for basic humanitarian needs in the area controlled by the UK Division.

**303.** The ‘UK overall plan for Phase IV’ was shown to Mr Blair on 7 March.<sup>181</sup> Much of the plan, prepared by the IPU, was drawn from the annotated agenda prepared for the meeting on 6 March.

**304.** The plan stated that, “very soon” after the start of hostilities, the UK needed “**to agree what our medium-term contribution to Iraq should be (say from the autumn onwards). For this will shape our conduct in the short term.**”

**305.** The Inquiry has seen no response to the Phase IV plan.

**306.** On 14 March, in response to Mr Blair’s request for a funding plan, Mr Bowman sent No.10 a Treasury paper on financing reconstruction.<sup>182</sup> The paper was copied to the Cabinet Office, the Office of the Deputy Prime Minister, the MOD, the FCO and DFID.

**307.** The Treasury advised that the total cost of humanitarian relief and reconstruction in Iraq could be up to US\$45bn over the first three years. Iraqi oil might only pay for a fraction of that. The UK’s approach should be to spread the burden as widely as possible.

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<sup>180</sup> [Letter Cannon to Owen, 7 March 2003, ‘Iraq: Post-Conflict Issues’.](#)

<sup>181</sup> Minute Rycroft to Prime Minister, 7 March 2003, ‘Iraq: Weekend Papers’ attaching Paper IPU, 7 March 2003, ‘The UK overall plan for Phase IV’.

<sup>182</sup> [Letter Bowman to Cannon, 14 March 2003, attaching Paper Treasury, March 2003, ‘Financing Iraqi Reconstruction’.](#)

**308.** An effective burden-sharing arrangement required the “political legitimacy” that would follow UN endorsement of the transitional arrangement for governing Iraq. If the UN was involved, the burden-sharing arrangement should comprise:

- other bilateral donors, with non-combatant nations showing “disproportionate generosity”;
- maximising contributions from the IMF, the World Bank, other IFIs and the EU;
- preventing Iraqi revenues being “side-tracked” into paying debt and compensation claims; and
- maximising Iraq’s own contribution from oil revenues.

**309.** If the UN did not endorse the transitional arrangements, many of those approaches would be more difficult, and there would be pressure on the UK to contribute more.

**310.** The Treasury advised:

“A substantial UK financial contribution to the reconstruction efforts is unlikely to be affordable within existing spending plans unless the [UK] Government chose to divert spending from other domestic programmes. In the first instance DFID’s unallocated departmental provision (£88m for 2003/04) should provide for immediate requirements. The UK will, however, come under considerable pressure to contribute much more as its share of immediate humanitarian and reconstruction costs, let alone what would be required as part of an ‘exceptional response’. Substantial further support from central funds though is unlikely to be affordable: the costs of military activity in Iraq and elsewhere have already fully committed the 2003/04 Reserve; and the overall deterioration in the fiscal position severely limits the Government’s discretion to make additional spending allocations.”

**311.** The 14 March meeting of the AHGI was informed that the IPU was considering how best to approach other donors for support on reconstruction, and that the FCO was considering whether there was scope to approach other countries to contribute to UK military campaign costs (though the prospects were not good).<sup>183</sup>

## HUMANITARIAN ASSISTANCE IN THE UK’S AREA OF OPERATIONS

**312.** A junior official in the Permanent Joint Headquarters (PJHQ) wrote to the MOD on 5 March to alert it to PJHQ’s concerns over the provision of humanitarian assistance in the UK AO in the immediate aftermath of any conflict.<sup>184</sup> PJHQ had planned to “piggy-back” on US arrangements for the provision of humanitarian relief. It was now apparent, however, that the US plan depended heavily on international organisations and NGOs, which were unlikely to be present in the first weeks after any conflict.

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<sup>183</sup> Minute Dodd to Manning, 17 March 2003, ‘Ad Hoc Group on Iraq’.

<sup>184</sup> Minute PJHQ [junior official] to MOD Sec(O) 4, 5 March 2003, ‘Op TELIC: Resourcing of Humanitarian Assistance’.

**313.** PJHQ had also assumed that DFID would be responsible for providing “national humanitarian assistance”. It was now clear that the UK military would be unable to rely on “DFID support for UK troops”. Dr Brewer’s letter of 24 February to Mr Bowen had implied that DFID would not provide funding to the UK military for humanitarian operations without a second UN resolution. Even if there was a second resolution, DFID’s commitment to supporting UN agencies at a national level would constrain what DFID would do in the UK’s AO with the UK military and other partners. DFID’s view was that the most effective way to distribute humanitarian assistance was through international organisations and NGOs, and DFID intended to focus its resources on areas of greatest need (rather than necessarily on the UK’s AO).

**314.** PJHQ estimated that between £30m and £50m a month for two months would be required to cover the provision of humanitarian assistance in the UK’s AO in the immediate aftermath of any conflict.

**315.** An MOD official submitted advice on the issue to Mr Hoon on 7 March.<sup>185</sup> The official rehearsed the background set out in PJHQ’s note of 5 March, but suggested that only £10m a month would be required:

“... DFID have only just engaged on this issue in detail, [and] it has not been possible to get their expert advice on what might be required ... That said, the current working assumption is that there will be a particular requirement for supplies of drinkable water, medical supplies and fuel ... It has been suggested that the total requirement could amount to as much as £10m a month ...”

**316.** Two camps for internally displaced persons might also be required, at a “one-off” cost of £10m each.

**317.** The official provided a draft letter for Mr Hoon to send to Ms Short, seeking her agreement “to channel aid – funds – through our forces”. That agreement was needed urgently to ensure supplies could be procured and delivered on time.

**318.** Mr Hoon wrote to Ms Short on the same day, seeking her agreement that “an approach is made to the Chief Secretary” for funding as a matter of urgency.<sup>186</sup>

**319.** Ms Short replied on 12 March, agreeing that Mr Hoon should urgently discuss funding with the Treasury.<sup>187</sup> She added that DFID would not be able to inherit the “indefinite obligation” to spend £10m a month from the military without adequate finance to cover it. Copies of Mr Hoon’s and Ms Short’s letters were sent to Mr Brown.

**320.** Ms Short wrote to Mr Blair on the same day, setting out her misgivings about the state of humanitarian planning; copies of her letter were sent to Mr Hoon, Mr Straw,

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<sup>185</sup> Minute MOD D/Sec to PS/Secretary of State [MOD], 7 March 2003, ‘OP Telic: DFID Involvement and the Funding of Immediate Humanitarian Assistance’.

<sup>186</sup> Letter Hoon to Short, 7 March 2003, ‘Iraq: Immediate Humanitarian Assistance’.

<sup>187</sup> Letter Short to Hoon, 12 March 2003, [untitled].

Mr Brown and Sir Andrew Turnbull.<sup>188</sup> DFID preparations were well in hand; those of the UN humanitarian agencies and US and UK military were not. Ms Short stated that “UK Armed Forces are not configured or supplied to provide substantial humanitarian relief”.

**321.** Ms Short identified the three “critical steps” which would help joint DFID/MOD planning for humanitarian action. Those included “clarity over the scale of resources my department will have to support the provision of humanitarian and reconstruction assistance in Iraq”; DFID had earmarked £65m for humanitarian relief and reconstruction.

**322.** Treasury officials advised Mr Boateng on 14 March that DFID should cover any “early humanitarian” costs, given its responsibility for humanitarian issues and to incentivise it to become more engaged in planning and delivery of immediate post-conflict humanitarian assistance.<sup>189</sup> The Treasury’s “option B” was that the MOD claimed its expenditure on humanitarian relief from the Reserve, as part of NACMO.

**323.** Mr Boateng commented on the advice: “Option B is my strong preference in the current climate.”<sup>190</sup>

**324.** Mr Boateng wrote to Mr Hoon on 17 March, two days before the invasion, agreeing that the MOD could spend up to £20m to assist displaced persons and up to £10m to provide humanitarian assistance for one month.<sup>191</sup> The arrangement would be reviewed after that period.

**325.** The military’s preparedness to deliver humanitarian assistance in the UK’s AO is considered in Section 6.5.

#### DFID SECURES ADDITIONAL FUNDING FROM THE RESERVE

**326.** Ms Short told the House of Commons on 13 March that she had provided a further £6.5m to support humanitarian contingency planning by UN agencies and NGOs, in addition to the £3.5m for UN humanitarian contingency planning announced on 10 February.<sup>192</sup>

**327.** £3.5m of the £6.5m was provided to UN agencies, bringing the total amount provided by DFID to UN agencies to £7m.<sup>193</sup> A DFID official advised Ms Short that £7m represented 8.5 percent of the UN’s updated funding requirements for humanitarian preparedness (as set out in their 14 February appeal for US\$123.5m).

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<sup>188</sup> Letter Short to Blair, 12 March 2003, [untitled].

<sup>189</sup> Minute Treasury [junior officials] to Chief Secretary, 14 March 2003, ‘Iraq Funding’.

<sup>190</sup> Manuscript comment Boateng on Minute Treasury [junior officials] to Chief Secretary, 14 March 2003, ‘Iraq Funding’.

<sup>191</sup> Letter Boateng to Hoon, 17 March 2003, ‘Op TELIC Funding – Humanitarian Aid and Additional UORs’.

<sup>192</sup> House of Commons, *Official Report*, 13 March 2003, column 21WS.

<sup>193</sup> [Minute DFID \[junior official\] to PS/Secretary of State \[DFID\], 4 March 2003, ‘Iraq: Humanitarian Agencies Preparedness Funding Needs’](#).

**328.** On 17 March, at Ms Short’s request, DFID officials prepared a paper on shortcomings in humanitarian preparations and steps needed to address them.<sup>194</sup>

**329.** Officials identified seven problems:

- “• UN funding needs insufficiently met. Preparedness incomplete ...
- Red Cross Movement preparing but requires substantial funding support ...
- NGOs beginning to establish presence but not fully prepared ...
- US preparedness for response lacks local experience and based on optimistic assumptions ...
- How to maintain the Oil-for-Food (OFF) programme ...
- How to support humanitarian agencies [to] gain early access to Iraq ...
- How Coalition Forces can provide effective humanitarian response ...”

**330.** The proposed solution for the first three problems was provision of “immediate additional funds to DFID”.

**331.** Ms Short sent the paper to Mr Blair on 17 March with the comment: “This summarises what needs to be done to improve humanitarian preparedness. Perhaps we could really focus on this next week.”<sup>195</sup>

**332.** The military role in providing humanitarian assistance was summarised in a joint minute from Mr Straw and Mr Hoon to Mr Blair on 19 March.<sup>196</sup> Mr Straw and Mr Hoon advised:

“The military task will be to facilitate a secure environment ... to enable immediate humanitarian relief to be conducted. To help UK forces win hearts and minds, HMT [the Treasury] have allocated them £30m for humanitarian purposes in the first month as well as £10m for quick win projects. (Clare [Short] has allocated £20m for UN agencies’ preparations and earmarked another £60m from DFID’s Contingency Reserve for humanitarian operations. But this is a drop in the ocean; in the worse case, if the Oil-for-Food programme ground to a halt, Iraq could need as much as a billion dollars a month for humanitarian aid).”

**333.** The Coalition began military action against Iraq on the night of 19/20 March.

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<sup>194</sup> [Minute DFID \[junior official\] to Private Secretary/Secretary of State \[DFID\], 17 March 2003, ‘Iraq: Humanitarian Assistance’ attaching Paper, \[undated\], ‘Iraq: What is lacking in terms of being prepared for an effective humanitarian response and what would it take to address that?’](#)

<sup>195</sup> [Manuscript comment Short on Minute DFID \[junior official\] to Private Secretary/Secretary of State \[DFID\], 17 March 2003, ‘Iraq: Humanitarian Assistance’.](#)

<sup>196</sup> [Minute Straw and Hoon to Prime Minister, 19 March 2003, ‘Iraq: UK Military Contribution to Post-Conflict Iraq’.](#)

**334.** The International Committee of the Red Cross (ICRC) and International Federation of Red Cross and Red Crescent Societies (IFRC) launched humanitarian appeals on 20 March, each for approximately US\$80m.<sup>197</sup>

**335.** Ms Short wrote to Mr Boateng the following day to request an additional £120m from the Reserve for humanitarian assistance for Iraq.<sup>198</sup>

**336.** Ms Short advised that she could provide £80m for humanitarian assistance from DFID's core budget in 2003/04 (£75m from its Contingency Reserve of £90m and £5m from the existing Iraq programme). That was in addition to the £10m already provided from DFID's 2002/03 budget to UN agencies and NGOs. From the £80m available, she had:

- earmarked £65m for the UN's forthcoming initial Flash Appeal, which was expected to seek US\$1.9bn to cover the first six months of the crisis; and
- agreed to provide £10m to support further preparations by the World Food Programme, the Red Cross and NGOs.

**337.** Ms Short stated that with only £5m left, and with demand for funding expected to accelerate fast as humanitarian agencies moved from preparing to delivering, she now needed an extra £120m from the Reserve:

- £35m for the Red Cross appeals launched on 20 March;
- £20m for NGO programmes;
- £15m for DFID's bilateral effort, to deliver direct emergency support to fill gaps in the international response and to second UK relief professionals to UN agencies; and
- a further £50m for the UN initial Flash Appeal: "Given the UK's role in the Iraq crisis, we cannot conceivably avoid meeting less than a 10 percent share of the UN humanitarian appeal. My initial contribution of US\$100million [£65 million] will need quickly to be followed up to get us closer to a 10 percent share."

**338.** Ms Short added that her bid did not include any funds for reconstruction: that would need to be considered "in the longer term".

**339.** A Treasury official advised Mr Boateng on 25 March that Ms Short's letter "does not really make a case in terms of actual humanitarian impact ... DFID's argument is in essence about the need to be seen to commit funds".<sup>199</sup> There was little detail on how the money would be spent.

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<sup>197</sup> United Nations, June 2003, *Humanitarian Appeal for Iraq: Revised Inter-Agency Appeal 1 April – 31 December 2003*.

<sup>198</sup> [Letter Short to Boateng, 21 March 2003, 'Iraq Humanitarian Funding: Reserve Claim'](#).

<sup>199</sup> Minute Treasury [junior official] to Chief Secretary, 25 March 2003, 'Iraq Humanitarian Funding: Reserve Claim'.

**340.** The official recommended two options, depending on “political and presentational requirements”:

- agree the claim subject to further detail on how and when the money would be spent; or
- provide £55m to cover immediate needs. That figure comprised the amounts requested for NGOs and for DFID’s bilateral effort (both of which would be “politically difficult” to resist), and £20m for the UN Flash Appeal.

**341.** Mr Bowman advised the Treasury official on 26 March that Mr Brown’s view was that the Treasury should agree to provide £100m to DFID. He asked the official for a revised draft reply for Mr Boateng to send to Ms Short justifying that as a reasonable figure.<sup>200</sup>

**342.** Later that day, Mr Bowman advised the Treasury official that Mr Brown had, after further reflection, decided to provide the full amount requested by Ms Short (£120m).<sup>201</sup>

**343.** Mr Boateng replied to Ms Short on 27 March, agreeing her bid in full, subject to further detail on how and when the money would be spent.<sup>202</sup>

**344.** By 27 March, the UK Government had earmarked £240m for humanitarian relief:

- £30m for the UK military to provide humanitarian relief in the UK’s AO, from the Reserve;
- £90m from DFID’s own resources; and
- £120m for DFID from the Reserve.

**345.** The Inquiry asked Ms Short and Sir Suma Chakrabarti whether DFID had had the resources to deliver, with the MOD, an exemplary humanitarian effort in the South.

**346.** Ms Short told the Inquiry:

“... I had written a number of letters saying, ‘All we [DFID] have got is our Contingency Reserve and I’m supposed to keep that for other emergencies in the world ... if we mean this [the exemplary approach in the South], there has got to be some money on the table’, and what we were getting from the Treasury was no answer, nothing and it was this period of stand-off. Gordon Brown was pushed out and marginalised at the time ...

“So after a lot of delay and a number of efforts, the Treasury ... came with a letter saying, ‘There is no money. Money is very tight, and, therefore, we have got to have a UN Resolution so we can get the World Bank and the IMF and all the others in’.

<sup>200</sup> Email Bowman to Treasury [junior official], 26 March 2003, ‘Iraq Humanitarian Funding: DFID Reserve claim’.

<sup>201</sup> Email Bowman to Treasury [junior official], 26 March 2003, ‘Iraq Humanitarian Funding: DFID Reserve claim’.

<sup>202</sup> Letter Boateng to Short, 27 March 2003, ‘Iraq Humanitarian Funding: Reserve Claim’.

“That was a Treasury response, and we only got any extra money from the Treasury, I think, after the invasion had started. So how you can plan an exemplary role when it is that late ...”<sup>203</sup>

**347.** The Inquiry concludes that the Treasury letter referred to by Ms Short was Mr Bowman’s letter of 14 March to No.10.

**348.** Sir Suma told the Inquiry:

“We [DFID] were very concerned about the resource position. This was one of the biggest constraints on planning because we didn’t know what our financial envelope would be in the end. We first raised the resource issues with the Treasury at official level in December 2002 and then it was raised in various letters from Clare Short to the Prime Minister.”<sup>204</sup>

**349.** Mr Brown rejected those criticisms. He told the Inquiry that the Treasury’s concern had been to ensure that DFID used its Contingency Reserve before it secured additional funding from the Reserve.<sup>205</sup>

**350.** The UN launched a ‘Flash Appeal’ for Iraq on 28 March, seeking US\$2.22bn to provide six months of food and non-food aid for Iraq.<sup>206</sup>

**351.** DFID committed £65m to support the UN Flash Appeal on 1 April.<sup>207</sup>

**352.** The UN reported in June 2003, in the context of launching its revised humanitarian appeal for Iraq, that almost US\$2bn of the requested US\$2.22bn had been made available to UN agencies since the launch of the Flash Appeal.<sup>208</sup> That comprised US\$1.1bn in resources available within the OFF programme and US\$870m in donor contributions and pledges. The major donors were:

- the US (who had provided US\$483m, some 56 percent of total donor contributions);
- the UK (US\$108m – 12 percent); and
- Japan (US\$87m – 10 percent).

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<sup>203</sup> Public hearing, 2 February 2010, page 70.

<sup>204</sup> Public hearing, 8 December 2009, pages 27-28, 30.

<sup>205</sup> Public hearing, 5 March 2010, pages 97-98.

<sup>206</sup> United Nations, *Flash Appeal for the humanitarian requirements of the Iraq crisis: six-month response*, 28 March 2003.

<sup>207</sup> Report DFID, 1 April 2003, ‘Iraq humanitarian situation update No.8 (Internal)’.

<sup>208</sup> United Nations, *Humanitarian Appeal for Iraq: Revised Inter-Agency Appeal 1 April – 31 December 2003*, June 2003.

## Funding for a British Embassy and security

**353.** Contingency planning in the FCO, including for the procurement of armoured vehicles, portable accommodation and equipment to support the re-opening of a UK Office in Baghdad, had begun by September 2002.<sup>209</sup>

**354.** Mr Straw wrote to Mr Boateng on 17 February 2003, seeking £6.3m from the Reserve to cover costs incurred in preparing for possible conflict or regime change in Iraq.<sup>210</sup> That comprised:

- £3m for a ‘container’ Embassy in Baghdad;
- £1.2m for Chemical Biological Warfare (CBW) suits and air monitors;
- £740,000 for armoured cars, and for additional guards and security across the region;
- £668,000 for communications equipment for Baghdad;
- £380,000 for additional staffing costs in London; and
- £316,000 for an increased public diplomacy and information campaign.

**355.** Mr Straw stated that, in the event of a conflict, the FCO would have to make a further claim.

**356.** Mr Boateng replied two days later, agreeing the bids for the Embassy, CBW suits and air monitors, armoured cars and additional security, and communications equipment (a total of £5.62 million).<sup>211</sup> He rejected the bids for additional staffing in London and the public diplomacy and information campaign, arguing that “these were of a size and nature that we would expect the FCO to absorb”.

## Accuracy of pre-conflict estimates of costs

**357.** Sir Nicholas Macpherson told the Inquiry:

“Forecasts for the overall net additional costs of military operations, as well as estimates for UOR expenditure, were produced by the Ministry of Defence in consultation with the Treasury. The estimates were based on historical data coupled with assumptions on the anticipated operational tempo, activity and conditions for the forthcoming 12 months.”<sup>212</sup>

**358.** Addressing the accuracy of those estimates, Sir Nicholas Macpherson told the Inquiry:

“We [the Treasury] were making estimates through the autumn of 2002. The Treasury doesn’t always get forecasts right, and it didn’t get this forecast totally

<sup>209</sup> [Minute Collecott to Jay, 27 September 2002, ‘Iraq Contingency Measures’.](#)

<sup>210</sup> Letter Straw to Boateng, 17 February 2003, ‘Iraq and Terrorism Costs’.

<sup>211</sup> Letter Boateng to Straw, 19 February 2003, ‘Reserve Claim for Iraq and Terrorism Costs’.

<sup>212</sup> Statement, 15 January 2010, page 3.

right, but it wasn't that far off. We started from looking at the previous Iraq war. My recollection of it was the British intervention was on a larger scale, but obviously there had been quite a lot of inflation since then and I think we always assumed that the actual conflict itself would cost around £2.5 billion, and that estimate proved pretty accurate."<sup>213</sup>

**359.** Sir Nicholas explained:

"This wasn't some private Treasury estimate, we had an interest of working very closely with the Ministry of Defence, the Foreign Office, the International Development Department [DFID] ... at that time we could see a scenario where the war would cost something like 6 billion [pounds] and that was looking to the end of ... 2005/06, and, again, that's not hugely wide of the mark."<sup>214</sup>

**360.** Mr Trevor Woolley, MOD Director General Resources and Plans from July 1998 to August 2002 and subsequently MOD Finance Director, told the Inquiry:

"What we tended to do was to look at what the expected force level in theatre was and to focus the forecast round the numbers of people who were going to be out there [in Iraq] ... But, of course, the reality was sometimes that the force levels were different from those at the time of forecast and, therefore, the costs would be different and, of course, there were some costs that were either greater or less than one might have expected with that level of force level anyway."<sup>215</sup>

**361.** The estimates of military conflict and post-conflict and non-military costs which the Treasury provided to Mr Brown on 19 February were reasonably accurate, given the major uncertainties at that point.

**362.** Military costs relating to the conflict totalled some £2.2bn, against an estimate of £3.0bn (not including RAB costs).

**363.** Military post-conflict costs in 2004/05 were £0.9bn, against an estimate of £1.0bn.

**364.** The UK allocated £210m and spent £110m on humanitarian assistance in 2003/04, against the £100m to £250m range of likely expenditure identified by the Treasury.

**365.** The UK spent £99m on reconstruction in 2003/04, less than the £100m to £500m range identified by the Treasury. The £99m included a contribution of £70m to the UN and World Bank Trust Funds, which would only be disbursed by the UN and World Bank in subsequent years.

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<sup>213</sup> Public hearing, 22 January 2010, page 5.

<sup>214</sup> Public hearing, 22 January 2010, page 3.

<sup>215</sup> Public hearing, 2 July 2010, pages 77-78.

## Funding for military operations in the post-conflict period

### Cost of the UK's post-conflict military presence

**366.** Most of the issues raised at Mr Blair's meeting on 6 March, including the role of the UN, sectorisation and the nature of the UK's post-conflict contribution in Iraq, remained unresolved as the invasion began (see Section 6.5).

**367.** Mr Hoon and Mr Straw sent Mr Blair a joint minute on the UK military contribution to post-conflict Iraq on 19 March.<sup>216</sup> The minute, copies of which were sent to Mr Brown, Ms Short and Sir David Manning, invited agreement to five propositions including:

“In broad terms the MOD will need to draw down its scale of effort to nearer a third of its commitment by the autumn.”

**368.** That reduced commitment would equate to “a maximum of around one brigade, a two star headquarters and possibly a contribution to higher level command and control, air and maritime components, and support enablers”.

**369.** The joint minute gave little detail of what UK forces would be required to do immediately after the invasion:

“The expectation is that UK forces would be responsible for a task focused on Basra and other key military objectives in the south east of Iraq ... This task is broadly proportionate to the size of the UK's contribution to overall Coalition land forces ...”

**370.** The joint minute stated that US planning remained “sensibly flexible” once the initial phase was over and “a major part of Iraq has been stabilised”. It would be premature to take a view on the merits of sectorisation for that stage.

**371.** Mr Rycroft informed the FCO and the MOD on 21 March that Mr Blair agreed to the Straw/Hoon recommendations, subject to further urgent advice on the size of any UK sector, the duration of the UK commitment and the exit strategy.<sup>217</sup>

**372.** Mr Dodds provided advice to Mr Brown on the joint minute on 24 March.<sup>218</sup> Mr Dodds reported that the picture looked “rather different to that presented in the correspondence”:

“The Defence Chiefs say that a ‘medium size’ deployment (ie 10,000-15,000) is the most we could sustain in the medium term without lasting damage to our forces. MOD officials tell us they had intended the submission [the joint minute] to pose the question ‘do you want us to do as much as we can (ie this medium size deployment)

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<sup>216</sup> [Minute Straw and Hoon to Prime Minister, 19 March 2003, ‘Iraq: UK Military Contribution to Post-Conflict Iraq’.](#)

<sup>217</sup> [Minute Rycroft to McDonald and Watkins, 21 March 2003, ‘Iraq: UK Military Contribution to Post-Conflict Iraq’.](#)

<sup>218</sup> [Minute Dodds to Chancellor, 24 March 2003, ‘Iraq: UK Military Contribution to Post-Conflict Iraq’.](#)

or as little as we can get away with (ie less)?’ The question is not posed in that form and hence is not answered. **The choice is essentially political, but it is essential to note that the cost of a deployment on this medium scale is about £1bn a year.**”

**373.** Mr Dodds also reported that the MOD understood that the US now intended to create four, two-star (Divisional) commands in Iraq; the MOD’s “ambition” was to secure one of those commands. However:

“... we should not be too ready to take on a ‘two-star command’ without the necessary guarantees. The military will balk at this – a ‘2-Star command’ would provide a seat at the top table in the aftermath. But the risks that it brings of costs that we cannot afford both militarily and financially mean that it comes at potentially a high price.”

**374.** Mr Dodds advised that, given that this was an issue on which the Treasury and the MOD differed, Mr Brown’s input “could be invaluable”.

**375.** Mr Dodds also advised that Mr Brown might have a view on “whether to press for a smaller commitment than the £1bn ‘medium’ scale deployment that MOD/FCO have offered”.

**376.** Mr Dodds concluded by stating that it would be useful if Mr Brown could “urge caution at Cabinet in taking on post-conflict commitments without assurances from the US on a further UN resolution and about military support to any UK-led post-conflict command”.

**377.** Section 8 describes how the UK took responsibility for a sector of Iraq, which would become Multi-National Division (South-East) (MND(SE)).

**378.** At the 27 March meeting of Cabinet, Mr Brown reported that he was making available an additional £120m for humanitarian relief and raising the allocation of funds for the conflict from £1.75bn to £3bn.<sup>219</sup>

**379.** In his 9 April Budget statement to the House of Commons, Mr Brown announced that he had set aside £3bn in a “Special Reserve” available to the MOD, so that UK troops could be properly equipped and resourced.<sup>220</sup>

**380.** Mr Brown told the Inquiry that represented £1bn a year for three years.<sup>221</sup>

**381.** £1bn was the cost of a medium-scale military commitment in the post-conflict period, as estimated by Mr Dodds in his 24 March minute to Mr Brown.

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<sup>219</sup> Cabinet Conclusions, 27 March 2003.

<sup>220</sup> House of Commons, *Official Report*, 9 April 2003, columns 271-88.

<sup>221</sup> Public hearing, 5 March 2010, page 90.

**382.** Mr McKane directed MOD colleagues on 15 April to start turning their “broad estimates” of post-conflict and recuperation costs into a more detailed claim to the Treasury.<sup>222</sup>

**383.** Two weeks later, on 30 April, the MOD reported to the Treasury that:

- actual and forecast expenditure relating to Phase I (preparation of military forces) and Phase II (deployment) was £807m;
- actual and forecast expenditure to 30 April relating to Phase III (war-fighting) was £681m;
- forecast expenditure relating to Phase IV (post-conflict) for 2003/04 was £982m; and
- forecast expenditure for Phase V (recuperation) for 2003/04 was £400m.<sup>223</sup>

**384.** The MOD advised that the figures for Phases III, IV and V were their “first forecast” and “necessarily imprecise at this stage”. The MOD also confirmed that the overall cost of Op TELIC would remain within the £3bn announced by Mr Brown on 9 April.

### Impact on operations of the MOD’s financial position, 2002 to 2004

**385.** In the light of the publicity surrounding the funding and management of the defence programme in 2003 and 2004, the Inquiry examined two related questions:

- the size of the MOD’s core budget and whether it imposed constraints on operations in Iraq; and
- whether the imposition of controls on the MOD’s management of its resources by the Treasury in September 2003 had an impact on operations in Iraq.

**386.** The 1998 Strategic Defence Review (SDR) signified a major shift towards expeditionary armed forces, involving the rapid deployment of sustainable military force often over long distances.<sup>224</sup> The SDR recognised that while the collapse of the Warsaw Pact had removed a direct military threat to the UK, indirect threats still persisted. Countering those threats would require more mobile, responsive and flexible armed forces.

**387.** Section 6.3 describes progress in implementing the shift in military capability required by the 1998 SDR.

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<sup>222</sup> Minute McKane to DG Resources, 15 April 2003, ‘OP TELIC: Recuperation Costs and the Cost of Lessons Learned’.

<sup>223</sup> Letter PS/Hoon to PS/Boateng, 30 April 2003, ‘Operation Telic: Iraq Costs Update’.

<sup>224</sup> Ministry of Defence, *Strategic Defence Review Command Paper 3999*, 8 July 1998.

**388.** Speaking to *The Independent on Sunday* in 2007, Lord Guthrie, Chief of the Defence Staff from 1997 to 2001, said that he came close to resigning during the negotiations over the 1998 SDR:

“We had taken the Treasury by the hand through it all and thought we were home and dry ... Then at the last moment [Mr] Brown tried to take a lot more money out of it. If he had, the whole thing would have unravelled.”<sup>225</sup>

**389.** Mr Hoon told the Inquiry that when he arrived at the MOD, in October 1999, there was “quite a strong feeling that it [the MOD programme implementing the 1998 SDR] was not fully funded”.<sup>226</sup>

**390.** Sir Kevin Tebbit, MOD Permanent Under Secretary from July 1998 to November 2005, told the Inquiry that when he arrived at the MOD he estimated that the department was “about half a billion short” of being able to implement the SDR, although his colleagues did not agree the shortfall was that large.<sup>227</sup> The MOD had tried but failed to “recover the position” in the 2000 Spending Review.

**391.** Sir Kevin told the Inquiry that the MOD’s resource position in 2002 had not affected the decision to mount a large-scale operation in Iraq:

“While I think the core budget was insufficiently funded to deliver the SDR force structure, that doesn’t mean to say that I felt that the funding wasn’t there to conduct the [Iraq] operation, or indeed to sustain our objectives in Iraq, on the basis that we were planning to hand over, on the basis that we were not intending to stay ... beyond a certain period ...”<sup>228</sup>

**392.** Mr Woolley told the Inquiry that the SDR set out a high-level strategy, and it was a question of judgement whether a particular level of funding was sufficient to deliver that strategy.<sup>229</sup>

**393.** Mr Woolley identified three factors which, in his view, caused the “budgetary pressure” that the MOD faced in 2002:

- the year-on-year efficiency savings that the 2000 Spending Review had required;
- the cost of salaries, fuel and equipment rising faster than inflation; and
- exchange rate fluctuations.

**394.** The SDR New Chapter, published in July 2002, continued the shift towards expeditionary capability.<sup>230</sup>

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<sup>225</sup> *Independent on Sunday*, 11 November 2007, *Tony’s General turns defence into an attack*.

<sup>226</sup> Public hearing, 19 January 2010, page 127.

<sup>227</sup> Public hearing, 3 February 2010, page 3.

<sup>228</sup> Private hearing, 5 May 2010, page 38.

<sup>229</sup> Public hearing, 2 July 2010, pages 10-12.

<sup>230</sup> Ministry of Defence, *The Strategic Defence Review: A New Chapter*, July 2002.

**395.** In early 2002, Mr Hoon wrote to Mr Brown to request an additional £500m for 2002/03 above the MOD's 2000 Spending Review settlement.<sup>231</sup> He argued that the inadequate size of the MOD's 2000 Spending Review settlement, and the cost of expeditionary warfare, had produced a £770m hole in the MOD's budget. The MOD was prepared to absorb £270m of that.

**396.** No.10 wrote to the Treasury on 19 March 2002 to record that the MOD and Treasury had reached agreement that the bid would be considered sympathetically within the context of the 2002 Spending Review (which was already under way).<sup>232</sup>

**397.** Mr Blair attended a meeting with the Chiefs of Staff, Mr Hoon and Sir Kevin Tebbit on 21 May, to discuss current operations and resources.<sup>233</sup> Adm Boyce said that the Armed Forces had "been under-resourced since the SDR" and they "could not continue to make do".

**398.** Mr Boateng wrote to Mr Hoon on 10 July, confirming the MOD's settlement in the 2002 Spending Review.<sup>234</sup> Mr Boateng stated that the settlement represented 1.2 percent annual average real growth in the MOD's total DEL, and 1.7 percent annual average real growth in the MOD's near-cash DEL (the previous budgeting basis), and that it would permit the phased implementation of the SDR New Chapter. The table below summarises the settlement.

Table 4: 2002 Spending Review: MOD settlement, £bn

	2002/03	2003/04	2004/05	2005/06
<b>Total DEL</b> <sup>235</sup>	29.3	30.9	31.8	32.8

**399.** The settlement also provided an additional £500m in 2002/03 to "sustain activity levels and retention levels, and help offset the wider impact of the rate of military operations".

**400.** Annex A to the settlement letter confirmed that: "In general, the Ministry of Defence will have unlimited ability to move funds between separate resource and capital sub-programmes within its budget."<sup>236</sup>

**401.** Budgets allocated in the 2002 Spending Review reflected, for the first time, the implementation of full Resource Accounting and Budgeting (RAB).

<sup>231</sup> Letter Hoon to Brown, 31 January 2002, 'The Defence Budget in 2002/03'.

<sup>232</sup> Letter Heywood to Bowman, 19 March 2002, 'Defence Spending – 2002/03'.

<sup>233</sup> Note Rycroft, 21 May 2002, 'Prime Minister's Meeting with Chiefs of Staff'.

<sup>234</sup> Letter Boateng to Hoon, 10 July 2002, 'SR2002: Ministry of Defence'.

<sup>235</sup> Defined in the settlement letter as RDEL plus CDEL minus depreciation.

<sup>236</sup> Letter Boateng to Hoon, 10 July 2002, 'SR2002: Ministry of Defence: Annex A: Spending Plans'.

## Resource Accounting and Budgeting

Resource Accounting and Budgeting (RAB) has two key elements. First, costs are recorded when resources are consumed rather than when the cash is spent. Second, to provide a more accurate and transparent measure of the full economic costs, RAB incorporates non-cash costs including:

- depreciation – the consumption of capital assets over their useful economic life;
- impairments, such as stock write-offs; and
- a cost of capital charge – the opportunity and financing costs of holding capital.

The introduction of RAB by the Government was intended to create an incentive for departments to reduce non-cash costs, for example by reducing the amount and value of assets and stocks held.

Under RAB, the total Departmental Expenditure Limit (DEL) comprised three elements: a resource budget (RDEL); a capital budget (CDEL); and adjustments to reflect non-cash costs.

**402.** While the 2002 settlement was presented in RAB terms, in order to allow reconciliation back to previous settlements and to aid public presentation, the letter also gave an estimate of the cash spending associated with the settlement. The table below presents that estimate.

**403.** The change from cash accounting to RAB presented an opportunity for the MOD significantly to increase its available cash by reducing its non-cash costs (depreciation and the cost of capital).

Table 5: 2002 Spending Review, MOD settlement, cash spending estimate, £bn

	<b>2002/03 (Baseline)</b>	<b>2003/04 Plans</b>	<b>2004/05 Plans</b>	<b>2005/06 Plans</b>
<b>Resource DEL</b>	31.4	33.0	33.8	34.7
<b>Capital DEL</b>	5.5	6.0	6.3	6.9
<i>Less depreciation</i>	7.6	8.1	8.3	8.8
<i>Less cost of capital</i>	5.1	5.2	5.3	5.4
<i>Less other changes</i>	–	0.1	–	–
<b>Estimated cash spending</b>	24.2	25.6	26.5	27.4

**404.** Mr Hoon replied to Mr Boateng’s letter of 10 July on the same day, welcoming the proposed increase in defence spending but pointing out that, in terms of what the UK was expecting its Armed Forces to do, it was a “taut” settlement.<sup>237</sup>

<sup>237</sup> Letter Hoon to Boateng, 10 July 2002, ‘SR2002: Ministry of Defence’.

**405.** Sir Nicholas Macpherson told the Inquiry that negotiations on the MOD's 2002 settlement had not appeared to be acrimonious:

"... I didn't get the sense that the MOD was being starved of resource. Indeed, the 2002 settlement gave them small real increases ...

"... it is open to the Secretary of State, it is indeed open to the Chief of Defence Staff ... to approach the Prime Minister and raise concerns. The Secretary of State could have taken it to Cabinet and he could have held out. They didn't ..."238

**406.** Sir Kevin Tebbit told the Inquiry that the MOD had welcomed the 2002 settlement because it had been done on a resource accounting basis, rather than on a cash basis:

"The problem ... for the Treasury was that, whereas in most departments the transition from cash to accruals [RAB] didn't make very much difference, in the case of defence it made a huge difference, because our asset base was something between 70 and 90 billion pounds, a massive amount of money.

"Now, the amount of ... depreciation, capital charging, write-off allowance that was in [the MOD's] settlement, was a prudent figure ...

"But it did mean, as it transpired, that we had the headroom to achieve what I felt we had always failed to achieve before in my previous three years there, to actually fund the defence programme properly ..."239

**407.** Mr Woolley told the Inquiry that Mr Boateng's letter of 10 July 2002 had:

"... made no reference to there being a separate limit on the non-cash element of the overall resource budget ...

"So we made the assumption that there was no separate limit within our budget for non-cash, that we were to regard all resource budgets as available for whatever resource purpose it was required and ... we planned on a full resource basis without making any distinction between non-cash and near cash spend."240

**408.** Mr Woolley agreed with the Inquiry that, in practice, the change to RAB meant that by bearing down on non-cash costs the MOD would be able to increase cash expenditure.

**409.** Mr Woolley also drew attention to the "volatility" of MOD non-cash costs, resulting from periodic revaluation of assets, the number of write-offs of assets and stocks in a particular year, and delays in bringing new equipment into service (which would reduce the charge for depreciation).

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<sup>238</sup> Public hearing, 22 January 2010, page 37.

<sup>239</sup> Public hearing, 3 February 2010, pages 4-6.

<sup>240</sup> Public hearing, 2 July 2010, pages 59-61.

**410.** Mr Bruce Mann, MOD Director General Financial Management from May 2001 to February 2004, told the Inquiry that the MOD and the Treasury had worked together for many years before 2002, better to understand that volatility.<sup>241</sup>

**411.** By early April 2003, the Treasury had become concerned about the MOD's plans to transfer £1bn a year in 2003/04, 2004/05 and 2005/06 from non-cash to cash.<sup>242</sup> That would increase UK Public Sector Current Expenditure (PSCE) by the same amount, which the Treasury judged to be unaffordable.

**412.** The Treasury acknowledged that the MOD should be able to redeploy non-cash savings released through genuine efficiency gains to cash, but was concerned that:

- the size of the non-cash savings had come “as a bolt from the blue”;
- the MOD had over-estimated its non-cash costs (making it easier subsequently to identify and claim savings); and
- some elements of the savings were due to “windfall gains or creative accounting”, for example as the MOD changed the depreciation profiles on equipment and wrote down the value of equipment.

**413.** Sir Kevin Tebbit warned Mr Hoon on 14 April that Treasury officials had questioned the planned transfer of some £3bn from non-cash to cash over the next three years, which they regarded as undermining Mr Brown's fiscal projections.<sup>243</sup> Treasury officials had said that they could give no assurances that the MOD's budget would not be reduced, and had indicated that they would take account of the MOD's increased cash spending in deciding how to deal with “other issues in-year”. Sir Kevin described that as “code for our claims on the Reserve” in respect of operations in Iraq.

**414.** Sir Kevin concluded that the MOD had acted in good faith within the terms of the 2002 settlement, which allowed “unlimited flexibility to move funds between separate resource and capital sub-programmes”.

**415.** Discussions between MOD and Treasury officials continued through the summer, leading to a reduction in the MOD's planned transfer from £3bn to £2bn (£490m in 2003/04, £631m in 2004/05 and £948m in 2005/06).<sup>244</sup>

**416.** A Treasury official advised Mr Boateng on 19 August that he should “rebut” the MOD's entire £2bn transfer as neither legitimate nor affordable and against the “whole ethos of RAB”:

“The big picture is that the MOD have acted in bad faith. RAB sets out guidelines and principles, but cannot cover every eventuality ... Treasury is ultimately

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<sup>241</sup> Public hearing, 2 July 2010, page 63.

<sup>242</sup> Minute Dodds to Chief Secretary, 2 April 2003, ‘Draft: MOD Cash and Non-Cash Costs’.

<sup>243</sup> Minute Tebbit to Hoon, 14 April 2003, ‘Defence Budget’.

<sup>244</sup> Email Treasury [junior official] to Bowman, 4 July 2003, ‘MOD Budget – Submission – DDI/Treasury to CST’.

responsible for refining the guidelines over this transitional phase [of RAB implementation]. Equally, we need to be able to trust departments to work within the spirit of RAB and check with us wherever clarification is obviously required. If we cannot trust departments to behave in a co-operative manner, we will have to consider tighter controls – undoubtedly a backward step.”<sup>245</sup>

**417.** The official summarised the MOD’s position:

- It was working within the RAB framework, which rewarded lower non-cash costs.
- It claimed that the Treasury had focused it on DEL totals, and had told it that cash management was irrelevant.
- The MOD’s settlement letter in the 2002 Spending Review specified that it had unlimited flexibility to move funds between sub-programmes.

**418.** The official also set out the Treasury’s arguments against the MOD position:

- “• These switches [from non-cash to cash] are not affordable ...
- MOD have generated this improved cash flow from a mixture of accounting charges, exploitation of the transitional phase between RAB Stage I and II, and ineffective management of procurement contracts. Thus this cash windfall has nothing to do with the RAB principles of efficiency or improved asset utilisation ...
- MOD has consistently reassured us ... that non-cash forecasts in SR2002 were understated, not overstated. It would appear that they have misled us.
- ... it was always understood (although admittedly not put in writing) that significant movements in cash/non-cash would have to be agreed with HMT [the Treasury].
- The quality of MOD’s forecasting remains poor and does not instil confidence ...
- It is not credible that MOD can really have believed that cash was not relevant ...”

**419.** The Treasury’s analysis of the MOD’s planned £2bn transfer indicated that:

- 35 percent was the result of changes in accounting treatment which had been designed to produce non-cash savings.
- 23 percent was the result of delays in procurement.
- 33 percent was the result of exceptional write-offs.
- 10 percent could not be accounted for.<sup>246</sup>

**420.** The Treasury judged that only the second category (delays in procurement) represented legitimate non-cash savings.

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<sup>245</sup> Minute Treasury [junior official] to Chief Secretary, 19 August 2003, ‘c£2bn MOD Cash Increase over SR2002’.

<sup>246</sup> Figures sum to 101 percent due to rounding.

**421.** Mr Boateng wrote to Mr Hoon the following day, saying that he was unable to agree any transfer from non-cash to cash within the MOD's budget. Mr Boateng stated that, given the very tight fiscal position, the Government could not afford an unplanned increase to public sector net expenditure of the magnitude proposed by the MOD.<sup>247</sup> Copies of the letter were sent to Mr Blair and Mr Brown.

**422.** Mr Hoon replied to Mr Boateng on 3 September.<sup>248</sup> Mr Hoon argued that he had agreed the MOD's 2002 Spending Review settlement on a RAB basis, including that the MOD had unlimited flexibility to move funds between separate resource sub-programmes within its budget. The Treasury was now proposing "to move the goalposts". Mr Hoon challenged Mr Boateng's description of the transfers as resulting from "windfalls" and "transitional effects".

**423.** Mr Hoon stated that while it was not possible to say precisely where cuts would fall, cuts in training:

"... would soon cut into long-term military capacity and our ability to continue to sustain our operations in Iraq ..."

**424.** Mr Boateng and Mr Hoon met on 15 September to discuss the non-cash to cash transfers.<sup>249</sup> Mr Hoon told Mr Boateng that the MOD needed to transfer £870m from non-cash to cash in 2003/04 (rather than the £490m the MOD had previously estimated).

**425.** The following week, MOD officials told Treasury officials that their total additional cash requirement for 2003/04 had grown from £870m to £1,152m.

**426.** On 26 September, in advance of a meeting with Mr Brown, Mr Dodds produced a note summarising the exchanges between the Treasury and the MOD and reflecting on "how MOD had got into this position". On that question, he concluded:

"MOD say they believed that under ... RAB, cash was not a control. It is an open question whether this is stupidity or cunning."

**427.** Mr Brown wrote to Mr Blair later that day, reporting the exchanges between the MOD and the Treasury on the MOD's "legitimate questions" and highlighting his particular concern over the MOD's most recent requests:

"Until a fortnight ago, Paul Boateng was discussing with Geoff Hoon whether it was acceptable for up to £490 million of non-cash ... to be redeployed as cash spending ..."

**"However, it has now become clear that we are dealing with an issue of a completely different scale, which is being driven by a complete lack of**

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<sup>247</sup> Letter Boateng to Hoon, 20 August 2003, 'Implementation of the SR2002 Settlement'.

<sup>248</sup> Letter Hoon to Boateng, 3 September 2003, 'Implementation of the SR2002 Settlement'.

<sup>249</sup> Paper Treasury, 26 September 2003, 'Summary of Issues for Meeting with Chancellor – 3pm Friday 26 September'.

**budgetary control within the MOD. MOD's unforeseen requirement for £1,152 million of extra cash represents a very serious failure.** This is not a RAB problem, it is a basic control problem.

“Given the gross loss of control by MOD, I must disallow immediately any flexibility for MOD to move resources between non-cash and cash ... I must ... also impose on MOD a fixed cash control total to ensure that it remains within the SR2002 settlement.

“... I require an urgent externally led review of MOD's financial control arrangements, and assurance that the MOD will immediately focus on cost control ...”<sup>250</sup>

**428.** Mr Brown wrote that he was “anxious” that these changes would not affect the special arrangements that the Treasury had agreed with the MOD to fund operations in Iraq, and committed himself to ensuring that that funding continued.

**429.** Mr Boateng wrote to Mr Hoon the same day, reiterating Mr Brown's argument.<sup>251</sup>

**430.** Mr Brown told the Inquiry that he acted to impose additional controls on the MOD because:

“The purpose of resource accounting was to make sure that the assets of different departments were used more efficiently. So there had to be proof that the assets were being used more efficiently for that to be able to release cash ...

“If we had allowed every department to do what the Ministry of Defence were doing, then we would have an extra cost of £12 billion ...”

“I wrote to the Prime Minister about this because it was obviously an issue about the cash expenditure of the Government.”<sup>252</sup>

**431.** Mr Hoon replied to Mr Boateng on 29 September.<sup>253</sup> He rejected the charge that the MOD had lost control of its budget and argued that the emergence earlier that month of additional costs was due to a lack of defined Treasury controls rather than a lack of control by the MOD.

**432.** Mr Hoon reported that in order to comply with Mr Brown's demand that the MOD reduce its cash expenditure by £1.1bn in the current year, there would have to be a moratorium on uncommitted expenditure. He had agreed measures that would reduce cash expenditure by up to £500m in the current year (which would have “serious and just manageable” consequences for defence), but would not agree any further measures until Mr Blair had had a chance to consider the issue.

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<sup>250</sup> Letter Brown to Blair, 26 September 2003, ‘Ministry of Defence Budget’.

<sup>251</sup> Letter Boateng to Hoon, 26 September 2003, ‘Ministry of Defence Budget’.

<sup>252</sup> Public hearing, 5 March 2010, pages 126-127.

<sup>253</sup> [Letter Hoon to Boateng, 29 September 2003, ‘Ministry of Defence Budget’.](#)

**433.** Mr Hoon also challenged the assurances offered by Mr Brown and Mr Boateng that operations in Iraq would not be affected:

“... to suggest that cuts to the core Defence Budget will have no impact on military capability or morale reveals a lack of understanding about how defence works. The net additional military costs are only one element, and a relatively small element, of what goes into creating the military capability deployed in Iraq. Cuts in core equipment, logistics and training programmes will inevitably affect operations in Iraq. The only question is how quickly. The effect on morale will be more or less immediate.”

**434.** Mr Hoon wrote to Mr Blair in similar terms on the same day.<sup>254</sup>

**435.** On 6 October, Mr Hoon’s Private Secretary sent Mr Heywood a list of the main measures the MOD was taking to meet Mr Hoon’s commitment to save up to £500m in the current financial year.<sup>255</sup> Those were:

- further reductions in activity, especially overseas exercises;
- paring back logistic support;
- deferring plans to buy a fifth C-17 strategic lift aircraft; and
- delaying or reducing spend on other future equipment programmes, including the Battlefield Light Utility Helicopter, the Nimrod MRA4 and the Watchkeeper Unmanned Aerial Vehicle (UAV).

**436.** Mr Hoon’s Private Secretary wrote:

“These measures would not directly impact on operations in Iraq, but would begin to cut into training and support needed for motivated Armed Forces capable of sustaining the operations there, especially if the situation on the ground escalates, or in responding to new crises.”

**437.** The procurement of UAVs for Iraq is considered in Section 14.1.

**438.** Mr Heywood attempted to broker an agreement between the MOD and the Treasury. He advised Mr Blair on 7 October:

“In brief, MOD are requesting an extra £650/1000/1275m over the next three years ...

“There is no plausible reason why MOD’s non-Iraq spending should need to increase by 9 percent in the current year; and the Government’s Chief Accounting Adviser, Sir Andrew Likierman, is absolutely clear that there has been an unacceptable breakdown in financial control in the department (with too much money allocated out to budget-holders and the central finance function too weak to control what they

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<sup>254</sup> [Letter Hoon to Blair, 29 September 2003, ‘Ministry of Defence Budget’.](#)

<sup>255</sup> Letter Davies to Heywood, 6 October 2003, ‘Ministry of Defence Budget’.

are doing). The MOD have been completely unable to explain what the additional £650m this year is to be spent on.

“I know your instinct will be to back the MOD on this. But frankly I do not think they have much of a case.”<sup>256</sup>

**439.** Mr Heywood provided an update on negotiations to Mr Blair on 10 October.<sup>257</sup> Mr Brown had “grudgingly acquiesced” to provide an additional £250m in 2003/04 (and nothing for 2004/05 and 2005/06), “despite the rapidly deteriorating fiscal position”.

**440.** Mr Heywood concluded that providing an additional £350m to £375m for 2003/04 would be a reasonable compromise, with additional funding for the following years to be considered after a review of the MOD’s financial controls.

**441.** Mr Blair met Mr Brown and Mr Hoon separately in mid-October to discuss the issue.<sup>258</sup>

**442.** Mr Hoon wrote to Mr Blair on 17 October, identifying the short- and medium-term consequences of the imposition of cash controls.<sup>259</sup> Those included a reduction in the preparedness of the military to conduct operations, cuts and delays in equipment programmes, delays to planned pay increases, cuts in force structure, and a freeze on recruitment in some areas. Mr Hoon argued that to avoid those consequences, he would need authority to transfer more than the £400m “which is being suggested” for 2003/04, and agreement now for similar levels of transfers in subsequent years.

**443.** Mr Heywood passed that letter to Mr Blair, advising that he had almost brokered a deal between the MOD and the Treasury which involved:

- an additional £385m to £400m for the MOD in 2003/04;
- an external review of the MOD’s financial control systems; and
- a decision on funding in future years in the light of the findings of that review.<sup>260</sup>

**444.** Mr Heywood described that deal as “exceptionally generous”, given that the Reserve was already fully spent and the UK was heading for a “massive fiscal overshoot”. He concluded:

“I very much hope that you will endorse the compromise ... This also means overruling GB [Mr Brown]. He is currently refusing to countenance an offer of more than £250m. But his officials know that that will not wash!”

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<sup>256</sup> Minute Heywood to Prime Minister, 7 October 2003, ‘MOD Spending’.

<sup>257</sup> Minute Heywood to Prime Minister, 10 October 2003, ‘MOD Spending’.

<sup>258</sup> Letter Heywood to Watkins, 21 October 2003, ‘Defence Budget’.

<sup>259</sup> Minute Hoon to Blair, 17 October 2003, ‘Defence Budget’.

<sup>260</sup> Minute Heywood to Prime Minister, 17 October 2003, ‘Defence Budget’.

**445.** Mr Heywood wrote to Mr Hoon's Private Secretary on 23 October:

"The Prime Minister shares the Chancellor's – and Sir Andrew Likierman's – concern about recent financial developments within MOD ...

"However, given the late stage of the financial year and so as to minimise the disruption to front line defence and morale at this critical time, the Prime Minister and Chancellor are prepared to agree a one-off cash uplift of £400m for 2003/04 ..."<sup>261</sup>

**446.** That uplift was conditional on MOD agreement to an externally led review of its financial control arrangements, and an assurance it would make maximum use of savings generated by its efficiency programme to ensure that cash and resource spending were properly controlled. Once the review had made its recommendations and any changes to the MOD financial controls had been implemented, the Treasury would look again at Mr Hoon's request for extra cash for 2004/05 and 2005/06.

**447.** Sir Kevin Tebbit told the Inquiry that it was the MOD's normal practice to appeal to Mr Blair on funding issues:

"... given the particular nature of the Blair Government, the MOD tended to look to ... the Prime Minister for understanding and support in the budgetary context. Some other departments went direct to the Chancellor. We usually tried to operate through Number 10 because we were always coping with the problem of a policy ambition which the Prime Minister subscribed to, which was never quite matched by the financial attitude of the Chancellor."<sup>262</sup>

**448.** The external review of the MOD's cash management arrangements (the Likierman review), which was undertaken by Cap Gemini Ernst and Young, issued on 25 November.<sup>263</sup>

**449.** Mr Woolley forwarded the review to Mr Hoon and Sir Kevin Tebbit the following day.<sup>264</sup> He commented:

"While not a report we would ourselves have written ... [it] provides only very limited support to the criticisms levelled at the department [the MOD] by the Chancellor and the Chief Secretary."

**450.** Mr Woolley said that the review confirmed that RAB did not require departments to control net cash or near cash, which was "the kernel of our case".

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<sup>261</sup> Letter Heywood to Watkins, 21 October 2003 [sic], 'Defence Budget'.

<sup>262</sup> Private hearing, 6 May 2010, pages 40-41.

<sup>263</sup> [Report Cap Gemini Ernst and Young, 25 November 2003, 'Review of MOD Cash Management Arrangements'](#).

<sup>264</sup> Minute Woolley to Hoon, 26 November 2003, 'PSX 26 November – CGEY Report'.

**451.** Mr Dodds forwarded the Likierman review to Mr Boateng on 28 November.<sup>265</sup> He summarised its main findings:

- Since the 2000 Spending Review, the MOD had had no systems that provided effective control over its net cash requirement (the actual cash required by the MOD to carry out its business).
- The MOD was not aware of its near cash position.
- Treasury guidance could have been clearer in defining the controls that departments needed to maintain. The MOD had set out its argument to the review team: that it had not controlled cash or near cash because it was not required to do so under full RAB.

**452.** Mr Dodds recommended that Treasury and MOD officials should develop a framework to control the transfer of non-cash savings into cash spending. The framework could allow transfers where they resulted from efficiency gains and subject to a cap. Decisions on the MOD's budget for 2004/05 and 2005/06 should await the conclusion of those discussions.

**453.** Mr Hoon wrote to Mr Brown on 17 December, proposing that the Treasury allow the MOD to transfer £750m from non-cash to cash in both 2004/05 and 2005/06.<sup>266</sup> Mr Hoon stated that the cash controls imposed by the Treasury had required the MOD to reduce planned expenditure in the current financial year (2003/04) by £800m, and would require the MOD to reduce planned expenditure by £1bn a year in future years.

**454.** Mr Hoon cited the Likierman review in support of this request:

“I was pleased, but not surprised, that the CAP Gemini Ernst and Young Report [the Likierman review] gave the MOD a clean bill of health. It confirmed that the Resource Accounting and Budgeting framework does not require control of net cash or near cash ... the MOD was following the terms of the settlement letter and your rules.”

“Given the outcome of the ... review, I can expect restoration of the freedom to flex more than £1bn per year from non-cash to cash – which is what is required to maintain the direction envisaged at the time of SR2002 and the SDR New Chapter. However, I do recognise ... the fiscal position and our collective responsibilities in this area. I accordingly propose that we agree to flex £750 million in 2004/05 and £750 million in 2005/06.”

**455.** Mr Hoon wrote again to Mr Brown on 25 February 2004, highlighting the implications of the cash controls imposed by the Treasury.<sup>267</sup> The £800m reduction in planned expenditure in 2003/04 had been achieved largely by reducing planned

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<sup>265</sup> Minute Dodds to Chief Secretary, 28 November 2003, ‘MOD – Cash/Non-Cash’.

<sup>266</sup> Letter Hoon to Brown, 17 December 2003, ‘Defence Budget’.

<sup>267</sup> Letter Hoon to Brown, 25 February 2004, ‘Defence Budget’.

expenditure on new equipment and logistic support for the Armed Forces, “with obvious consequences for operational capability in future years”. Retaining the cash controls in future years would cause huge damage to military capability, the loss of jobs in industry and damage to the Government’s credibility.

**456.** Sir Kevin Tebbit provided advice to Mr Hoon on 5 March on the specific reductions in programmes and capability in 2004/05 and 2005/06 that would be required by the Treasury’s cash controls.<sup>268</sup>

**457.** Mr Hoon wrote to Mr Blair on 8 March, highlighting some of those reductions and stating that he could accept authority to transfer £500m (rather than £750m) from non-cash to cash each year.<sup>269</sup>

**458.** Mr Hoon submitted the MOD’s bid for funding to the 2004 Spending Review on 26 April.

**459.** On 6 July, as negotiations on the outcome of the 2004 Spending Review reached a conclusion, and with the MOD’s bid under pressure, Sir Michael Walker, Chief of the Defence Staff, wrote to Mr Brown:

“Were the [MOD’s] bid not to be met ... I would be unable to present the outcome to the Armed Forces as being consistent with policy and other than the consequence of inadequate funding.”<sup>270</sup>

**460.** Mr Hoon echoed that warning in a letter to Mr Blair on 9 July:

“... a settlement around this level is essential for the Chiefs of Staff to support it. I could not rule out the Chiefs speaking out in public, not least because I would not expect them to be able to explain a poor settlement in positive terms to their people.”<sup>271</sup>

**461.** On 11 July, in an accompanying letter to the MOD’s 2004 Spending Review settlement, the Treasury agreed that the MOD could transfer £350m from non-cash to cash in both 2004/05 and 2005/06.<sup>272</sup> A new regime would be established from 2006/07, under which transfers would be at least in part conditional on efficiency improvements.

## THE MOD REFLECTS ON THE REASONS FOR ITS INCREASED CASH REQUIREMENT

**462.** In June 2004, in response to a request from Sir Kevin Tebbit for an explanation of how the MOD’s cash requirement had grown from £490m to £870m to £1,152m during the course of September 2003, Mr Lester sent him a chronology of the dispute

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<sup>268</sup> Minute Tebbit to Hoon, 5 March 2004, ‘STP/EP 04: Years 1 and 2’.

<sup>269</sup> Letter Hoon to Blair, 8 March 2004, ‘Defence Budget’.

<sup>270</sup> Letter Walker to Brown, 6 July 2004, ‘Defence Budget’.

<sup>271</sup> Letter Hoon to Blair, 9 July 2004, ‘SR 04: Defence Budget’.

<sup>272</sup> Letter Boateng to Hoon, 11 July 2004, ‘Ministry of Defence: 2004-05 and 2005-06 Budgets’.

which had been produced towards the end of 2003.<sup>273</sup> Mr Lester commented that the chronology had been produced to clarify the MOD's internal understanding, and was not to be handed over to the Treasury.

**463.** The chronology showed:

- In December 2001, the MOD estimated that it would have an Annually Managed Expenditure (AME) “surplus” of £500m a year (compared with its previous estimate).
- The MOD had “serious doubts” about that estimate (some of the figures were “clearly wrong”), so used its previous (higher) estimate as the basis for its 2002 Spending Review bid.
- Further estimates in April and June 2002 increased the MOD's confidence that it would have a £500m a year AME surplus, though it was still not certain. The MOD assumed that the Treasury would scrutinise its AME figures as part of the 2002 Spending Review; if it had, the MOD would probably have reduced its bid. But the Treasury did not scrutinise the figures.
- When the MOD agreed its 2002 Spending Review settlement in July 2002, while it still did not trust its exact AME figures, it was confident that “there would be scope to bear down on ... costs ... That was why we were able to recommend acceptance of the settlement.”
- Prompted by continuing doubts about the accuracy of its AME figures, the MOD conducted a “detailed scrutiny” in December 2002. That exercise confirmed the AME surplus. The surplus was “reinvested” for cash expenditure the following month.
- MOD Top Level Budget-holders (TLBs) continued to refine their AME figures, revealing further significant reductions in their requirement. The forecast surpluses were reinvested for cash expenditure in February 2003.
- Analysis of the forecasts provided by MOD TLBs in late August revealed further reductions in their AME requirement.
- The MOD warned the Treasury on 12 September that the MOD's cash requirement had increased from £490m to £870m.
- The MOD warned the Treasury on 24 September that the MOD's cash requirement had increased to £1,152m.

**464.** Mr Lester's covering note advised:

“PUS [Sir Kevin Tebbit] asked why we ‘got it wrong’ as the headline numbers rose from £490m to £870m to £1,152m during the course of September 2003. This is not easy to explain ... the Treasury's key accusation – that we lost control of TLBs expenditure – is wrong. What did happen was that we found it very difficult

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<sup>273</sup> [Email Lester to PS/PUS \[MOD\], 18 June 2004, ‘Non-Cash Chronology’ attaching Paper, \[undated\], ‘Chronology of Non-Cash Debate with the Treasury in 2003’.](#)

to re-invent the non-cash and near-cash split in TLBs budgets, having made the transition to full RAB.”<sup>274</sup>

**465.** Mr Lester identified the main reasons behind the increase in the MOD’s cash requirement from £490m to £870m:

- “late technical refinements” by MOD TLBs (£200m);
- a reassessment by FLEET (the Royal Navy’s operational Command) of its requirements (£122m); and
- policy decisions (£40m).

**466.** The main reason behind the increase in the MOD’s cash requirement from £870m to £1,152m was the discovery that the MOD had issued its TLBs with over £200m more near-cash than it had available. That error had been caused by the absence of a near-cash control total in the 2002 Spending Review settlement.

**467.** Lord Boateng told the Inquiry that he doubted that Mr Hoon and Sir Kevin Tebbit had been aware of the particular opportunities created by full RAB for the MOD when they had welcomed the MOD’s 2002 settlement:

“I think this was an opportunity that became available later, and they saw the opportunity and they took it ...

“A fair enough wheeze perhaps, if not one that could be tolerated.”<sup>275</sup>

## THE IMPACT OF THE TREASURY CONTROLS

**468.** Mr Hoon told the Inquiry that the imposition of cash controls “caused quite a lot of problems”, because the MOD had been spending at a rate which assumed an unlimited flexibility to transfer non-cash to cash, and had made plans which assumed this unlimited flexibility.<sup>276</sup>

**469.** Mr Hoon also told the Inquiry that although the MOD’s forward equipment programmes, including its helicopter programmes, had been affected, he doubted whether this had “immediate consequences” for the UK’s operations in Iraq:

“I don’t believe that it was relevant to helicopters in Iraq ... I suppose it is reasonable to assume that by now [January 2010], had that budget have been spent in the way that we thought we should spend it, then those helicopters would probably be coming into service any time now.”<sup>277</sup>

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<sup>274</sup> [Email Lester to PS/PUS \[MOD\], 18 June 2004, ‘Non-Cash Chronology’ attaching Paper, \[undated\], ‘Chronology of Non-Cash Debate with the Treasury in 2003’.](#)

<sup>275</sup> Public hearing, 14 July 2010, page 52.

<sup>276</sup> Public hearing, 19 January 2010, page 195.

<sup>277</sup> Public hearing, 19 January 2010, pages 196-197.

**470.** Sir Kevin Tebbit told the Inquiry that Mr Brown’s decision to impose cash controls meant that the MOD:

“... had to go in for a very major savings exercise in order to cope with what was effectively a billion pound reduction in our finances.”

“... the way we went through this exercise was to preserve resources for Iraq, for the operational scenarios that we were currently engaged in, and to make cuts and savings in the areas which were least likely to be called upon ...”<sup>278</sup>

**471.** In response to a question from the Inquiry, Sir Kevin said that it was “very difficult to say” that the reduction had had a long-term impact on UK operations in Iraq.<sup>279</sup>

**472.** Mr Brown told the Inquiry that the MOD had more funding available to it in 2002/03, 2003/04 and 2004/05 than it had secured in the 2002 Spending Review:

- the additional £500m for 2002/03, which had been confirmed by Mr Boateng in July 2002; and
- authority to transfer £400m from non-cash to cash in 2003/04 and 2004/05.<sup>280</sup>

**473.** Mr Brown also emphasised that the size of the MOD’s core budget had “really not much to do with Iraq, because Iraq was being funded completely separately”.<sup>281</sup>

**474.** Sir Kevin Tebbit agreed with that analysis:

“I really do not believe that our activities in Iraq were constrained by the overall size of the MOD budget. My own view was that Afghanistan was – putting the two together was where the strain came subsequently.”<sup>282</sup>

**475.** Sections 6.3 and 14 describe how the MOD prioritised key military capabilities.

## MR BROWN’S EVIDENCE TO THE INQUIRY ON INCREASES IN THE MOD’S CORE BUDGET

**476.** In October 2009, the House of Commons Library published a note showing defence expenditure in near-cash terms between 1955/56 and 2008/09.<sup>283</sup> The use of near-cash terms allowed comparison between years before and after the transition from cash accounting to RAB. The table below shows those figures for the period from 2001/02 to 2008/09.

<sup>278</sup> Public hearing, 3 February 2010, pages 7 and 10.

<sup>279</sup> Public hearing, 3 February 2010, page 11.

<sup>280</sup> Public hearing, 5 March 2010, pages 127-128. Mr Heywood confirmed in October 2003 that the MOD could transfer £400m from non-cash to cash in 2003/04. Mr Boateng confirmed in July 2004 that the MOD could transfer £350m from non-cash to cash in both 2004/05 and 2005/06.

<sup>281</sup> Public hearing, 5 March 2010, page 128.

<sup>282</sup> Private hearing, 6 May 2010, page 42.

<sup>283</sup> House of Commons Library Standard Note, 16 October 2009, *Defence Expenditure*.

Table 6: Defence expenditure in near-cash terms, 2001/02 to 2008/09 (£bn)

	Near-cash expenditure	Near-cash expenditure at 2008/09 prices <sup>284</sup>	£bn change on previous year, in real terms	% change on previous year, in real terms
2001/02	26.1	31.4	2.4	8.4
2002/03	27.3	31.8	0.5	1.5
2003/04	29.3	33.2	1.4	4.4
2004/05	29.5	32.5	- 0.7	- 2.1
2005/06	30.6	33.1	0.6	1.8
2006/07	31.5	33.0	- 0.1	- 0.2
2007/08	33.5	34.2	1.2	3.6
2008/09	36.4	36.4	2.2	6.5

**477.** Mr Brown told the Inquiry on 5 March 2010 that the defence budget had risen in real terms (i.e. after adjusting for inflation) every year during the period covered by the Inquiry;<sup>285</sup> and that the budgets allocated in the 2002, 2004 and 2007 Spending Reviews had provided increases in “real terms spending” of 1.2 percent, 1.4 percent and 1.5 percent respectively.<sup>286</sup>

**478.** Mr Brown wrote to the Inquiry on 17 March 2010, to clarify that while defence expenditure had risen every year in cash terms, it had not risen every year in real terms.<sup>287</sup> Mr Brown provided figures for the MOD’s core budget in near-cash and real terms, and total defence expenditure (including NACMO) for the period 2001/02 to 2009/10. Those figures are set out in the table below (the percentage variations between years have been added by the Inquiry).

**479.** The figures provided by Mr Brown show that:

- The MOD’s core budget fell between 2001/02 and 2002/03 and between 2006/07 and 2007/08, and rose in all other years.
- Defence expenditure, which includes a number of significant additional factors, including NACMO, fell between 2003/04 and 2004/05 and between 2005/06 and 2006/07, and rose in all other years.

<sup>284</sup> Adjusted using GDP deflator as at June 2009.

<sup>285</sup> Public hearing, 5 March 2010, page 120.

<sup>286</sup> Public hearing, 5 March 2010, page 119.

<sup>287</sup> Letter Brown to Chilcot, 17 March 2010, [untitled].

Table 7: Total defence expenditure, 2001/02 to 2009/10 (£bn)

	MOD core budget			Actual defence expenditure (inc. NACMO)		
	Near cash budget	Real terms (2008/09 prices)	Real terms % change on previous year	Cash outturn + ops <sup>288</sup>	Real terms (2008/09 prices)	Real terms % change on previous year
2001/02	23.57	28.44	0.32	24.87	30.02	3.31
2002/03	24.20	28.29	- 0.53	26.99	31.56	5.12
2003/04	25.58	29.08	2.79	29.34	33.36	5.72
2004/05	26.48	29.29	0.72	29.52	32.66	- 2.09
2005/06	27.60	29.97	2.32	30.60	33.24	1.76
2006/07	28.66	30.23	0.87	31.45	33.18	- 0.17
2007/08	29.97	30.15	- 0.26	33.49	34.33	3.47
2008/09	30.76	30.76	2.02	36.43	36.43	6.12
2009/10	31.92	31.30	1.76	39.87	39.08	7.27

## New arrangements for funding Urgent Operational Requirements, July 2007

**480.** The Inquiry concludes in Section 9.8 that, from July 2005 onwards, decisions in relation to resources for Iraq were made under the influence of the demands of the UK effort in Afghanistan. Although Iraq remained the stated UK Main Effort, the Government no longer had the option of a substantial reinforcement of its forces there.

**481.** The funding approved for Urgent Operational Requirements (UORs) increased significantly in 2006/07, as security in Iraq deteriorated, expenditure on Afghanistan increased, and the Government provided new equipment to protect deployed personnel (see Section 14.1).

**482.** The table below shows the funding approved by the Treasury for UORs relating to Iraq from 2002/03 to 2009/10.<sup>289</sup> Information on actual expenditure on UORs was not captured separately until 2008/09.

Table 8: Funding approved for UORs for Iraq, 2002/03 to 2009/10 (£m)

	02/03	03/04	04/05	05/06	06/07	07/08	08/09	09/10	Total
UOR approvals (£m)	500	180	130	100	420	450	40	5	1,825

<sup>288</sup> Figures provided by Defence Analytical Services and Advice (DASA).

<sup>289</sup> Letter Quinault to Aldred, 1 March 2010, [untitled].

**483.** The increase in funding approved for UORs drove an increase in overall NACMO from 2007/08. The table below shows the funds drawn by the MOD from the Reserve to cover NACMO, including UORs, in relation to Iraq.<sup>290</sup>

Table 9: Total NACMO for Iraq, 2002/03 to 2009/10 (£m)

	02/03	03/04	04/05	05/06	06/07	07/08	08/09	09/10	Total
Total NACMO	847	1,311	910	958	956	1,458	1,381	342	8,163

**484.** The arrangements for funding UORs which had been agreed between the MOD and the Treasury in September 2002 continued to operate until autumn 2006.

**485.** In autumn 2006, the UOR envelopes for Iraq and Afghanistan were combined, with a view to providing additional flexibility in managing UOR funding and to reduce bureaucracy in the MOD and the Treasury.<sup>291</sup>

**486.** Mr Des Browne, the Defence Secretary, was advised by an MOD official on 24 November 2006 that he should write to Mr Stephen Timms, Chief Secretary to the Treasury, to request an increase of £460m in the combined UOR envelope.<sup>292</sup> Despite tight controls, the requirements for UORs continued “at a rate higher than anticipated, and considerably above historical norms”, because of:

- the intensity of operations in Afghanistan;
- the slow drawdown of forces from Iraq;
- the constantly evolving threat in both theatres; and
- “a decreased willingness, at all levels, to ‘make do’ with sub-optimal solutions and uncomfortable living and working conditions now that both operations [Afghanistan and Iraq] have become enduring”.

**487.** The size of the request prompted Mr Browne’s Assistant Private Secretary to do “a little digging” into the MOD’s UOR system.<sup>293</sup> He reported to Mr Browne that:

“The UOR system – the people who make bids on it and those who sanction bids within it – are changing their attitude. There is greater willingness to ask for technical solutions to reduce risk and discomfort and less inclination to block such bids. Partly this is because there is a perception (rightly or wrongly) that the political environment has changed, and money is no longer the constraint it was ...

<sup>290</sup> Letter Quinault to Aldred, 1 March 2010, [untitled]; Letter Cabinet Office [junior official] to Aldred, 1 July 2011, ‘Iraq Inquiry: Request for Further Information on Funding’; Letter Cabinet Office [junior official] to Aldred, 13 September 2011, ‘Iraq Inquiry: Request for Further Information on Funding’.

<sup>291</sup> [Minute MOD \[junior official\] to PS/Secretary of State \[MOD\], 24 November 2006, ‘Additional Funding for Urgent Operational Requirements \(UORs\)’.](#)

<sup>292</sup> [Minute MOD \[junior official\] to PS/Secretary of State \[MOD\], 24 November 2006, ‘Additional Funding for Urgent Operational Requirements \(UORs\)’.](#)

<sup>293</sup> [Minute MOD \[junior official\] to Browne, \[undated\], ‘UOR Funding – Iraq and Afghanistan’.](#)

“The other factor is that our aspirations are rising and the harder we fight the better we want to do it.”

**488.** Mr Browne’s Assistant Private Secretary suggested to Mr Browne that they should discuss the UOR culture that was forming, and “whether we need to re-steer a little or accept that this is the new price of doing business”.

**489.** The MOD told the Inquiry that it has no record of a discussion between Mr Browne and his Assistant Private Secretary on that issue.<sup>294</sup>

**490.** Mr Browne wrote to Mr Timms on 4 December to request an increase of £460m in the combined UOR envelope for Iraq and Afghanistan.<sup>295</sup>

**491.** Mr Timms was advised by a Treasury official on 9 January 2007 that:

“At official level, MOD have indicated that the underlying reason for the sustained high level of UORs is linked to a Ministerial judgement that soldiers must be provided with the optimum equipment, especially where force protection is at stake.

“HMT [the Treasury] have never refused a request to fund a UOR. Once forces are deployed and commanders are generating requirements it is difficult to deny the resources ... It follows that the mechanism for limiting the total cost of operations is to resist any expansion of troops committed to operations, rather than UORs to supply the troops already deployed in theatre.”<sup>296</sup>

**492.** Mr Timms agreed Mr Browne’s request in full on 15 January.<sup>297</sup>

**493.** Mr Browne wrote to Mr Timms on 29 March to request a further increase of £450m in the combined UOR envelope for Iraq and Afghanistan, to cover the first four months of the financial year 2007/08.<sup>298</sup>

**494.** Mr Paul Taylor, MOD Director General Equipment, met Mr James Quinault, Head of the Treasury’s Defence, Diplomacy and Intelligence Team, on 19 April to discuss that request.<sup>299</sup>

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<sup>294</sup> Email MOD [junior official] to Iraq Inquiry [junior official], 25 September 2013, ‘Iraq Inquiry: Queries Relating to Resourcing – MOD Response’.

<sup>295</sup> Letter Browne to Timms, 4 December 2006, ‘Iraq and Afghanistan – Additional Funding for Urgent Operational Requirements’.

<sup>296</sup> Minute Treasury [junior official] to Chief Secretary, 9 January 2007, ‘Increase in the Urgent Operational Requirements Envelope’.

<sup>297</sup> Letter Timms to Browne, 15 January 2007, ‘UOR Uplift’.

<sup>298</sup> Letter Browne to Timms, 29 March 2007, [untitled].

<sup>299</sup> [Minute Taylor to PS/SofS \[MOD\], 24 April 2007, ‘Treasury Reaction to Requested Increase in UOR Funding’.](#)

**495.** Reporting the Treasury's "emerging response" to Mr Browne, Mr Taylor said that Mr Quinault had made clear:

- The current, high level of UOR approvals was generating significant financial pressure on the Reserve, such that Treasury officials viewed the current UOR mechanism as "unsustainable".
- A key Treasury concern was that there was no incentive within the current UOR mechanism for the MOD to manage demand or reprioritise equipment plans.
- In the shorter term, Treasury officials were keen to modify the UOR mechanism so that the Treasury agreed a smaller envelope to cover smaller UORs, while larger UORs would be agreed individually with Treasury officials.
- In the longer term, a new UOR mechanism should be considered as part of the forthcoming Comprehensive Spending Review.

**496.** Mr Quinault had also told MOD officials that he would be recommending to Mr Timms that he should ask the MOD to find the resources for two UORs which he perceived as general capability enhancements.

**497.** Mr Taylor concluded:

"All that said, Quinault accepted that Treasury Ministers may take a different view given the evident sensitivities, so we should not assume anything about the formal Treasury response until the Chief Secretary [Mr Timms] has written ..."

**498.** A Treasury official advised Mr Timms on 20 April that the "step change" in the level of UOR funding made the current UOR arrangement "unsustainable".<sup>300</sup> The Treasury had provided £2.1bn to fund UORs relating to Iraq and Afghanistan since 2001, of which over half had been provided in the last two years:

"We [the Treasury] do not question the military judgment that there is a current operational need – but we believe that many of these items seek to provide a general capability that could have been provided through the Equipment Programme. Many items appear to be kitting out the Army while the Equipment Programme has invested in ships and aircraft ... As such we think the UOR scheme is becoming a straightforward supplement to the EP [Equipment Programme] in a way that it was never intended to be, bailing out MOD of the need to prioritise in the kit they purchase and compensating for bad decisions in the past."

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<sup>300</sup> Minute Treasury [junior official] to Timms, 20 April 2007, 'Increase in the Urgent Operational Requirements Envelope'.

**499.** The official advised that the UOR regime was not ideal for the UK military either, as:

- Despite accelerated procurement, UORs were frequently not available until several months after a need had been identified. It would be better to plan to have the capability in advance.
- That would also enable soldiers to be trained on new equipment before their deployment to theatre, and for new equipment to be properly incorporated into military doctrine.
- After one year, the ongoing costs of UORs reverted to the core defence budget. Those unplanned costs could be difficult to accommodate.

**500.** The official recommended that Mr Timms agree a £200m increase in the combined UOR envelope, and signal a need for a new UOR regime to be negotiated within the forthcoming Comprehensive Spending Review.

**501.** Mr Timms replied to Mr Browne on 9 May:

“We discussed that the UOR regime has drifted from its original intentions. We agreed we need a different arrangement for the funding for UORs in the future ... I propose we seek to develop this as part of our discussions around the CSR [Comprehensive Spending Review].”<sup>301</sup>

**502.** As an “interim solution”, Mr Timms agreed to increase the UOR ceiling by £200m. For expenditure above that ceiling, and (in line with existing arrangements) for all individual UORs above £10m, the MOD should seek Treasury approval on a case-by-case basis.

**503.** The MOD and Treasury have told the Inquiry that they have no record of that discussion between Mr Timms and Mr Browne.<sup>302</sup>

**504.** From June 2007, the Treasury cleared every UOR individually (rather than only those above £10m).<sup>303</sup>

**505.** The outline of a new UOR regime was agreed in late July, as part of the MOD’s settlement in the 2007 Comprehensive Spending Review:

- The Reserve would pay for the “first element” of total UOR costs each year.

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<sup>301</sup> Letter Timms to Browne, 9 May 2007, ‘Urgent Operational Requirements (UOR) in Iraq and Afghanistan’.

<sup>302</sup> Email MOD [junior official] to Iraq Inquiry [junior official], 25 September 2013, ‘Iraq Inquiry: Queries Relating to Resourcing – MOD Response’; Email Treasury [junior official] to Iraq Inquiry [junior official], 17 April 2014, ‘Further Queries Relating to Resources’.

<sup>303</sup> Minute Lester to Woolley, 30 October 2007, ‘Approach to UOR Funding Following the CSR07 Settlement’.

- The MOD and Treasury would share equally any costs in excess of this amount (with the Treasury meeting those excess costs up front, and then reclaiming them from the MOD on a rolling three-year basis).
- The MOD would receive £200m to assist with its first payments under this new arrangement.
- The MOD would review its equipment programme with the intention of “rebalancing spend towards ... the current operating environment”.<sup>304</sup>

**506.** Discussions continued between MOD and Treasury officials over the detail of the new arrangement, including the size of the “first element”.

**507.** Mr Lester advised Mr Woolley on 30 October that:

“The agreed aim is that the new arrangements should be cost neutral to Defence, albeit with changed incentives, and Quinault professes to mean this.”<sup>305</sup>

**508.** Mr Lester continued:

“The Treasury have indicated that their intention is to drive the lump sum [first element] as far down as possible in an attempt to change our UOR spending behaviour (they have indicated that they see this as a vehicle to shift our EP [equipment programme] towards current operations). Their prejudice is that MOD does not make real prioritisation decisions on UORs ...”

**509.** Mr Lester also reported that the arrangements which had been in place since June, whereby the Treasury cleared each UOR individually, had not proved to be unduly constraining, though the Treasury was “increasingly pushing back”.

**510.** Agreement on the size of the first element was reached in mid-December 2007, at £500m for 2008/09, based on the MOD’s “central estimate” of UOR expenditure of £900m.<sup>306</sup>

**511.** Mr Woolley told the Inquiry that the change in the UOR regime:

“... was intended to give a little bit greater certainty to the Treasury of what the UOR bill was likely to be and it was effectively an attempt to incentivise us [the MOD] to forecast in advance what the UOR spend in ... the forthcoming year – would be.”<sup>307</sup>

**512.** Mr Woolley said that the change had not affected operations in Iraq, which were by that time generating fewer demands for UORs.

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<sup>304</sup> Letter Burnham to Browne, 24 July 2007, ‘Comprehensive Spending Review 2007: Ministry of Defence Settlement’.

<sup>305</sup> Minute Lester to Woolley, 30 October 2007, ‘Approach to UOR Funding Following the CSR07 Settlement’.

<sup>306</sup> Letter Woolley to Quinault, 18 December 2007, ‘CSR07: UOR Funding Arrangements’.

<sup>307</sup> Public hearing, 2 July 2010, pages 56-57.

## Funding for civilian activities in the post-conflict period

### Initial funding for reconstruction

**513.** At Prime Minister's Questions on 19 March 2003, Mr David Rendel asked for an assurance that sufficient funds for post-conflict reconstruction would be made available quickly.<sup>308</sup>

**514.** Mr Blair replied:

“... we will ensure that funds are available – indeed, funds have already been earmarked for the purpose and the Secretary of State for International Development, the Ministry of Defence and the Treasury are doing all they can to make sure that we co-ordinate with American allies and also with other UN partners to ensure that the funds are available ... so that in the post-conflict situation in Iraq the people of Iraq are given the future that they need.”

**515.** The Coalition began military action against Iraq on the night of 19/20 March. At that time, the Government had made no provision for funding for reconstruction.

**516.** Ms Short wrote to Mr Boateng on 21 March, to request £120m from the Reserve for humanitarian relief in Iraq.<sup>309</sup> Ms Short advised that her bid did not include any funds for reconstruction:

“In the longer term, we will need to consider reconstruction costs. We agree with you that there should be broad international burden sharing of any financing gap unmet by oil revenues, with a major role for the IFIs. But we will need to discuss these issues further at the appropriate time in the coming weeks, once the post-conflict situation is clearer and we have an IFI led needs assessment.”

**517.** Mr Straw sent Mr Blair four FCO papers in advance of Mr Blair's meeting with President Bush at Camp David on 26 and 27 March, including one on post-conflict Iraq (see Section 10.1).<sup>310</sup> The FCO stated that Ms Short was considering where the UK might help with “reform and reconstruction”; however:

“Public finances are tight. If we are to keep Armed Forces in Iraq, the scope for a major effort on reform and reconstruction will be limited.”<sup>311</sup>

**518.** In his 9 April Budget statement to the House of Commons, Mr Brown announced that he had set aside “an additional US\$100 million” to “back up the UN and the work of reconstruction and development”.<sup>312</sup>

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<sup>308</sup> House of Commons, *Official Report*, 19 March 2003, column 930.

<sup>309</sup> [Letter Short to Boateng, 21 March 2003, 'Iraq Humanitarian Funding: Reserve Claim'](#).

<sup>310</sup> Minute Straw to Blair, 25 March 2003, 'Camp David: Post-Iraq Policies'.

<sup>311</sup> [Paper FCO, 25 March 2003, 'Iraq: Phase IV Issues'](#).

<sup>312</sup> House of Commons, *Official Report*, 9 April 2003, columns 271-288.

**519.** The Treasury told the Inquiry that it has no record of any department requesting that allocation.<sup>313</sup>

**520.** On the same day, a Treasury official advised Mr Boateng that, as DFID still had £95m available for humanitarian work, and given that the UN did not yet have a presence on the ground in Iraq and the reconstruction effort had not yet started, he should write to Ms Short “to impose some safeguards” on the additional US\$100m.<sup>314</sup>

**521.** Mr Boateng wrote to Ms Short on 15 April to clarify how DFID could access those funds.<sup>315</sup> He understood that DFID did not need the additional funds immediately, given that humanitarian and reconstruction work was at a very early stage and that DFID had £95m of uncommitted resources. He fully expected DFID to bid for additional funding for Iraq “in the next few months”. Mr Boateng asked that, before DFID looked to access the new funds, Ms Short should write to him setting out her proposals for how the additional funding would be spent.

**522.** Ms Short agreed on 23 April that other departments should be given access to the US\$100m allocation, to pay for their secondments to the US-led Office of Reconstruction and Humanitarian Assistance (ORHA).<sup>316</sup> That would mean that they, rather than DFID, would have to pass the Treasury’s tests on value for money and effectiveness.

**523.** Mr Boateng wrote to Mr Straw on 2 May to endorse the “broad consensus” that £4.8m of the US\$100m/£60m allocation should be ring-fenced for the inter-departmental Iraq Planning Unit (IPU), to cover the cost of UK secondees to ORHA.<sup>317</sup>

**524.** On 2 May, Ms Short’s Private Secretary sent Mr Rycroft an “Interim DFID Strategy” for the next three to six months as Iraq transitioned from “relief/recovery to reconstruction”.<sup>318</sup>

**525.** The strategy stated that the expected humanitarian crisis had not materialised, and set out the “immediate recovery tasks” and “broader [reconstruction] agenda” that now needed to be addressed.

**526.** The strategy stated that DFID had earmarked £210m for “relief, recovery and reconstruction activities” in the current financial year (2003/04). That allocation comprised the £90m provided by DFID from its own resources and the £120m provided from the Central Reserve on 27 March, for humanitarian assistance. The US\$100m announced by Mr Brown on 9 April had been “earmarked” for DFID; it had subsequently been agreed that the costs of secondments to ORHA could be met from that allocation.

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<sup>313</sup> Email Treasury [junior official] to Iraq Inquiry [junior official], 17 April 2014, ‘Further Queries Relating to Resources’.

<sup>314</sup> Minute Treasury [junior official] to Chief Secretary, 9 April 2003, ‘Iraq: Budget Funding’.

<sup>315</sup> Letter Boateng to Short, 15 April 2003, ‘Budget Announcement on Iraq’.

<sup>316</sup> Minute Bewes to Miller, 24 April 2003, ‘Iraq: 23 April’.

<sup>317</sup> Letter Boateng to Straw, 2 May 2003, ‘Funding ORHA Secondees’.

<sup>318</sup> [Letter Bewes to Rycroft, 2 May 2003, ‘Iraq Rehabilitation’ attaching Paper DFID, \[undated\], ‘Iraq: Interim DFID Strategy’.](#)

**527.** Based on contemporaneous sources and figures provided to the Inquiry, the Inquiry estimates that DFID had committed £117.8m to the humanitarian assistance effort by May 2003, of which £89m had been disbursed. That comprised:

- £78m to UN agencies (of which £64m had been disbursed);
- £32m to the International Committee of the Red Cross (ICRC) and the Iraqi Red Crescent (of which £18m had been disbursed);
- £6.2m to NGOs (of which £5.4m had been disbursed); and
- £1.6m for DFID’s bilateral effort (all of which had been disbursed).<sup>319</sup>

**528.** The Inquiry estimates that £90m was therefore available to DFID for “recovery and reconstruction” or for further contributions to the humanitarian assistance effort.

**529.** The balance of the US\$100m announced by Mr Brown on 9 April that would not be spent on secondments to ORHA was also available for reconstruction and development.

**530.** The Annotated Agenda for the 15 May meeting of the Ad Hoc Ministerial Group on Iraq Rehabilitation (AHMGIR) stated that the scale of the reconstruction challenge was “enormous”.<sup>320</sup> Large projects would fall to ORHA and subsequently the Iraqi authorities. But there was a case now for “smaller refurbishment projects”. Of the £10m available to the UK military for QIPs only £50,000 had been spent, and of the £30m available to the UK military for humanitarian relief operations in the UK’s AO, only £3m had been committed and £1m spent. The remainder could be used for other purposes.

**531.** In discussion, Mr Boateng agreed that the MOD could spend the balance of the £10m allocated for QIPs, but said that “other funds for reconstruction” had been allocated to DFID.<sup>321</sup> The MOD and DFID needed to discuss the issue.

## Initial funding for Security Sector Reform

**532.** Mr Straw, Ms Short, Mr Boateng and Mr Adam Ingram, Minister for the Armed Forces, agreed on 11 March 2003 that the Global Conflict Prevention Pool (GCPP) should retain a large reserve (of £10m) and a large Quick Response Fund (£5m) to “allow for” an Iraq Strategy focused on conflict prevention.<sup>322</sup>

**533.** On 10 April, Ms Philippa Drew, FCO Director Global Issues, informed Mr Dominick Chilcott, the Head of the IPU, that her Directorate – which managed the GCPP, the FCO’s Environment Fund and the FCO’s Global Opportunities Fund (GOF) – was now receiving requests for funding for Iraq.<sup>323</sup> It was difficult to assess those requests in the absence of an “agreed post-conflict strategy” for Iraq and “some idea of where other

<sup>319</sup> Letter Amos to Boateng, 10 September 2003, ‘Iraq Reconstruction Funding: Reserve Claim’; Paper DFID, 4 November 2009, ‘Iraq – DFID Timeline and Financial Commitments: 2003 – 2009’.

<sup>320</sup> Annotated Agenda, 15 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>321</sup> Minutes, 15 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>322</sup> Minute Drew to Gass, 26 March 2003, ‘Iraq and the Global Conflict Prevention Pool’.

<sup>323</sup> Minute Drew to Chilcott, 10 April 2003, ‘Iraq: Applications for Funds’.

HMG funding might be going”. Ms Drew asked whether there were plans to develop a strategy.

**534.** The FCO told the Inquiry that it could find no response from the IPU to Ms Drew’s minute.<sup>324</sup>

**535.** The first Iraq project (on prison reform) was agreed for funding under the GCPP Quick Response Fund by the end of April.<sup>325</sup> An FCO official commented that the GCPP Fund was a global allocation, and there were already other calls on it. It would take some months to draw up a GCPP Strategy for Iraq that would allow officials to access the main GCPP budget.

**536.** Ms Drew chaired a meeting on 1 May to discuss how to handle funding requests relating to Iraq.<sup>326</sup> Officials from various FCO departments, the IPU, DFID and the MOD attended. The meeting identified several FCO funds that might provide funding for Iraq:

- The GOF Engaging with the Islamic World Programme. A “small amount” was available.
- The GOF Counter-Terrorism Programme. £4m was available in the current financial year.
- The GOF Climate Change and Energy Programme.
- The GCPP. Objectives for the current financial year had already been agreed and did not include Iraq.
- The GCPP Peacekeeping Budget. All funds were committed in the short term.
- The Human Rights Project Fund. A “very small sum” had been put aside for Iraq.
- The Public Diplomacy Challenge Fund. Funds should be available for Iraq.

**537.** The meeting agreed that all proposals should be passed through the IPU, to be assessed against wider UK priorities.

**538.** In a separate record of the meeting, an FCO official reported: “It was clear that within FCO little detailed thought has been given specifically to an Iraq programme and how it might be funded.”<sup>327</sup>

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<sup>324</sup> Email FCO [junior official] to Iraq Inquiry [junior official], 25 September 2013, ‘Iraq Inquiry: Queries Relating to Resourcing’.

<sup>325</sup> Email FCO [junior official] to FCO [junior official], 29 April 2003, ‘GCPP-Iraq’.

<sup>326</sup> Minute FCO [junior official] to Drew, 2 May 2003, ‘Co-ordination Meeting to Discuss Miscellaneous Funding Requests for Projects in Iraq’.

<sup>327</sup> Minute FCO [junior official] to Link, 2 May 2003, ‘Iraq: Post Conflict Programme and Funding’.

**539.** FCO, DFID and MOD Ministers were invited to agree a GCPP Strategy for Iraq on 1 August.<sup>328</sup> The strategy aimed to provide a coherent framework for UK activities aimed at preventing conflict in Iraq. It comprised three elements:

- Security Sector Reform (SSR). This would be the “initial focus of activity”. Ministers were invited to agree that expenditure on SSR activities could start immediately while work continued to define the other elements of the strategy.
- Assistance to “Iraqi Governorates and local administrations within the British AO [Area of Operations] as they develop to ensure that policy decisions are made strategically and with an understanding of conflict prevention issues”.
- Further studies and analyses to assist in the development of UK conflict prevention strategies.

**540.** The estimated cost of the strategy was £7.5m in both 2003/04 and 2004/05. Of the £15m total, £9.5m was allocated for SSR, £4m for local governance and £1.5m for further studies and analyses.

### Pressure for additional funding, autumn 2003

**541.** On 3 June 2003, following a visit to Iraq at the end of May, Mr Blair chaired a meeting attended by Mr Hoon, Baroness Amos (the International Development Secretary), Sir Michael Jay (in Mr Straw’s absence) and No.10 officials.<sup>329</sup> Mr Blair said he had returned from Iraq convinced that “an enormous amount needed to be done”. The Government should go back to “a war footing” for the next two to three months to avoid “losing the peace in Iraq”.

**542.** Section 10.1 describes how, in July 2003, the Government took on the leadership of Coalition Provisional Authority (South) (CPA(South)) without considering the significant strategic, resource and reputational implications of such a decision.

### PRESSURE FOR ADDITIONAL FUNDING FOR DIPLOMATIC REPRESENTATION AND SECURITY

**543.** Mr Straw wrote to Mr Boateng on 18 July, seeking £30.4m from the Reserve to cover additional costs incurred by the FCO relating to Iraq for 2003/04.<sup>330</sup> Mr Straw stated that he had been reluctant to put in a Reserve claim, “not least because of Gordon’s [Mr Brown’s] strictures about the pressure on it”. The FCO had, however, reached the limit of its ability to manage the constant new demands on its resources:

“... the continuing need to fund Afghanistan operations in Kabul and London; Iraq costs; and the costs of increased security around the world in the light of the Al-Qaida threat, heightened by Britain’s role in Iraq ...

<sup>328</sup> Minute IPU [junior official] to PS/Baroness Symons, 1 August 2003, ‘Global Conflict Prevention Pool – Iraq Strategy’.

<sup>329</sup> [Letter Cannon to McDonald, 3 June 2003, ‘Iraq: Prime Minister’s Meeting, 3 June’.](#)

<sup>330</sup> [Letter Straw to Chief Secretary to the Treasury, 18 July 2003, ‘Iraq-Related Costs’.](#)

“This has required cuts into the muscle of our operation – including the closure or localisation of nearly a dozen diplomatic posts.”

**544.** The £30.4m bid comprised:

- £5.3m for costs associated with the British Office in Baghdad and the UK Special Representative in Baghdad;
- £2.1m to establish a British Office in Basra;
- £7.7m to improve security for FCO staff in Baghdad;
- £4m to improve security for FCO staff in Basra;
- £2.7m to improve the security of FCO posts outside Iraq;
- £8.5m to support and provide security for UK secondees to the CPA, including costs associated with Sir Hilary Synnott; and
- £138,000 to support Ms Ann Clwyd, the Prime Minister’s Envoy on Human Rights in Iraq.

**545.** Mr Straw also requested that £28m be added to the FCO’s budget for 2004/05 to cover the continuing costs of those activities.

**546.** Sir Hilary Synnott arrived in Basra on 30 July, to lead CPA(South).<sup>331</sup>

**547.** Sir Hilary wrote in his memoirs that his arrival established “some sort of British Fiefdom” in the South, but one which was “still entirely dependent on American resources for its lifeblood”.<sup>332</sup>

**548.** In late August the FCO increased its bid for support and security for staff seconded to the CPA from £8.5m to £15.5m, bringing the total FCO bid to the Reserve for 2003/04 to £38m.<sup>333</sup>

**549.** Treasury officials advised Mr Boateng on 4 September that he should:

- Accept the bid relating to support and security for staff seconded to the CPA (£15.5m). That could be funded from the US\$100m/£60m allocation announced by Mr Brown on 9 April.
- Provide £6m of the £7.7m requested to improve security for FCO staff in Baghdad.
- Reject the other bids (totalling some £15m), as those related to “costs that the FCO knew about but chose not to make contingency arrangements for”.

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<sup>331</sup> Synnott H. *Bad Days in Basra: My Turbulent Time as Britain’s Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

<sup>332</sup> Synnott H. *Bad Days in Basra: My Turbulent Time as Britain’s Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

<sup>333</sup> Minute Treasury [junior officials] to Chief Secretary, 4 September 2003, ‘FCO Reserve Claim for Iraq Costs’.

**550.** Treasury officials commented that it was the third year in a row that the FCO had made claims on the Reserve for “apparent shocks”.

**551.** Mr Boateng replied to Mr Straw on 9 September, in line with the advice provided by officials.<sup>334</sup>

**552.** Mr Simon Gass, FCO Director Finance, called on Mr Jonathan Stephens, the senior Treasury official dealing with the FCO, the following day.<sup>335</sup>

**553.** Mr Gass reported to Sir Michael Jay that he had rehearsed the FCO’s arguments for additional funding and challenged Mr Stephens on whether the MOD and DFID were being asked to absorb costs arising from Iraq to the same extent as the FCO. He reported that:

“He [Mr Stephens] was evasive and uncomfortable ... He argued weakly that the decision was taken on the basis of capacity and ability to absorb ... I pointed out that DFID and MOD both had much greater capacity to absorb not only because of the size of their budgets but also because of the strain on FCO expenditure ...

“They [the Treasury] are certainly stung by accusations that the FCO is being singled out for harsher treatment than other Government departments and this should be part of the Foreign Secretary’s line with the Chief Secretary.”

## PRESSURE FOR ADDITIONAL FUNDING FOR RECONSTRUCTION

**554.** Security in Iraq deteriorated in August 2003. Concerns about progress on reconstruction in the South and the implications for the level of consent enjoyed by UK forces led the Government to seek rapid and visible improvements in essential services.

**555.** Section 10.1 describes the subsequent development of the US\$127m Essential Services Plan, to improve delivery of essential services in the South.

**556.** Mr Hilary Benn, Minister for International Development, told the 4 September meeting of the AHMGIR that DFID would contribute £20m (US\$30m) to the Essential Services Plan, to improve delivery of essential services in the South.<sup>336</sup> The UK should continue to seek the balance of the funding from the CPA, but must be prepared to act fast on its own if necessary.

**557.** Mr Benn wrote to Mr Blair later that day to confirm DFID’s commitment.<sup>337</sup> Mr Benn advised that:

“We [DFID] have held back from committing to meet the full cost [of the Essential Services Plan], to avoid giving the impression to the CPA that HMG wants to take

<sup>334</sup> [Letter Boateng to Straw, 9 September 2003, ‘Iraq Reserve Claim’.](#)

<sup>335</sup> Minute Gass to PS/PUS [FCO], 10 September 2003, ‘Iraq: Discussion with the Treasury’.

<sup>336</sup> Minutes, 4 September 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>337</sup> Letter Benn to Blair, 4 September 2003, ‘Iraq: Restoring Essential Services in the South’.

on full responsibility for the South of the country including the future funding of all infrastructure. Such a commitment would be financially and logistically enormous, and well beyond DFID's budget. We need to keep pressing [Ambassador] Bremer to make more effective use of CPA resources ..."

**558.** Baroness Amos wrote to Mr Boateng on 10 September to request an additional £6.5m from the Reserve to cover immediate further needs in Iraq, and that a further £33.5m should be "ear-marked" within the Reserve for anticipated requirements later in the financial year.<sup>338</sup> Those anticipated requirements included £20m for a future contribution to the Essential Services Plan if CPA funding proved insufficient.

**559.** Baroness Amos advised that the £40m she was requesting represented the balance of the US\$100m/£60m announced by Mr Brown in his 9 April statement to Parliament, to "back up the UN and the work of reconstruction and development".

**560.** The following day, in a letter to Mr Blair, Baroness Amos advised that:

"... our overall approach has been predicated on CPA delivering more than it has, and we have had negligible influence on them, or the Pentagon, to try and turn it around. Immediate measures are now needed to maintain the Iraqi population's consent."<sup>339</sup>

**561.** The Essential Services Plan would help, but solving the underlying problems in infrastructure would require billions of dollars and an Iraqi government to set policy. Systemic problems within the CPA continued to delay the transfer of promised CPA resources to the South. Baroness Amos concluded:

"If CPA HQ and [the] US Government fail to get its act together quickly, then we can only plug the gap if my earlier Reserve claim ... is approved."

**562.** A Treasury official provided advice to Mr Boateng on 18 September on how the Treasury intended to deal with the expected surge in Iraq-related claims on the Reserve.<sup>340</sup>

**563.** Departments had seen Mr Blair's call for a step change in the UK effort in Iraq (on 3 June) as "a legitimate invitation" to bid for more resources. They were developing or considering seven bids. The largest of those was a bid being prepared by DFID for around £250m, as the UK's additional contribution to Iraq's reconstruction.

**564.** It was vitally important to maintain pressure on departments, both at Ministerial and official level, not to submit claims in the first place. The Treasury would also continue to push for greater co-ordination between departments in funding Iraq programmes.

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<sup>338</sup> Letter Amos to Boateng, 10 September 2003, 'Iraq Reconstruction Funding: Reserve Claim'.

<sup>339</sup> [Telegram 1 DFID London to IraqRep, 11 September 2003, 'Iraq Reconstruction: Cabinet Discussion on 11 September'](#).

<sup>340</sup> [Minute Treasury \[junior official\] to Chief Secretary, 18 September 2003, 'Iraq Funding FY 2003-04: Dealing with Reserve Claims'](#).

**565.** Beyond that, the Treasury would continue to scrutinise claims on a case by case basis, in terms of value for money, impact, and robustness of the costing, and the robustness of the risk management. Departments would also have to provide “clear evidence” on the extent to which they had reprioritised their existing resources to accommodate Iraq:

“The emphasis will be on satisfying ourselves over the degree of re-prioritisation that has taken place to accommodate Iraq-related pressure within existing baselines. DFID received an eight percent real terms budget increase over the SR2002 period, the FCO nearly three percent and the MOD received their most generous settlement for nearly 20 years. We are therefore far from convinced that further re-prioritisation within existing baselines is not possible.”

**566.** The availability of CPA funding was key. Some officials in CPA(South) had stated that it was easier to secure funding from London than from CPA(Baghdad). The Treasury should therefore continue to push for CPA(Baghdad) to fund initiatives in the South, rather than providing a significant increase in UK funding.

**567.** Treasury officials had considered but rejected another approach – the creation of a “pooled arrangement” for future Iraq claims, with one pool for military activity and one for “reconstruction and related” activity. The idea had been raised by some (unnamed) departments. Such an arrangement might help ensure more effective prioritisation of activities and prevent a “piecemeal stream” of bids to the Reserve. Treasury officials had assessed, however, that creating a pooled arrangement now might encourage departments to allocate money “prematurely”, before the outcome of the Madrid Donors Conference was known and before the effect of the anticipated increase in the flow of funding from CPA(Baghdad) to CPA(South) was clear. The potential demand for funds was so great that a pool could quickly be emptied, prompting further claims to the Reserve. The official commented that the Treasury might wish to revisit the idea of an Iraq pool in the future, if the situation changed.

**568.** Mr Boateng replied to Baroness Amos on 25 September, agreeing to provide an additional £6.5m from the Reserve to cover immediate further needs in Iraq, but rejecting the request to earmark £33.5m for DFID’s anticipated future needs, citing “recent reports that ... [US] sources of funding are now starting to be unblocked”.<sup>341</sup>

**569.** Sir Nicholas Macpherson told the Inquiry that although it was “totally open” to Baroness Amos to challenge that response, she did not.<sup>342</sup> He pointed out that the US\$100m announced by Mr Brown in his 9 April Budget statement was never fully claimed by departments.

**570.** In his evidence to the Inquiry, Sir Suma Chakrabarti suggested that this exchange had not occurred in isolation:

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<sup>341</sup> Letter Boateng to Amos, 25 September 2003, ‘Iraq: Reconstruction Funding: Reserve Claim’.

<sup>342</sup> Public hearing, 22 January 2010, page 22.

“We had discussions [with] the Treasury but it was quite obvious to us that they weren’t going to give any more than they already had ... They had put some money in upfront [in March 2003, for humanitarian assistance], but, after that, they said it is time to reprioritise.”<sup>343</sup>

**571.** The CPA allocated the balance of the funding for the Essential Services Plan the following month.

**572.** Mr Straw wrote to Mr Boateng on 6 October, requesting £13.9m from the Reserve to improve the content and professionalism of the Iraq Media Network, the CPA’s main channel of communication with the Iraqi people.<sup>344</sup>

**573.** Mr Straw stated that the issue was a priority for Mr Blair. The FCO could not fund a new priority that had emerged halfway through the financial year from its existing, very small programme budgets: the FCO’s Public Diplomacy Challenge Fund had an allocation of £2.5m in 2003/04, of which all but £50,000 had already been allocated.

**574.** A Treasury official advised Mr Boateng that he should reject the bid:

“The FCO have not considered any other means to fund this strategy ... They have not even conserved a partial contribution from their own DEL ... they have not engaged the British Council, they have not looked to the Global Conflict Prevention Pool (GCPP), and have not sought to reconcile their media work with DFID’s.

“The Prime Minister views an effective CPA media strategy as vital, therefore the FCO believe we cannot resist a Reserve Claim and have abdicated responsibility for ensuring that this package represents VFM [value for money].”<sup>345</sup>

**575.** The official also advised Mr Boateng that the FCO was holding up agreement to a UK pledge at the Madrid Donors Conference until the bid was agreed.

**576.** Mr Boateng replied to Mr Straw on 16 October, rejecting the FCO’s bid on the grounds that he was not convinced the proposal would deliver value for money, and that the FCO had not fully explored the use of its existing resources.<sup>346</sup>

**577.** Mr Straw responded on 20 October:

“You repeat the mantra that we must look for existing resources within the FCO, the GCPP and other departments ... But it is not clear to me whether the Treasury has a view as to how much the FCO can reprioritise without damaging the delivery of other Government priorities overseas in a way which is self-defeating. In the

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<sup>343</sup> Public hearing, 22 January 2010, page 39.

<sup>344</sup> Letter Straw to Boateng, 6 October 2003, ‘Reconstructing the Iraqi Media Network: Claim on the Reserve’.

<sup>345</sup> [Minute Treasury \[junior official\] to Chief Secretary, 14 October 2003, ‘FCO Reserve Claim for Iraq Media Strategy Costs’](#).

<sup>346</sup> [Letter Boateng to Straw, 16 October 2003, ‘Iraq Reserve Claim: Reconstructing the Media Network’](#).

last two years, the FCO has entered three claims on the Reserve in respect of the events in Afghanistan and Iraq – none of which were predictable within the Spending Review cycle. The total FCO claims for these reserves were £105 million. The Treasury did not dispute the unforeseeable and emergency nature of these costs and yet the Reserve met only £54.5 million ...

“... I have consistently rejected knee-jerk claims from officials that they need more resources when in fact they have done insufficient to reprioritise. But the FCO budget is now substantially overstretched ... The Government needs to decide what priority it places on delivery of the Government’s overseas agenda – including the direct costs to the Exchequer if we fail.”<sup>347</sup>

**578.** When Mr Boateng’s decision was discussed in the Iraq Senior Officials Group on 20 October, Sir Jeremy Greenstock commented that it would be difficult for him to return to the CPA without any UK funding, and that more generally “the absence of financial flexibility was making our work harder in Baghdad”.<sup>348</sup>

**579.** Mr Boateng and Mr Straw discussed the bid after Cabinet on 23 October.<sup>349</sup>

**580.** The Treasury briefing for Mr Boateng rehearsed the reasons why the bid had been rejected, dismissed any suggestion that bids from the FCO were treated differently from those of other departments, and argued that the FCO had chosen not to reprioritise adequately to match the increasing demands of Iraq:

**“At the end of last financial year and earlier this year, decisions could have been taken within the FCO to reallocate greater contingency funding to match this government priority [Iraq]. This never happened.**

**“Other departments, such as DFID, have shown themselves to be more flexible in re-prioritising to assist with the Iraq effort. FCO should be able to match this.”<sup>350</sup>**

**581.** After the meeting, Mr Boateng informed Treasury officials that he had received an assurance from Mr Straw that he would not pursue the bid further, and that they had agreed officials should continue to work to identify ways of funding media proposals from within existing resources.<sup>351</sup>

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<sup>347</sup> [Letter Straw to Boateng, 20 October 2003, ‘Iraq Reserve Claim: Reconstructing the Media Network’.](#)

<sup>348</sup> Minute Dodd to Sheinwald, 20 October 2003, ‘Iraq: Senior Officials Group’.

<sup>349</sup> Email Treasury [junior official] to Treasury [junior official], 23 October 2003, ‘FCO £15m Iraq Media Strategy: Speaking Note/Draft Letter from CST to Jack Straw’.

<sup>350</sup> Briefing Treasury, 22 October 2003, ‘Reserve Claim: Iraq Media Strategy: Speaking Note: CST to Jack Straw’.

<sup>351</sup> Email Treasury [junior official] to Treasury [junior official], 23 October 2003, ‘FCO £15m Iraq Media Strategy: Speaking Note/Draft Letter from CST to Jack Straw’.

**582.** The FCO wrote to No.10 on 5 November, providing an update on its efforts to secure funding for the Iraqi Media Network.<sup>352</sup> The FCO had undertaken a “quick audit” of the UK Government’s support for the Iraqi media and had, with Treasury colleagues, pressed other departments to do more. Funds available from FCO programme budgets, the British Council and possibly the World Service totalled between £1.5m and £2m.

**583.** In his statement to the Inquiry, Mr John Buck, FCO Director Iraq from September 2003 to July 2004, wrote:

“... I remember spending a significant amount of time ... trying to find several hundred thousand pounds to finance the purchase of a transmitter in southern Iraq for the Iraq Media Network ... I tried the FCO finance people and was told that purchase of a transmitter wasn’t really a proper call on FCO funds and that this should come from the Treasury’s Reserve. I went to the Treasury and was told that this should really come out of the FCO’s existing allocation, but perhaps it was worth trying DFID. I had a meeting with DFID, who took the view that they didn’t really do media. I then went back to the FCO who did then find the money.”<sup>353</sup>

**584.** The Inquiry asked Mr Buck why, for an initiative for which Mr Blair had expressed his support, and in a situation where Mr Straw was chairing the AHMGIR, the FCO had not been able to secure a relatively small amount of funding from the Treasury, and why the FCO had not tried to go “back up the chain” to Mr Straw or Mr Blair when funding was blocked.<sup>354</sup>

**585.** In response, Mr Buck highlighted the (in his view) favourable treatment enjoyed by the Treasury due to “broader politics within the Government”.

**586.** Two further FCO bids to the Reserve during the CPA period, for £2m and £9.4m to improve security for staff seconded to the CPA, were agreed in full on 8 December 2003<sup>355</sup> and 30 January 2004 respectively.<sup>356</sup>

**587.** In May 2005, in the context of work to develop a new GCPP Iraq strategy for 2005/06, a DFID official involved in managing the GCPP Iraq strategy assessed the performance of that strategy in the previous year:

“There was and is still no medium term [UK] roadmap ... In this environment, it is not surprising that ... the GCPP was used according to the priorities of the day, despite ministerial endorsement of its medium-term strategy. GCPP programming therefore lurched in tandem with evolving Iraqi and HMG priorities ...

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<sup>352</sup> Letter FCO [junior official] to Rycroft, 5 November 2003, ‘Enhancing the Iraq Media Network’.

<sup>353</sup> Statement, 26 July 2010, page 2.

<sup>354</sup> Public hearing, 31 January 2011, pages 53-55.

<sup>355</sup> [Letter Boateng to Straw, 8 December 2003, ‘Iraq Reserve Claim’](#).

<sup>356</sup> Letter Boateng to Straw, 30 January 2004, ‘Iraq Reserve Claim’.

“Despite the political importance in the UK of the conflict in Iraq, very little funding has been made available to address ... counter-insurgency and post-conflict nation-building. London and Post have both tended to turn towards GCPP as a primary funding source – in some cases to fund programmes that fit neither the GCPP strategy nor even its conflict prevention mandate (i.e. weapons for ISF [the Iraqi Security Forces], Basra poetry festival). Special Advisers and Ministers without budgets are also drawn to the Pool to fund activities in their areas of interest.”<sup>357</sup>

### Debt relief

The Treasury was the lead department within the UK Government on securing debt relief for Iraq.<sup>358</sup> It worked closely with the FCO and other departments to achieve that objective.

Paris Club creditors agreed on 21 November 2004 to reduce Iraq’s official debt by 80 percent.<sup>359</sup> The deal would be delivered in three stages: 30 percent immediately; 30 percent on approval of a standard IMF programme; and 20 percent on completion of the standard IMF programme. The deal would write off US\$31.1bn of the US\$38.9bn owed to Paris Club creditors.

The UK’s share of that write-off was approximately US\$1.39bn,<sup>360</sup> or £954m (£337m in UK financial year 2004/05, £337m in UK financial year 2005/06 and £280m in UK financial year 2008/09).<sup>361</sup>

Section 10.3 describes the Government’s role in the negotiations leading up to that agreement.

## Funding military equipment for the Iraqi Security Forces

**588.** A DFID review of the GCPP and ACP, published in March 2004, stated that the issue of funding military equipment and minor military operations had been controversial.<sup>362</sup> The position agreed in May 2003 was that:

- The supply of military equipment will only be funded if essential to the success of strategies. Weapons and ammunition will only be provided on an exceptional basis, subject to Ministerial agreement.
- Major military operations will not be funded from the Pools.
- Only peace-support-type minor military operations will be considered for Pool funding ...”

<sup>357</sup> Paper DFID, 31 May 2005, ‘GCPP Iraq 2004-05’.

<sup>358</sup> Paper Treasury, 2010, ‘Iraq Briefing – Debt’.

<sup>359</sup> Paris Club, Press Communiqué, 21 November 2004, *Restructuring the Iraqi debt - Agreement between the Paris Club and Iraq*.

<sup>360</sup> Briefing Treasury, [undated], ‘Brief: meeting with Barham Saleh, Deputy Prime Minister of Iraq’.

<sup>361</sup> Letter Cabinet Office [junior official] to Aldred, 13 September 2011, ‘Iraq Inquiry: Request for Further Information on Funding’.

<sup>362</sup> Department for International Development, *Evaluation of the Conflict Prevention Pools: Portfolio Review*, March 2004.

**589.** FCO, DFID and MOD Ministers agreed in September 2004 to fund the provision of £2.5m of military equipment for the Iraqi Security Forces (ISF) from the GCPP.<sup>363</sup> In a letter to Mr Benn, Mr Straw stated that although the purchase of the equipment “only just” met the published eligibility criteria for the supply of military equipment from the GCPP, it was “of broader importance to HMG”.

**590.** Section 12.1 describes Prime Minister Ayad Allawi’s requests to Mr Blair in September and October 2004 for increased support for the ISF.

**591.** In response, the MOD began to develop a proposal to provide US\$107m (£70m) in additional support to the ISF, including the provision of armoured vehicles, transport vehicles, other equipment and weapons.<sup>364</sup> The MOD’s proposal would become Project OSIRIS.

**592.** A Treasury official advised Mr Boateng’s Private Secretary on 12 October that following Prime Minister Allawi’s requests, No.10 was pushing for resources to be allocated “outside the traditional spending categories of the UK military operation (MOD) and reconstruction (DFID)”.<sup>365</sup> The official continued:

“Partly in light of tight spending controls within MOD centre, MOD theatre and FCO/DFID have been using No.10 interest as an opportunity to try and circumvent MOD Finance and HMT [Treasury] spending controls. They have managed to get some political buy-in to ideas which have not been properly costed, scrutinised or prioritised.”

**593.** The resulting spending pressures were “significant, mounting and have critical mass”. So far, the GCPP had filled the “growing gap”, providing £22m of its £100m budget to fund such ad hoc priorities. However, with much of the GCPP contractually committed, it could not absorb many more demands.

**594.** As Mr Boateng would not be able to attend the forthcoming meeting of the Ad Hoc Ministerial Group on Iraq, the official recommended that he should write to Ministers, proposing the creation of a ring-fenced allocation for Iraq within the GCPP for 2004/05. That would comprise £10m of new money from the Reserve, and up to £15m in new money to match reprioritisation within the GCPP.

**595.** The Ad Hoc Ministerial Group on Iraq discussed the MOD proposal on 14 October.<sup>366</sup> Ministers agreed that the proposal should, in principle, be funded, and that the MOD should put a costed proposal to the Treasury “with a view to achieving swift agreement”. Mr Straw and Mr Benn both commented that the GCPP had neither

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<sup>363</sup> [Letter Straw to Secretary of State for International Development, 4 October 2004, ‘Global Conflict Prevention Pool – Iraq Strategy’.](#)

<sup>364</sup> [Minute Quarrey to Prime Minister, 1 October 2004, ‘Iraqi-isation’.](#)

<sup>365</sup> Email Treasury [junior official] to Treasury [junior official], 12 October 2004, ‘Iraq Spending Threats: Letter from CST to Hoon’.

<sup>366</sup> Minutes, 14 October 2004, Ad Hoc Ministerial Group on Iraq meeting.

the budget nor the mandate to fund that type of assistance. Mr Hoon said that funding should come from the “Op TELIC reserve”. Mr Stephens, representing the Treasury, said that some money could come from the Reserve but that the Treasury would also want to look at the GCPP.

**596.** Mr Boateng’s Private Secretary wrote to Mr Hoon’s Principal Private Secretary on 18 October, proposing the creation of a ring-fenced allocation for “ad hoc security proposals” within the GCPP.<sup>367</sup> Copies of the letter were sent to Mr Straw’s and Mr Benn’s Private Offices.

**597.** By 22 October, No.10, Mr Hoon’s Private Office and Mr Benn’s Private Office had all responded to that letter, rejecting the Treasury’s proposal.<sup>368</sup> No.10 commented that it was imperative that the MOD proposal be funded in full as soon as possible.

**598.** Mr Boateng advised the 28 October meeting of the Ad Hoc Ministerial Group on Iraq that, of the US\$107m worth of equipment requested by the MOD, US\$29m would be funded by the US.<sup>369</sup> The remaining US\$78m (some £40.6m) could be funded by the Treasury from the Reserve on a “one-off” basis.

**599.** A Treasury official advised Mr Boateng in mid-November that there had been three separate occasions where “Ministers and officials from FCO and No.10” had made promises of military equipment to various organisations “without proper analysis of the requirement or clarifying the availability of UK funding”.<sup>370</sup> Normally effective MOD internal scrutiny processes had been bypassed. Treasury officials were working with the MOD to ensure that such proposals were scrutinised, but for this to be effective the FCO and No.10 needed to “work with the process”.

**600.** A Treasury official advised Mr Boateng on 1 December that the Treasury had received the MOD’s first request for funding in relation to the MOD proposal, totalling £15m.<sup>371</sup> The request was “basically a list of kit that £15m will buy”, but it was not the right time to “dig our heels in”. The MOD had promised that future requests for funding would meet UOR standards.

**601.** In a Note to President Bush on 10 January 2005, Mr Blair described the Iraqisation of security forces as critical but said that he was not convinced that the plan to deliver this was robust enough.<sup>372</sup> Mr Blair confirmed that he had authorised “an extra \$78m from our MOD for the Iraqi Forces in the South”. Although he could not be sure that funding was essential, “I’ll take the risk rather than find six months later it was.”

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<sup>367</sup> Letter PS/Boateng to Baker, 18 October 2004, ‘Iraq Security Proposals’.

<sup>368</sup> Letter Malik to Rosenfield, 21 October 2004, [untitled]; Letter Rogers to Rosenfield, 21 October 2004, ‘Iraq Security Proposals’; Letter Baker to Rosenfield, 22 October 2004, ‘Iraqi Security Proposals’.

<sup>369</sup> Minutes, 28 October 2004, Ad Hoc Ministerial Group on Iraq meeting.

<sup>370</sup> Briefing Treasury, [undated], ‘Iraq Ministerial Meeting – Thursday 11 November 2004’.

<sup>371</sup> Minute Treasury [junior official] to Chief Secretary, 1 December 2004, ‘£40m Equipment for Iraqi Forces’.

<sup>372</sup> [Letter Sheinwald to Hadley, 10 January 2005, \[untitled\] attaching Note Blair to Bush, 10 January 2005, ‘Note’.](#)

**602.** In June 2005, PJHQ advised Dr John Reid, the Defence Secretary, that discussions were under way with the Treasury for an additional £38m to fund a successor programme to Project OSIRIS.<sup>373</sup> The Treasury had taken “a close interest” in the bid and was keen to ensure that there was “no duplication” with funding allocated to the FCO and DFID.

**603.** Mr Des Browne, the Chief Secretary to the Treasury, wrote to Dr Reid on 23 August, approving £16m from the Reserve for the package of vehicles, infrastructure and communications equipment that had been presented by MOD officials.<sup>374</sup> Mr Browne continued:

“Looking ahead, I hope that it will be possible for you to find other means of funding the remaining elements [of the £38m programme] – either by negotiating with Baghdad, for a larger share of what is available ... or by encouraging our allies – most of whom are spending far less than we are in maintaining forces on the ground – to play a bigger role.”

**604.** Dr Reid wrote to Mr Browne on 30 November, seeking a further £19.6m (for 734 Iraqi Police Service vehicles and 11 ISF infrastructure projects).<sup>375</sup> Dr Reid advised that the MOD had secured funding from the US, Australia, Italy and Japan, reducing the amount that the MOD needed to provide.

**605.** Mr Browne replied on 20 December, approving an additional £19.6m from the Reserve.<sup>376</sup>

**606.** Section 12.1 describes the equipment provided to the ISF under Project OSIRIS.

## **Better Basra Plan, July 2006**

**607.** In June 2006, Mr Blair asked Mr Des Browne, the Defence Secretary from May 2006, to focus on the situation in Basra.<sup>377</sup>

**608.** Mr Browne sent Mr Blair an update on Basra, including details of the additional projects needed to deliver a “better Basra”, on 4 July.<sup>378</sup> Mr Browne reported that departments had not yet found the £30.7m, “a relatively small sum given the strategic importance of Basra”, required to fund the projects. Section 10.2 describes the development of the Better Basra Plan.

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<sup>373</sup> [Minute Scholefield to PS/Secretary of State \[MOD\], 15 June 2005, 'Funding for a Further Programme of Security Sector Reform and a Civil Effects Fund for MND\(SE\)'. The full request was for £58m, £20m of which was for a Civil Effects Fund.](#)

<sup>374</sup> Letter Browne to Reid, 23 August 2005, 'Iraq: Funding for Security Sector Reform and for a Civil Effects Fund for MND(SE)'.

<sup>375</sup> Letter Reid to Browne, 30 November 2005, [untitled].

<sup>376</sup> Letter Browne to Reid, 20 December 2005, 'Security Sector Reform'.

<sup>377</sup> [Minute Sheinwald to Banner, 8 June 2006, 'Iraq and Afghanistan'.](#)

<sup>378</sup> [Letter Browne to Blair, 4 July 2006, \[untitled\] attaching Paper, \[undated\], 'Annex A – Background on Additional Basra Work'.](#)

**609.** Discussions on funding the Better Basra Plan – the first of three Better Basra Plans – continued into August.

**610.** Mr Browne wrote to Mr Timms on 10 August to inform him that departments had agreed to provide a total of £20.4m from existing resources to fund the Plan, now costed at £26.5m because of the later start for some of the work.<sup>379</sup> A total of £7m would come from the GCPP Reserve and £1.4m from FCO-managed programmes. The MOD, the FCO and DFID would each contribute £4m. Mr Browne asked Mr Timms to agree a further £4m from the Reserve.

**611.** A Treasury official advised Mr Timms that Treasury officials had facilitated that deal.<sup>380</sup> Negotiations had been difficult, with the MOD offering “considerable resistance” to the need to find its contribution from the core defence budget.

**612.** The official concluded that the deal was a good one for the Treasury, because:

- It had held the line that the cost of the Better Basra Plan should not be an automatic call on the Reserve.
- It had succeeded in getting departments to reprioritise their existing resources to fund the project.

**613.** Mr Timms replied to Mr Browne on 15 August, welcoming the successful conclusion of negotiations and agreeing to provide an additional £4m for the Plan from the Reserve.<sup>381</sup>

**614.** The Better Basra Plan also attracted US\$80m in US funding.<sup>382</sup>

**615.** Mr Dominic Asquith, British Ambassador to Iraq from 2006 to 2007, reflected on the UK’s funding mechanisms in his evidence to the Inquiry:

“I think in terms of being able to switch funds, or find extra funds that were required at short notice ... it wasn’t a particularly flexible or effective system. That came out rather visibly in 2006, when it was clear that we needed to put greater effort into building up the capabilities in Basra ... The calculation ... was somewhere in the region of £30 million, which ... was required to come out of our current resources ... which struck me at the time as being certainly a peculiar way of approaching what we were directed was a high priority, but we weren’t being given the extra resources, to deliver it.”<sup>383</sup>

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<sup>379</sup> Letter Browne to Timms, 10 August 2006, [untitled].

<sup>380</sup> [Minute Treasury \[junior official\] to Timms, 15 August 2006, ‘Better Basra Plan’.](#)

<sup>381</sup> Letter Timms to Browne, 15 August 2006, ‘Better Basra’.

<sup>382</sup> Minute DFID [junior official] to Private Secretary [DFID], 6 October 2006, ‘Iraq: Future for DFID Programme from 2007’.

<sup>383</sup> Public hearing, 4 December 2009, pages 23-24.

## New funding mechanisms for civilian operations

**616.** A cross-government review of the UK's approach to post-conflict reconstruction began in summer 2003 (see Section 10.3). Following that review, the inter-departmental Post-Conflict Reconstruction Unit (PCRU) was established in September 2004. It became operational during 2005.

**617.** The remit of the PCRU was to facilitate integrated planning for the military and civilian components of an intervention, including by identifying resources from existing government budgets.<sup>384</sup>

**618.** From June 2006, departments and in particular the FCO sought to develop new mechanisms to fund civilian stabilisation operations.

**619.** Sir Michael Jay and senior FCO officials, the Chiefs of Staff, Dr Nemat Shafik, DFID Director General Programmes, and Mr Jim Drummond, DFID Director UN Conflict and Humanitarian Division, agreed on 6 June 2006 that officials should work up a joint FCO/MOD/DFID proposal on how to ensure a comprehensive approach to funding for "stabilisation/reconstruction campaigns".<sup>385</sup> The FCO would lead that work.

**620.** During the meeting, officials agreed that as the Treasury would strongly oppose any bid to relax the rules on access to the Reserve, the focus of the proposal should probably be on increasing the size of the GCPP, for example by creating a new funding line for "quick impact development projects" in semi-permissive environments.

**621.** Air Chief Marshal Sir Jock Stirrup, Chief of the Defence Staff, suggested an allocation for that new line of £50m.

**622.** Sir Michael Jay commented that the Iraq and Afghanistan context might make the Treasury (and No.10) more receptive to a proposal.

**623.** Discussions continued between the FCO, the MOD, DFID and PCRU until mid-September, but did not produce a consensus on how any "QIP Fund" should be managed or delivered on the ground, or on the criteria that might be used to determine funding from it.<sup>386</sup> There was consensus that the £50m allocation proposed by ACM Stirrup at the 6 June meeting was too large, given the need and the difficulties of disbursing funds effectively.

**624.** The Inquiry has seen no indications that Treasury officials were aware of or engaged in those discussions.<sup>387</sup>

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<sup>384</sup> [Paper \[Cabinet Office\], 20 July 2004, 'DOP paper on the Post Conflict Reconstruction Unit'](#).

<sup>385</sup> Minute Powell to Pattison, 7 June 2006, 'PUS/COS Lunch, 6 June'.

<sup>386</sup> Paper FCO, 1 August 2006, 'Quick Impact Projects: Discussion Paper 01 August 2006'.

<sup>387</sup> Letter Link to Williams, 10 July 2006, 'Quick Impact Projects (QIP) – Iraq and Afghanistan'; Letter Laurence to Link, 19 July 2006, 'Quick Impact Projects – Iraq and Afghanistan'; Letter Teuten to Link, 21 July 2006, 'Quick Impact Projects (QIP) – Iraq and Afghanistan'; Minute Mosselsmans to Link, 21 July 2006, 'Quick Impact Projects'; Letter Pattison to Laurence, 18 September 2006, 'Quick Impact Projects (QIPs)'.

**625.** Mr Stephen Pattison, FCO Director International Security, wrote to Rear Admiral Tim Laurence, MOD Assistant Chief of the Defence Staff (Resources and Plans) on 18 September to provide a formal response to the tasking given at the 6 June meeting.<sup>388</sup>

**626.** Mr Pattison advised that for Afghanistan, departments had agreed to create a ring-fenced budget for QIPs within the GCPP Afghanistan Strategy, using existing funding from that strategy and an additional £3m from DFID.

**627.** In Iraq, UK commanders had been able to secure an “unusually generous” proportion of US CERPs funding since the 6 June meeting. The GCPP Iraq Strategy had also been boosted by additional funds from the GCPP Reserve and departments to support the Better Basra Plan. If additional funding for QIPs was required, departments had agreed to “follow the Afghanistan model”. That would mean seeking additional funding first through the GCPP Iraq Strategy and from the GCPP Reserve, before approaching the Treasury for additional funds.

**628.** Rear Admiral Laurence had earlier advised the FCO, in response to sight of a draft of Mr Pattison’s letter, that the first reaction of the Chiefs of Staff might be that departments had ducked a battle with the Treasury.<sup>389</sup>

**629.** Ministers agreed on 9 January 2007 that the UK needed a capability to intervene to prevent conflict and build capacity after conflicts.<sup>390</sup>

**630.** In response, on 15 February, the Cabinet Office produced a paper which considered how to improve the UK civilian contribution to conflict management and prevention.<sup>391</sup>

**631.** The Cabinet Office advised that funding “high priority and Ministerial endorsed policy objectives which cross the boundaries of existing responsibilities” had been a particular challenge. Funding for civilian activity in Iraq and Afghanistan, such as the Better Basra Plan:

“... had to be negotiated across a range of departments and budget holders, with time consuming turf battles, diverting effort that would have been better deployed on developing effective policies, and delaying delivering.”

**632.** Conflict prevention activities were currently resourced in an “ad-hoc fashion in and between departments”, with limited transparency. There was no mechanism to “generate the analysis to support a process of setting strategic priorities or to inform balance of

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<sup>388</sup> Letter Pattison to Laurence, 18 September 2006, ‘Quick Impact Projects (QIPs)’.

<sup>389</sup> Letter Laurence to Link, 10 August 2006, ‘Quick Impact Projects’.

<sup>390</sup> [Paper Cabinet Office, 15 February 2007, ‘Nation Building and Conflict Prevention: Improving UK Capabilities’.](#)

<sup>391</sup> [Paper Cabinet Office, 15 February 2007, ‘Nation Building and Conflict Prevention: Improving UK Capabilities’.](#)

investment decisions”. As a result, it was difficult to make decisions about the marginal utility of extra expenditure on one activity compared to another.

**633.** The Cabinet Office offered a number of recommendations to improve decision-making within Government and to increase civilian capability. On resources, the Cabinet Office recommended that the GCPP and the ACPP and possibly other funds which supported conflict prevention activities should be brought together and “managed as a single ‘budget’”.

**634.** The Inquiry has seen no indications that the paper was formally considered by Ministers or officials.

**635.** Mr Quinault provided advice to Mr Timms on 13 February 2007 on FCO and DFID bids to the Reserve in respect of Afghanistan.<sup>392</sup> In that context, Mr Quinault commented:

“... we [the Treasury] have managed to hold the line that in keeping with the traditional approach to these things, while MOD do get access to the Reserve ... the other departments have to reprioritise within their own budgets. Arguably this can lead to perverse outcomes on occasion if it incentivises decision-makers to prefer military responses to civilian ones. But it is a useful safety net for us [the Treasury] and not to be given up without careful thought.”

**636.** The “lines to take” attached to the briefing set out the Treasury’s response to the challenge that it was “perverse that MOD gets its operational costs paid ... from the Reserve whereas essential civilian measures have to be paid for from FCO and DFID budgets”:

- Arrangements on costs of military operations are of long standing and reflect the difficulty of planning for the large unplanned costs of operations;
- In any case [the] Reserve is spent, cannot consider more funding ...;
- That is, unless MOD agree clearly that what you [FCO and DFID] are proposing is sufficiently vital to rank above more troops in the pecking order?”

**637.** Mrs Margaret Beckett, the Foreign Secretary, wrote to Mr Timms on 1 March to present the FCO’s bid to the 2007 Spending Review.<sup>393</sup> She confirmed her interest in working with the Treasury to identify a better mechanism for funding civilian deployments in “hot” post-conflict situations such as Afghanistan and Iraq. She proposed that, ideally, bids to the Reserve should include both military and civilian costs. If that was not possible, she suggested establishing a “ring-fenced, multi-year contingency fund” from which the FCO could draw.

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<sup>392</sup> Minute Quinault to Chief Secretary, 13 February 2007, ‘DOP Meeting on Iraq and Afghanistan, 14 February’.

<sup>393</sup> Letter Beckett to Timms, 1 March 2007, ‘2007 Comprehensive Spending Review: FCO Submission’.

**638.** The Treasury told the Inquiry that it has no record of a response to Mrs Beckett on that point.<sup>394</sup>

**639.** Mr Pattison commented to FCO colleagues on 11 July that Mrs Beckett’s proposal “didn’t get past first base” with the Treasury.<sup>395</sup>

**640.** Mr Mark Lyall-Grant, FCO Political Director, advised Mr David Miliband, the new Foreign Secretary, on 9 July that he should try to secure the support of Mr Browne and Mr Douglas Alexander, the new Development Secretary, for a new funding mechanism to support the civilian elements of the UK’s comprehensive approach in Afghanistan and Iraq.<sup>396</sup>

**641.** Mr Lyall-Grant described the problem:

“There is no satisfactory Whitehall method to resource high priority, non-military work in conflict areas, in support of Ministerially-agreed policy objectives. Afghanistan and Iraq are cases in point. Ministers have long agreed that a comprehensive approach is required ... But there is no mechanism to fund in-year priorities for this. The MOD can call on the Reserve for additional military expenditure. HMT [the Treasury] tell other departments that their expenditure ... must be funded from re-prioritisation. At best this significantly slows down our ability to respond. In real terms it often means the non-military elements of the campaign are under-funded, with a direct impact on the length of time the military need to remain.”

**642.** Mr Lyall-Grant identified two main possible solutions: allowing bids to the Reserve to include both military and civilian costs; or establishing a ring-fenced, multi-year contingency fund from which DFID, the FCO and others could draw.

**643.** On 23 July, a Treasury official invited Mr Andy Burnham, the new Chief Secretary to the Treasury, to agree to establish:

- A single Conflict Pool, combining the GCPP and the ACPP. The Conflict Pool would be managed by DFID, with advice from the MOD and FCO. A single Pool would “drive a more consistent and coherent approach to conflict prevention and poverty reduction, and ... improve the management of the Pools overall”.
- A Stabilisation Fund, which would be “owned by the MOD but managed jointly with DFID and FCO”. Experience in Iraq and Afghanistan had highlighted the need for resources to be available for “immediate civilian support to military operations (QIPs, shorter-term development issues etc)”. Mrs Beckett (the previous Foreign Secretary) and military commanders had repeatedly

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<sup>394</sup> Email Treasury [junior official] to Iraq Inquiry [junior official], 17 April 2014, ‘Further Queries Relating to Resources’.

<sup>395</sup> Email Pattison to Lyall-Grant, 11 July 2007, ‘Funding the Comprehensive Approach in Afghanistan and Iraq’.

<sup>396</sup> Minute Lyall-Grant to Foreign Secretary, 9 July 2007, ‘Funding a Comprehensive Approach in Iraq and Afghanistan’.

highlighted that need. Funding for such activities had typically been found from the GCPP, crowding out other planned spending. The allocation for the Stabilisation Fund would be £65m in 2008/09, £65m in 2009/10 and £115m in 2010/11. In total, £50m/£50m/£100m of that allocation would be ring-fenced within the MOD's 2007 Spending Review settlement. The balance (£15m in each year) would be transferred from the GCPP. Any unspent funds could be switched to core defence spending.<sup>397</sup>

**644.** The Treasury told the Inquiry that it had no record of a response to that advice.<sup>398</sup>

**645.** Mr Burnham wrote to Mr Browne the following day (24 July), to record the outcome of the 2007 Spending Review for the MOD.<sup>399</sup> Mr Burnham stated that the MOD's settlement included £50m in 2008/09, £50m in 2009/10 and £100m in 2010/11 for a "Reconstruction Fund". Mr Burnham described the Reconstruction Fund as "one step in a planned re-ordering of the way the Government handles planning and expenditure on the prevention and stabilisation of conflict".

**646.** Following a conversation between Mr Miliband and Mr Alexander, Mr Miliband's Private Secretary wrote to Mr Alexander's Private Secretary on 26 July setting out the challenges faced by the FCO in securing funding for its work in Iraq and Afghanistan, and expressing the hope that DFID and the FCO could work together to develop a mechanism which would more effectively support the comprehensive approach.<sup>400</sup> In the letter, which was not copied to any other department, Mr Miliband's Private Secretary rehearsed the arguments made in Mr Lyall-Grant's submission of 9 July.

**647.** DFID has told the Inquiry that it does not have any record of replying to that letter.<sup>401</sup>

**648.** Mr Burnham wrote to Mr Miliband in October, to record the outcome of the 2007 Spending Review as it affected the Conflict Prevention Pools.<sup>402</sup> Mr Burnham stated that the Review provided a "healthy increase" in the funds available for conflict prevention and stabilisation, and set out key reforms in the way that conflict issues were handled within Government:

- From 2008/09, the GCPP and ACPP would be merged into a single Conflict Prevention Pool.

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<sup>397</sup> [Minute Treasury \[junior official\] to Chief Secretary, 23 July 2007, 'CSR2007 – Conflict Prevention and Post-Conflict Stabilisation'](#).

<sup>398</sup> Email Treasury [junior official] to Iraq Inquiry [junior official], 17 April 2014, 'Further Queries Relating to Resources'.

<sup>399</sup> Letter Burnham to Browne, 24 July 2007, 'Comprehensive Spending Review 2007: Ministry of Defence Settlement'.

<sup>400</sup> Letter FCO [junior official] to DFID [junior official], 26 July 2007, 'Funding a Comprehensive Approach in Iraq and Afghanistan'.

<sup>401</sup> Email DFID [junior official] to Iraq Inquiry [junior official], 8 April 2013, 'Inquiry Query'.

<sup>402</sup> Letter Burnham to Miliband, October 2007, 'Comprehensive Spending Review 2007: Settlement for the Conflict Prevention Pools and Stabilisation Aid Fund'.

- A new Stabilisation Aid Fund (SAF) would be established to “take on” funding for stabilisation and reconstruction activity in “hot’ conflict zones” from the Conflict Prevention Pool.
- New governance and programme management arrangements for the Conflict Prevention Pool and the SAF would be introduced to ensure that activity was based on a common strategy, and that expenditure was prioritised effectively against that strategy.

**649.** In December, the PCRU was renamed the Stabilisation Unit (SU), reflecting the emergence of the broader concept of stabilisation and the Unit’s new role managing the SAF.<sup>403</sup>

## Reflections on the allocation of funding

**650.** The table below shows the departmental settlements for the MOD, the FCO and DFID from 2002/03 to 2009/10 (under the 2002, 2004 and 2007 Comprehensive Spending Reviews).<sup>404</sup>

Table 10: Departmental settlements, 2002/03 to 2009/10 (£bn)

	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10
<b>MOD</b>	28.0	29.0	29.2	29.9	30.2	30.2	30.8	31.1
<b>FCO</b>	1.5	1.5	1.6	1.7	1.7	1.6	1.6	1.6
<b>DFID</b>	3.9	4.0	4.0	4.9	5.3	5.5	5.7	6.6

**651.** The Inquiry describes earlier in this Section how the MOD reclaimed the net additional costs of military operations (NACMO) from the Reserve under an established procedure.

**652.** All other departments sought to cover additional costs by reprioritising within their existing budgets and, if and when that proved insufficient, bidding to the Treasury to secure additional funding from the Reserve.

## Differences in funding military operations and civilian activities

**653.** In his evidence to the Inquiry, Sir Mark Lyall-Grant described the different levels of funding available to departments:

“... you have the MOD which can call on the Reserve for unforeseen military expenditure. You have DFID, who have a large amount of programme money, but

<sup>403</sup> [Paper Stabilisation Unit, December 2007, ‘Stabilisation Unit’.](#)

<sup>404</sup> Email Treasury [junior official] to Iraq Inquiry [junior official], 17 April 2014, ‘Further Queries Relating to Resources’. Figures are near cash settlements, in real terms (2008/09 prices). Figures may differ from Comprehensive Spending Review settlement letters due to budget exchange, inter-departmental transfers and other factors.

can only spend it in certain ways constrained by the ODA Act [sic], and you have the Foreign Office that doesn't have any money."<sup>405</sup>

**654.** Sir Nicholas Macpherson, Director General in charge of Public Expenditure from 2001 to 2005 and then Permanent Secretary at the Treasury, told the Inquiry that, in time of conflict, it was not the role of the Treasury to try to limit military spending:

"... the Treasury may have a view on some areas of spending, but on the whole, when a war is in prospect, the narrow Treasury view that public spending is a bad thing tends to be put to one side ... and you start signing the cheques."<sup>406</sup>

**655.** Lord Boateng, the Chief Secretary to the Treasury from May 2002 to May 2005, told the Inquiry that there was a distinction between the way the Treasury responded to military and non-military situations.<sup>407</sup> While the military did not have a "blank cheque":

"... when you have established that you need it, you are going to get [it] ... Because, at the end of the day, the lives of Servicemen and women and the security of the state would be at risk if you got other people in the Treasury second-guessing and doing what we do normally, which is actually to ensure that, first and foremost, the public purse is protected."

**656.** The Inquiry asked Lord Boateng what the rationale had been for the allocation of funding between departments (non-military expenditure had been approximately one-eighth of military expenditure). Lord Boateng told the Inquiry that:

"... this balance arose partly as a result of the funding mechanism deployed, in the sense that the Ministry of Defence had an access to the Reserve that was on a different scale from the others [DFID and FCO].

"... did anyone sit down and say, 'Well, this is the sum of money that we have, this ought to be the balance?' No, I don't think they did. Should they have done? Maybe, but actually it is ... very difficult to do.

"Is the way in which we fund post-conflict reconstruction work optimal? Then, no, I don't think it was. Did this mean that our effectiveness suffered? No, I don't believe it did, but I do believe that it led to considerable pressure on one of the two other departments, namely, the FCO, who are in a different position ... from DFID because their resource base was so very different."<sup>408</sup>

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<sup>405</sup> Public hearing, 20 January 2010, page 35.

<sup>406</sup> Public hearing, 22 January 2010, page 3.

<sup>407</sup> Public hearing, 14 July 2010, pages 25 to 27.

<sup>408</sup> Public hearing, 14 July 2010, page 41.

**657.** Lord Boateng highlighted the need for the UK Government to examine how it funded the MOD, DFID and the FCO to work together in post-conflict situations:

“... at the moment, we have a very, very dangerous imbalance, an imbalance made all the more difficult by the requirements of law in relation to DFID, that makes it very, very difficult to pool resources ...”<sup>409</sup>

**658.** Mr John Dodds, Head of the Treasury Defence, Diplomacy and Intelligence Team, told the Inquiry that, in his personal view, there was a “tension” between the way that military and non-military activities were funded, and that there was the potential for some “sub-optimal” decisions:

“... the cost of a military solution to a conflict problem ... was probably about ten times the cost of a non-military solution ...

“I think that ... potentially the funding mechanisms that we had ... tended to create incentives for more military intervention and less non-military intervention, but I don’t think that’s an issue ... which is really relevant to Iraq. I think it is ... a piece of broader reflection ...”<sup>410</sup>

**659.** In his evidence to the Inquiry, Sir Mark Lyall-Grant suggested that there could be different approaches to allocating funding, such that:

“... you wouldn’t take decisions on the basis of how much you could afford, but Ministers would sit round the table, take the decisions that they think are the right decisions to take in a strategic environment, and then the funding would follow from that.

“What happens at the moment is that the Ministers take the decisions, then the departments get together [to consider] ‘How are we going to fund it?’, and end up by saying ‘Well, actually, we can’t fund it’.”<sup>411</sup>

## Funding civilian activities

**660.** During his farewell call on Mr Straw in mid-February 2004, Sir Hilary Synnott, the departing Head of CPA(South), made a number of criticisms of the FCO’s support for his office (see Section 10.1).

**661.** Mr Buck addressed those criticisms in a minute to Sir Michael Jay of 16 February.<sup>412</sup> He argued that the FCO had learned several lessons, including on funding civilian post-conflict operations. A “genuinely flexible” budget allocation similar to that provided for military operations would have saved the “huge amounts of time and energy required to wrangle over funding”, and helped to “prevent the Treasury from

<sup>409</sup> Public hearing, 14 July 2010, page 62.

<sup>410</sup> Public hearing, 14 July 2010, pages 27-31.

<sup>411</sup> Public hearing, 22 January 2010, page 37.

<sup>412</sup> [Minute Buck to FCO \[junior official\], 16 February 2004, ‘FCO Response to Iraq’.](#)

playing one Government department off against another". The Ad Hoc Ministerial Group could have been controlled the budget.

**662.** Mr Neil Crompton, the Head of IPU, reflected on the availability of funding in his May 2005 valedictory minute to Mr John Sawers:

"HMG (and the FCO) took a long time to wake up to the scale of the task we had taken on. Demands from No.10 and Ministers for action have always exceeded the resources available. The Treasury have played hard ball, exploiting different departments' own internal reasons for not wanting to make claims on the Reserve to kill off initiatives. No.10's unwillingness to intervene with HMT [the Treasury], except once, has compounded the problem, and undermined the morale of officials tasked with running an 'exemplary operation' without the resources to do so.

"It is naive to expect the Treasury to behave differently. But Ministers (and the FCO) need to recognise that in a conflict we cannot afford the luxury of ensuring expenditure is subject 'to the same rigorous criteria as anywhere else', as we have occasionally been told."<sup>413</sup>

**663.** Mr Crompton recommended that, in future, the Ad Hoc Ministerial Group or equivalent should be allocated a budget to fund immediate priorities not covered by departments' core budgets or by funds such as the GCPP. That would avoid the need for "extended negotiations" with the Treasury.

**664.** In his response to Mr Crompton, Mr Sawers, FCO Political Director, agreed that the FCO needed to give a much higher priority to an issue when it "prevails over all others", in terms of both money and people.<sup>414</sup> The FCO had done that in the pre-conflict phase, but it had been less apparent in the post-conflict phase.

**665.** A June 2005 FCO Conflict Issues Group paper drawing together post-conflict lessons for the FCO concluded:

"We need to make it clear to other government departments the true cost of what they are asking us to achieve. We can spend too much time trying to secure extra resources and fail to secure them in a timely manner. Policy without resources is usually futile. All OGDs [other government departments] need to be required to allocate resources to tasks which the Cabinet rules to be important."<sup>415</sup>

**666.** An FCO review of lessons to be learned from the UK's experience in Basra, produced in late 2008, concluded:

"... The FCO was constantly scrambling after resources. **Risk management should ensure that realistic estimates of resources are made at an early stage,**

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<sup>413</sup> [Minute Crompton to Sawers, 4 May 2005, 'Iraq: Reflections'](#).

<sup>414</sup> [Minute Sawers to Crompton, 9 May 2005, 'Iraq: Reflections'](#).

<sup>415</sup> Paper FCO CIG, June 2005, 'Post Conflict Lessons Learned Exercise'.

**including worst case scenarios; Ministers should clearly understand the need to identify and secure those resources** before the UK takes on a similar commitment in future.”<sup>416</sup>

**667.** FCO officials complained of a mismatch between the Government’s expectations and the resources available to the FCO to meet them. While the MOD had funds for QIPs and DFID for longer-term strategic programmes, the FCO was “somehow expected” to take on elements of both “with neither the resources nor the means”. The Foreign Affairs Committee had commented on more than one occasion that it was necessary and appropriate that costs incurred by the FCO in Iraq (and Afghanistan) that were additional to its mainstream diplomatic and consular roles should be funded from the Reserve. The review commented: “It is not clear whether the FCO itself formulated and presented a sufficiently strong case for extra funding to support additional work in the field.”

**668.** On 25 March 2009, Mr Miliband chaired a meeting with “former and current key decision-makers on Iraq” to consider that review and identify the lessons for the FCO from Iraq.<sup>417</sup>

**669.** The meeting concluded that the civilian operation in Iraq had been slow to get started, and had been:

“... hampered in the UK by a shortage of resources – particularly in comparison with the military effort – and an inability to extract what meagre resources were available from HMT [the Treasury] ...”

**670.** Lord Jay, FCO Permanent Under Secretary from 2002 to 2006, described his experience of securing funds for operations in Iraq, and the lessons he had drawn from it, in his evidence to the Inquiry:

“I never felt I had sufficient resources to do anything I was doing in the Foreign Office ... You are constantly – it was a constant battle throughout the five years I was there of allocating scarce resources to the priorities that mattered and, over the years we were dealing with Iraq, we were constantly spending more money and more resources on Iraq. Some of those we were getting – we got extra provision from the Treasury, often it was a question of reprioritising the resources within the Foreign Office.

“At the worst, that meant closing posts in parts of the world which were less important in order that we could put people into Baghdad, Basra, Kabul and other places which were of growing importance.”<sup>418</sup>

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<sup>416</sup> Paper FCO, [undated], ‘Reflections on Basra and the Lessons to be Learned from the FCO’s Experience in Iraq’.

<sup>417</sup> Minute FCO [junior official] to PO [Miliband], 25 March 2009, ‘Iraq Retrospective’.

<sup>418</sup> Public hearing, 30 June 2010, page 6.

**671.** Lord Jay also told the Inquiry:

“... when there is a crisis of the same magnitude as Iraq, which affects a number of different departments, then the Treasury needs to look, not at the budgets of individual departments, but at the overall need and to ensure that each department concerned in the operation gets the funds that it needs to carry it out ... But it doesn't seem to me at all sensible to be thinking of giving large sums of money for a military operation, if you are not giving similar sums of money for the diplomatic support that that military operation needs, and those need to be looked at together, and I don't think they were, and I think they should be in the future.”<sup>419</sup>

**672.** Mr Dodds told the Inquiry that bids from the FCO were assessed with the same rigour as bids from other departments:

“... our starting position was that we would want the Foreign Office to ... look for the potential to reprioritise ... I think our perspective would be that that wasn't ... their first response to this sort of situation. I think there was an expectation on the part of the Foreign Office that ... the Reserve should provide them with new money ...

“But ... the Foreign Office had a ... significant budget ... and a significant global footprint and I think it wasn't unreasonable to be looking to the Foreign Office ... at least on a temporary basis, to move some resources ... to support the activity on this high priority [Iraq].

...

“Generally speaking, they were able to successfully reprioritise, but ... their first reaction was to look for resources from the Reserve, but it was only after they were ... pushed back that they ... then were successful in reprioritising.”<sup>420</sup>

**673.** Sir Suma Chakrabarti told the Inquiry that Iraq was DFID's largest bilateral programme in 2003/04 (when DFID spent £209m, of which £110m was spent on humanitarian relief and £99m on development activities), and DFID's 10th largest bilateral programme in 2004/05 (when DFID spent £49m, of which £21m was spent on humanitarian relief and £28m on development activities).<sup>421</sup>

**674.** The Inquiry asked Sir Suma whether DFID had considered seeking additional funding from the Treasury for Iraq.<sup>422</sup> He told the Inquiry:

“We had discussions [with] the Treasury but it was quite obvious to us that they weren't going to give any more than they already had ... They had put some money in upfront [in March 2003, for humanitarian assistance], but, after that, they said it is time to reprioritise.”

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<sup>419</sup> Public hearing, 30 June 2010, page 54.

<sup>420</sup> Public hearing, 14 July 2010, pages 33-36.

<sup>421</sup> Public hearing, 22 January 2010, page 38.

<sup>422</sup> Public hearing, 22 January 2010, pages 38-40.

**675.** Sir Suma also told the Inquiry that Ministers had considered reallocating funding to Iraq from low-income countries, but had decided that that would not be consistent with DFID’s mission to maximise its impact on poverty. Ministers had instead decided to reallocate funding to Iraq from DFID programmes in other middle-income countries:

“... that meant closing some programmes ... in Eastern Europe, Central Europe, and also Latin America ... in order to help finance the Iraq programme.”

**676.** The Inquiry describes earlier in this Section the creation of the Global Conflict Prevention Pool (GCPP) in order to promote a more joined-up approach to funding peacekeeping and peace enforcement operations and conflict prevention programmes.

**677.** Sir Mark Lyall-Grant told the Inquiry that while he agreed that the principle behind the GCPP was a good one, decisions about how to spend relatively small sums of money had led to “huge disputes between Government departments”, which had consumed significant amounts of senior officials’ time.<sup>423</sup> He concluded that Pools (the GCPP and the ACP) had “essentially collapsed” under the pressure of rising costs, and had been “a failed experiment”.

**678.** Sir Peter Ricketts, FCO Permanent Under Secretary from 2006 to 2010, told the Inquiry:

“I wouldn’t have said that they are a failed experiment, but they are certainly under real stress because of rising costs, particularly of assessed contributions to the UN and other international organisations ... That has required some difficult prioritisation decisions ... But I think the Pools have been useful in bringing the three departments together and forcing us to make choices about what our top priorities are ...”<sup>424</sup>

## Scrutiny of UK expenditure in relation to Iraq

**679.** This section describes the Government’s mechanisms for scrutinising UK expenditure, and how those mechanisms were engaged in relation to Iraq. The Inquiry has not conducted its own audit of any element of UK expenditure in relation to Iraq.

**680.** A number of bodies contribute to the scrutiny of government expenditure, including:

- The Public Accounts Committee (PAC). The main work of the PAC is the examination of the reports produced by the National Audit Office (NAO). The Committee typically examines 50 value for money reports each year, as well as reports on some departments’ resource accounts.
- Departmental select committees. The core tasks of the select committees include examining and reporting on estimates, annual expenditure plans and accounts, and monitoring performance against targets in the Public Service Agreements.

<sup>423</sup> Public hearing, 20 January 2010, pages 36-37.

<sup>424</sup> Public hearing, 2 February 2010, pages 21-22.

- The NAO. The NAO audits the accounts of all government departments and agencies, and many other public bodies. The NAO also produces around 60 value for money studies each year on the economy, efficiency and effectiveness of public expenditure.
- Departments' own internal audit units.<sup>425</sup>

**681.** The estimates cycle is the process by which Parliament approves departments' resources and cash provision for the year. Departments submit Supply Estimates which set out how they plan to spend their funding and seek approval from Parliament for the necessary funds.

**682.** Because of the unpredictable nature of military operations, the MOD does not provide an estimate of NACMO to Parliament at the beginning of each financial year, as part of its Main Estimates.<sup>426</sup> Between 2002/03 and 2005/06, the MOD sought Parliament's approval for NACMO expenditure in February (towards the end of the financial year) as part of the Spring Supplementary Estimates.

**683.** The MOD Estimates are reported on by the House of Commons Defence Committee (HCDC).

**684.** In its report on the MOD's 2005/06 Spring Supplementary Estimates, the HCDC called for the MOD to provide estimated NACMO for "commenced operations" as part of its Main Estimates, if necessary with a large element for contingency.<sup>427</sup> The HCDC stated that, for the MOD:

"... Parliamentary approval seems to be regarded as a rubber stamp. For this, Parliament must take some of the blame: for too long we have allowed Parliamentary approval of the Estimates to be taken for granted. **MOD must recognise that the agreement of the Treasury is not a substitute for Parliamentary approval, and that providing information to the Treasury is not enough.**"

**685.** From 2006/07, in response to that criticism, the MOD presented initial estimated NACMO to Parliament in November as part of its Winter Supplementary Estimates, before seeking formal approval of expenditure as part of the Spring Supplementary Estimates the following February.<sup>428</sup>

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<sup>425</sup> Committee Office Scrutiny Unit, March 2007, *Financial Scrutiny Uncovered*.

<sup>426</sup> Tenth Report from the Defence Committee, Session 2006-2007, *Cost of military operations: Spring Supplementary Estimate 2006-07*, HC 379.

<sup>427</sup> Fourth Report from the Defence Committee, Session 2005-2006, *Cost of peace-keeping in Iraq and Afghanistan: Spring Supplementary Estimate 2005-06*, HC 980.

<sup>428</sup> Tenth Report from the Defence Committee, Session 2006-2007, *Cost of military operations: Spring Supplementary Estimate 2006-07*, HC 379.

**686.** The HCDC welcomed the MOD's decision to provide earlier estimates of NACMO, but maintained its view that the MOD should include the cost of commenced operations in its Main Estimates at the beginning of the financial year.

**687.** The Inquiry is aware of two interventions by the PAC/NAO in relation to expenditure in Iraq.

**688.** The FCO's Financial Compliance Unit (FCU) visited Baghdad in April/May 2005 to review the Embassy's financial controls.<sup>429</sup> The FCU found no evidence of fraud, but did identify write-offs totalling approximately £13,000 relating to mobile phone bills, where either the phone had been lost and subsequently used or the individual user could not now be identified. In addition, Iraqi staff had incurred charges totalling more than £24,000 on personal calls from mobile phones. The FCU concluded that was unlikely to be recoverable, and should be paid for by the Embassy.

**689.** The FCO's phone service provider alerted the FCO at the end of June 2005 that they had concerns over the level of activity logged against one FCO satellite phone.<sup>430</sup> As a precaution, the service provider had barred the phone on 24 June. The FCO switched off all its active satellite phones in Iraq on 15 July, and terminated the associated line rental agreements.

**690.** Sir Michael Jay reported to the PAC on 15 February 2006 that the FCU was investigating a loss of £594,000 as a result of two satellite phones being stolen or misappropriated.<sup>431</sup> Sir Michael outlined some of the weaknesses in FCO systems that had already been identified, highlighting the failure of officials in London to challenge the bills which they received, and some of the improvements which had already been made.

**691.** At the request of the PAC, the NAO reported to it in July 2006 on the outcome of the FCU's investigation (in the context of the NAO's report on the FCO's 2005/06 Resource Accounts).<sup>432</sup> The FCU had found that the IPU had ordered 10 satellite phones in September 2003 for use in Iraq. The phones had been made ready for use before being dispatched. Weaknesses in the controls over the physical location, storage, billing and payment for the phones had led to the loss of two of the phones (together with another that had been rented previously) remaining undetected until June 2005. Despite extensive enquiries the FCU had not been able to establish who was responsible for the theft and subsequent misuse of the phones. The FCU had calculated the full extent of the loss at £594,370; the bill for one phone for June 2005 had been over £212,000.

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<sup>429</sup> Minute Major to Chaplin, 5 May 2005, 'Financial Compliance Unit (FCU) Visit to Baghdad: 19 April – 5 May'.

<sup>430</sup> Comptroller and Auditor General, *Theft and Misuse of Satellite Phones in Iraq*, 18 July 2006.

<sup>431</sup> Public Accounts Committee, Session 2005-2006, *Foreign and Commonwealth Office Resource Accounts 2004-05*, 15 February 2006. Uncorrected transcript of Oral Evidence given by Sir Michael Jay KCMG, Mr Dickie Stagg CMG and Mr Ric Todd.

<sup>432</sup> Comptroller and Auditor General, *Theft and misuse of satellite phones in Iraq*, 18 July 2006.

**692.** The FCU's investigation had highlighted numerous failures in the FCO's internal control system, which had allowed the theft of the phones and their subsequent misuse to continue undetected for a period of some 18 months. The FCU had identified, and agreed with the NAO, actions to reduce the risk of another similar incident.

**693.** The NAO visited the DFID Iraq team in London in May 2007, to undertake a review of internal financial control procedures as part of its audit of DFID's 2006/07 Resource Accounts.<sup>433</sup> The NAO team was unable to visit Iraq due to the security situation.

**694.** The NAO concluded that, overall, DFID was operating good controls over transactions through the local (Iraqi) imprest and bank account, and that budgetary control, asset management and corporate governance controls were operating effectively. Projects had been properly approved, and there was evidence that project outputs and outcomes were being monitored.

**695.** Mr Martin Dinham, DFID Director Europe, Middle East and Americas, told the Inquiry:

“... a National Audit Office investigation ... said that the systems that we had in place were sensible, suitable, that all the various safeguards that they would have liked to have seen were there. So we got – remarkable in the circumstances – we got a very clean bill of health from the NAO, which ... is completely independent of the system.”<sup>434</sup>

**696.** The Inquiry is also aware of one major fraud perpetrated against a DFID programme.

**697.** DFID's Southern Iraq Employment and Services Programme (SIESP) was approved in July 2004, providing £10m for infrastructure services and £6m for employment generation.<sup>435</sup> A total of £0.5m was allocated for programme administration.

**698.** In May 2005, the DFID Office in Basra closed the employment generation component of the SIESP after an assessment identified “worrying issues”. The Office asked DFID's Internal Audit Department (IAD) to visit Basra to review the SIESP and identify lessons for other programmes.

**699.** The IAD identified several flaws in the design of the component. It concluded that:

- A “key driver” of the SIESP had been “political (and consequent senior management) pressure in Whitehall and beyond to achieve visible results ... In retrospect, these pressures appear unreasonable but at the time were generally irresistible.” Warnings against proceeding with a programme of “such high fiduciary risk and intangible benefit” had not been heeded.

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<sup>433</sup> National Audit Office, *2006/07 Audit Visit – DFID Iraq*.

<sup>434</sup> Public hearing, 17 December 2009, page 109.

<sup>435</sup> [Report DFID Internal Audit Department, 11 August 2005, 'Visit Report: Basra, Iraq 26<sup>th</sup> – 31<sup>st</sup> July 2005'](#).

- Implementation had been undermined by the lack of physical monitoring due to the security situation.
- Weaknesses in the DFID Office in Basra had contributed to the problems within the SIESP. The Office had been set up “hastily under pressure from UK and locally to show a DFID presence”. It had proved very difficult to recruit staff for Iraq, leading to the appointment of staff with “little or no experience in managing programmes or staff”.
- The DFID Office in Basra had established “good controls” over SIESP finances. The Office’s decision to close the employment generation component immediately after its initial assessment had saved £3m (the amount remaining in the employment generation budget).

**700.** Of the £3m that had been spent, the IAD estimated that over £2m had been spent in a way “that did not meet [the SIESP’s] objectives”. The lack of physical monitoring made it difficult to be more precise.

**701.** In May 2006, DFID conducted an internal review in order to determine the extent of the loss from the SIESP employment component.<sup>436</sup> The review concluded that:

- £254,105 had been spent on projects where there was clear evidence of full or partial misuse of money, based on monitoring by DFID staff.
- £296,187 had been spent on projects where there was “**no clear evidence of either good use or misuse of money** (because there was no monitoring information on file) but where anecdotal evidence from interviews suggested that some percentage of the projects were not successfully completed”.
- £1,021,223 had been spent on projects which DFID was “reasonably confident” had been successfully completed, based on information on file (in the form of photographs or visit reports) or anecdotal evidence.

**702.** Dr Nemat Shafik, DFID Permanent Secretary from March 2008, told the Inquiry:

“We have a zero tolerance policy on corruption and we act on it immediately. The then Provincial Council was very unhappy with us as a result... But on that, we don’t compromise.

“[The SIESP] is ... the only case that we are aware of, where we had a significant fraud, which, given the scale of the funds that we were disbursing, and given the context, is, I think, a pretty good track record.

“In the case of the Iraq portfolio ... we actually had a higher level of scrutiny than our normal portfolio because of the risks involved. So we would get monthly reporting on risks, security risk, staff risk, risks to our money ...”<sup>437</sup>

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<sup>436</sup> Minute Hendrie to Dinham, 19 May 2006, ‘SIESP Employment Generation Project’.

<sup>437</sup> Public hearing, 13 January 2010, page 54.

**703.** The fraud is described in more detail in Section 10.2.

### **US oversight of expenditure on reconstruction**

In contrast to the UK Government, the US Government established new bodies to oversee US expenditure on reconstruction in Iraq.

When the US Congress appropriated £18.4bn for Iraq relief and reconstruction in November 2003, it also passed legislation to create a specialised Inspector General – the Inspector General of the Coalition Provisional Authority (CPA-IG) – to provide accountability for the use of those funds.<sup>438</sup>

The CPA-IG was re-designated as the Special Inspector General for Iraq Reconstruction (SIGIR), with a modified mandate, in October 2004.<sup>439</sup> SIGIR's mandate was, with respect to US relief and reconstruction plans, programmes, and operations in Iraq, to provide independent and objective:

- oversight and review through comprehensive audits, inspections and investigations;
- advice and recommendations on policies to promote economy, efficiency and effectiveness;
- prevention, detection and deterrence of fraud, waste and abuse; and
- information and analysis to Congress, the US Secretary of State, the US Secretary of Defense and the American people.<sup>440</sup>

SIGIR's jurisdiction extended to the Iraq Relief and Reconstruction Fund (IRRF), the Iraq Security Forces Fund, and the Commanders' Emergency Response Program (CERPs), and assistance for the reconstruction of Iraq under the Economic Support Fund, the International Narcotics Control and Law Enforcement account or any other provision of law.

SIGIR published its final report in March 2013.<sup>441</sup> It recorded that:

- SIGIR had undertaken 220 audits and 170 inspections, which had led to 82 convictions and over US\$191m in financial penalties.
- Those audits had questioned US\$641m in costs and identified an additional US\$974m in funds which could be put to better use – a combined potential financial benefit of US\$1.61bn. As at September 2012, the savings to the US Government from renegotiated contracts, refunds and operational savings resulting from SIGIR's work were US\$645m.
- At its peak in 2008, SIGIR had 35 auditors permanently stationed in Baghdad.
- SIGIR's budget was on average US\$25m a year over its lifetime.

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<sup>438</sup> Public Law 108-106, Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004.

<sup>439</sup> Special Inspector General for Iraq Reconstruction website, *About SIGIR*.

<sup>440</sup> Special Inspector General for Iraq Reconstruction, *Quarterly Report and Semiannual Report to the US Congress*, 30 July 2009.

<sup>441</sup> Special Inspector General for Iraq Reconstruction, *Learning from Iraq*, March 2013.

The report also recorded that SIGIR had developed innovative oversight practices:

- a focus on producing rapid “performance reviews” rather than slow-moving financial audits; and
- a focus on converting findings from audits and investigations into lessons for colleagues on the ground, consolidated in nine “lessons learned” reports.

The report offered a number of lessons for future stabilisation and reconstruction operations, including the need to provide a “robust in-country team of auditors, inspectors, and investigators from the operation’s outset”. Such a team would detect or deter fraud, waste and abuse, improving mission efficiency and effectiveness. The absence of a strong team early in the Iraq operation had allowed too much fraud, waste and abuse to occur.

SIGIR convened the Iraq Inspectors General Council in March 2004, to enhance collaboration and co-operation among the inspectors general of the agencies that oversaw Iraq reconstruction funds.<sup>442</sup> The Council met quarterly to exchange details about current and planned audits, identify opportunities for collaboration and minimise redundancies. Council members included: CENTCOM Inspector General; Department of Defense Office of Inspector General; Department of State Office of Inspector General; Government Accountability Office; USAID Office of Inspector General; and the US Army Audit Agency.

## Analyses of expenditure

### Total direct cost (by financial year)

**704.** The direct cost of the UK’s intervention in Iraq was at least £9.2bn between the UK financial years 2002/03 and 2009/10. The table below provides a detailed breakdown by financial year.

**705.** That figure does not include expenditure by departments other than the MOD, the FCO, and DFID. Although other departments made important contributions to the UK effort, in particular in the post-conflict period, their expenditure was relatively small.

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<sup>442</sup> Special Inspector General for Iraq Reconstruction, *Quarterly Report and Semiannual Report to the US Congress*, 30 July 2009.

Table 11: UK expenditure in Iraq, 2002/03 to 2009/10 (£m)

	2002/ 03	2003/ 04	2004/ 05	2005/ 06	2006/ 07	2007/ 08	2008/ 09	2009/ 10	Total
<b>Military operations<sup>443</sup></b>									
NACMO (inc. UORs)	847	1,311	940	963	959	1,458	1,381	342	8,201
<b>Humanitarian and development assistance<sup>444</sup></b>									
Humanitarian assistance	19	110	21	5	10	20	16	8	209
Development assistance		99	27	82	39	20	17	13	297
Imputed share of multilateral aid		11	11	6	14	9	14	8	73
<b>Sub-total</b>	<b>19</b>	<b>220</b>	<b>59</b>	<b>93</b>	<b>63</b>	<b>49</b>	<b>47</b>	<b>29</b>	<b>579</b>
<b>Diplomatic representation and support for the CPA<sup>445</sup></b>									
Diplomatic representation		10	45	64	60	38	20	30	267
Support for the CPA <sup>446</sup>		29							29
<b>Sub-total</b>	<b>0</b>	<b>39</b>	<b>45</b>	<b>64</b>	<b>60</b>	<b>38</b>	<b>20</b>	<b>30</b>	<b>296</b>
<b>Interdepartmental Conflict Pools and peacekeeping<sup>447</sup></b>									
GCPP		5	16	15	20	16			72
Stabilisation Aid Fund							19		19
Conflict Pool								11	11
Peacekeeping			11	17	15	6	7	1	57
<b>Sub-total</b>		<b>5</b>	<b>27</b>	<b>32</b>	<b>35</b>	<b>22</b>	<b>26</b>	<b>12</b>	<b>159</b>
<b>Total</b>	<b>866</b>	<b>1,575</b>	<b>1,041</b>	<b>1,147</b>	<b>1,114</b>	<b>1,567</b>	<b>1,474</b>	<b>413</b>	<b>9,235</b>
<b>Debt relief<sup>448</sup></b>									
Debt relief <sup>448</sup>			337	337			280		954
<b>Total inc. debt relief</b>	<b>866</b>	<b>1,575</b>	<b>1,378</b>	<b>1,484</b>	<b>1,114</b>	<b>1,567</b>	<b>1,754</b>	<b>413</b>	<b>10,189</b>

<sup>443</sup> Statement Macpherson, 15 January 2010; Letter Cabinet Office [junior official] to Aldred, 1 July 2011, 'Iraq Inquiry: Request for Further Information on Funding'; Letter Cabinet Office [junior official] to Aldred, 13 September 2011, 'Iraq Inquiry: Request for Further Information on Funding'.

<sup>444</sup> Letter Cabinet Office [junior official] to Aldred, 1 July 2011, 'Iraq Inquiry: Request for Further Information on Funding'.

<sup>445</sup> Letter Cabinet Office [junior official] to Iraq Inquiry [junior official], 1 December 2011, 'Iraq Inquiry: Funding'.

<sup>446</sup> The FCO received £29.2m from the Reserve in 2003/04 to provide security, hardened accommodation and life support to UK secondees to the Coalition Provisional Authority (CPA). DFID provided an additional £28m to support secondees to the CPA (that amount is included in the figures for development assistance).

<sup>447</sup> Letter Cabinet Office [junior official] to Iraq Inquiry [junior official], 1 December 2011, 'Iraq Inquiry: Funding'.

<sup>448</sup> Letter Cabinet Office [junior official] to Aldred, 13 September 2011, 'Iraq Inquiry: Request for Further Information on Funding'.

## Cost of accommodation, security, medical services and life support

**706.** From 1 July 2004, responsibility for providing accommodation, security, medical services and life support (defined by the FCO as catering, laundry and cleaning) was provided by the FCO and charged to other departments and agencies under a Service Level Agreement (SLA).<sup>449</sup> Charges were based on the number of personnel each department and agency had in Iraq. The table below shows expenditure under the SLA.<sup>450</sup>

Table 12: Cost of accommodation, security, medical services and life support (£000s)

	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10
British Council	1,107	547	472	458	426	299
DFID	24,083	20,680	10,368	5,538	5,580	3,013
FCO	27,102	31,734	30,186	21,671	22,605	17,857
MOD	6,128	9,799	6,716	7,080	5,542	4,628
UKBA						183
UKVisas	110	328	330	433	306	
GCPP	1,773	5,909	12,766			
<b>Total</b>	<b>60,307</b>	<b>69,001</b>	<b>60,841</b>	<b>35,182</b>	<b>34,461</b>	<b>25,981</b>

**707.** Of the £296m spent by the FCO on diplomatic representation in Iraq and support for UK secondees to the CPA, £192m (65 percent) was spent on security.<sup>451</sup> The table below shows FCO expenditure on security by financial year.

Table 13: FCO expenditure on security 2002/03 to 2008/09 (£m)

	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	Total
Diplomatic representation/ support for the CPA	39	45	64	60	38	20	30	<b>296</b>
<i>(of which security)</i>	28	36	48	22	23	18	17	<b>192</b>

<sup>449</sup> Paper DFID, 21 December 2011, 'A note on DFID Iraq programme admin spend for the Iraq Inquiry'.

<sup>450</sup> Email FCO [junior official] to Iraq Inquiry [junior official], 23 May 2013, 'Iraq – breakdown of charges to depts. under Service Level Agreement'.

<sup>451</sup> Paper FCO, 11 November 2011, 'FCO Funding for Iraq 2002 – 2010'; Letter Cabinet Office [junior official] to Iraq Inquiry [junior official], 1 December 2011, 'Iraq Inquiry – Funding'.

**708.** The Inquiry asked Lord Jay, FCO Permanent Under Secretary from 2002 to 2006, how he and the FCO Board reached a view of the balance between the value of the activities and the cost of achieving them.<sup>452</sup> Lord Jay told the Inquiry:

“... there are always judgments that you have to make as to whether people are secure and how much you spend on that, but my judgment is that ... if we had felt on the [FCO] Board in London that we were not able to afford the security for people, then we shouldn't have people on the ground.”

**709.** Mr Jim Drummond, DFID Director Iraq, was briefed in advance of his appearance before the International Development Committee (IDC) on 16 November 2004 that DFID had, to date, spent approximately £16.9m on staff security in Iraq, including armed protection, armoured vehicles, hostile environment and emergency first aid training, and posting Security Managers in Iraq and the UK.<sup>453</sup> That security spending had supported project spending of £32.1m; security spending therefore comprised approximately one-third of total project spending.

**710.** The briefing stated:

“Quantifying the costs and benefits associated with a reform programme is heavily subjective. So there is no specific point at which security costs make projects become unviable. However, given the very high costs of operating at present the programme is kept tightly focused on work that needs to be done now, and that has very high rates of return. For example, our economic work has been focused on assisting the Iraqi Government in agreeing an IMF programme, which is the first step in moving towards debt relief. Clearly with debts of US\$120bn the economic benefits of this work outweigh the costs.”

**711.** The NAO published its report ‘DFID: Operating in insecure environments’ in October 2008.<sup>454</sup>

**712.** The NAO reported that “in extreme circumstances”, security and administrative costs could outweigh “actual projects costs”. It offered as an example DFID’s Technical Advisory Team Programme in Iraq. Of the total £7m allocation, £1.9m had been spent on consultancy work and more than £5m on security and related expenses.

**713.** The NAO reported that DFID did not systematically collate or analyse the extra costs of running its business in insecure environments. Significant security costs in Iraq and other countries were categorised by DFID as programme, rather than administrative, expenditure, making them more difficult to identify. Security costs incurred by DFID’s implementing partners would also be categorised as programme expenditure.

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<sup>452</sup> Public hearing, 30 June 2010, page 64.

<sup>453</sup> Briefing DFID, [undated], ‘Preparations for IDC Evidence Session, 16 November 2004’.

<sup>454</sup> National Audit Office, *Department for International Development: operating in insecure environments*, 16 October 2008.

**714.** The NAO recommended that “DFID needs better management information on its costs to inform its decisions and achieve value for money [in insecure environments]”.

**715.** The Inquiry asked Mr Hilary Benn, the International Development Secretary from 2003 to 2007, if the high security costs in Iraq had undermined DFID’s ability to deliver value for money, and whether the funds spent on Iraq could have been better used elsewhere.<sup>455</sup> He told the Inquiry:

“No, because we had a particular responsibility ... [and] our duty to fulfil that responsibility. Because what we were trying to do ... was to assist Iraq to build something better for itself, and this was a very important objective. And it would have been wrong to say, ‘Well, we will get up and walk away’ ...”

**716.** Mr Benn also told the Inquiry that DFID funding for Iraq had been reallocated from other middle-income countries, rather than from low-income countries.

**717.** Section 15 considers the steps taken by the UK Government to provide security for civilian staff in Iraq.

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<sup>455</sup> Public hearing, 2 February 2010, page 46.

## SECTION 13.2

### CONCLUSIONS: RESOURCES

#### Contents

Introduction and key findings .....	570
Estimates of the cost of the UK's involvement in Iraq .....	570
The decision to take military action against Iraq .....	572
Arrangements for funding military operations and civilian activities .....	575
Resources and strategy .....	580
Lessons .....	581

## Introduction and key findings

1. This Section addresses analysis and findings in relation to the evidence set out in Section 13.1, on the allocation of resources for military operations and civilian activities in Iraq.

2. This Section does not address how government departments used the resources available to them. Specifically:

- the provision of military equipment is considered in Sections 6.3 and 14;
- the UK's support for reconstruction is considered in Section 10; and
- the UK's support for Security Sector Reform is considered in Section 12.

### Key findings

- The direct cost of the conflict in Iraq was at least £9.2bn (the equivalent of £11.83bn in 2016). In total, 89 percent of that was spent on military operations.
- The Government's decision to take part in military action against Iraq was not affected by consideration of the potential financial cost to the UK of the invasion or the post-conflict period.
- Ministers were not provided with estimates of military conflict and post-conflict costs, or with advice on their affordability, when decisions were taken on the scale of the UK's military contribution to a US-led invasion of Iraq, and on the UK's role in the post-conflict period. They should have been.
- There was no articulated need for additional financial resources for military operations in Iraq that was not met.
- The arrangements for funding military Urgent Operational Requirements (UORs) and other military costs worked as intended, and did not constrain the UK military's ability to conduct operations in Iraq.
- The controls imposed by the Treasury on the Ministry of Defence's (MOD's) budget in September 2003 did not constrain the UK military's ability to conduct operations in Iraq.
- The Government was slow to recognise that Iraq was an enduring operation, and to adapt its funding arrangements to support both military operations and civilian activities.
- The arrangements for securing funding for civilian activities could be slow and unpredictable. Some high-priority civilian activities were funded late or only in part.

## Estimates of the cost of the UK's involvement in Iraq

3. It was the responsibility of departments in the first instance to:

- produce estimates of the costs of activities for which they were responsible;
- discuss those estimates with the Treasury; and
- make them available to Ministers and, if appropriate, Cabinet to inform their discussions.

4. The Treasury began considering the potential cost of UK involvement in Iraq in June 2002, and produced the first estimated figure for the cost of military action in Iraq (£2.5bn) in September 2002.
5. The MOD sent “some indicative breakdowns” of the cost of military action to the Treasury on 11 October<sup>1</sup> and “ball-park figures” for the cost of military action (up to £2bn) to Mr Blair on 15 October, to inform his decision on whether to offer a large scale land force to the US.<sup>2</sup>
6. Mr Geoff Hoon, the Defence Secretary, sent a detailed estimate of contingency planning costs (£1.65bn) to Mr Gordon Brown, the Chancellor of the Exchequer, in mid-December. A copy of the letter was sent to Mr Blair. That estimate covered the cost of preparing, deploying and retrieving a military force, but not of any war-fighting or post-conflict activities.
7. The MOD produced its first estimate of military post-conflict costs in February 2003, just one month before the invasion. It also increased its estimated figure for the cost of military action (to between £2.5bn and £3bn).
8. The Treasury produced detailed analyses of the implications of a conflict in Iraq for public expenditure in September and October 2002.
9. Treasury officials’ advice to Mr Brown on military cost estimates and the implications for public expenditure was timely and accurate. It repeatedly highlighted the risk that the UK would have to maintain a significant military force in Iraq in the medium term and challenged the MOD’s assertion that the UK could limit its financial liability for Iraq’s post-conflict security and reconstruction.
10. The MOD should have produced detailed estimates of military conflict and post-conflict costs sooner, in order to inform consideration of options for the UK’s engagement.
11. Both the Treasury (from September 2002) and the Department for International Development (DFID) (from January 2003) produced detailed and robust analyses of potential humanitarian assistance and reconstruction costs in Iraq. Both departments concluded that the costs could be substantial.
12. Treasury officials’ advice to Mr Brown highlighted the risk that the UK might have to make a significant contribution to Iraq’s reconstruction, as a key member of the Coalition and in particular in the absence of UN cover. The UK Government expected that UN cover would be necessary if other international partners were to provide significant contributions to the post-conflict effort.

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<sup>1</sup> [Minute Nye to Chancellor, 11 October 2002, ‘Iraq: Decisions Nearing’.](#)

<sup>2</sup> [Minute Hoon to Prime Minister, 15 October 2002, ‘Iraq: UK Military Options’ attaching Paper MOD, 14 October 2002, ‘Iraq: UK Contingency Planning’.](#)

**13.** In February 2003, Treasury officials provided Mr Brown with the first comprehensive estimate of military and civilian costs for the conflict and post-conflict period. The cost of a military campaign was estimated at £3.4bn over three years, with a further £1bn in the first year after a conflict for post-conflict military operations. The cost of a UK contribution to humanitarian assistance and reconstruction was estimated at up to £0.75bn in the first year after a conflict (representing 10 percent of the cost of the total international effort). The Treasury indicated that costs for military operations beyond 2004/05 and for humanitarian assistance and reconstruction beyond 2003/04 were unknown.

**14.** Treasury officials advised Mr Brown that their estimate reflected the “biggest commitment” that the UK could make in the post-conflict period – taking military responsibility for a geographical area of Iraq.<sup>3</sup> The costs of such a commitment would be substantial and could extend into the long term.

**15.** Given the uncertainties over the scale of the UK’s military presence in post-conflict Iraq, and the inevitable uncertainties over the scale of any post-conflict humanitarian crisis and reconstruction challenge, the Treasury’s February 2003 estimates were remarkably accurate.

**16.** Mr Paul Boateng, the Chief Secretary to the Treasury from 2002 to 2005, told the Inquiry that the Treasury’s analyses of the impact of war on the UK’s public finances were not conducted with the intention of “second-guessing” Ministers, but to enable the Treasury to contribute to planning and policy discussions.<sup>4</sup>

**17.** The Inquiry agrees that the Treasury’s analyses should have contributed to planning and policy discussions.

**18.** Mr Brown told the Inquiry that, in his discussions with Cabinet colleagues in the months leading up to the invasion, he made it clear that the Treasury would not “interfere” by suggesting that cost should be a factor in choosing one military option over another:

“That was not our job ... At every point, I made it clear that we would support whatever option the military decided upon with the Prime Minister and the Cabinet ...”<sup>5</sup>

## The decision to take military action against Iraq

**19.** Section 6.5 addresses the Government’s failure to establish a unified planning process across the four principal departments involved – the Foreign and Commonwealth Office (FCO), the MOD, DFID and the Treasury – or between military and civilian planners, in the pre-conflict period.

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<sup>3</sup> [Minute Treasury \[junior official\] to Chancellor, 19 February 2003, ‘Update on Iraq’ attaching Paper Treasury, 19 February 2003, ‘Iraq Conflict – Public Expenditure Impact’.](#)

<sup>4</sup> Public hearing, 14 July 2010, page 22.

<sup>5</sup> Public hearing, 5 March 2010, pages 25-26.

**20.** In the absence of a Cabinet Minister with overall responsibility for Iraq, leadership on strategy rested with Mr Blair.

**21.** The version of the *Ministerial Code* that was current in 2003 stated that it was the responsibility of the initiating department to ensure that proposals involving expenditure or affecting general financial policy were discussed with the Treasury before being submitted to Cabinet or a Ministerial Committee. The result of the discussion together with an estimate of the cost should be included in the memorandum submitted to Cabinet or a Ministerial Committee.

### **Mr Brown's discussions with Ministers on the likely costs of the UK's involvement in Iraq**

In the months before the invasion, Treasury officials produced a series of detailed analyses of the likely cost of intervention in Iraq, and the effect on public expenditure, for Mr Brown. In the context of that advice, Treasury officials urged Mr Brown to intervene in discussions on the scale of the UK's involvement in the military campaign and on the UK's role in a post-conflict Iraq.

Mr Brown had many meetings with Cabinet colleagues, including Mr Blair, in the run-up to the invasion. Those meetings were often one-to-one, and no record was taken. In the absence of those records, the Inquiry is unable to determine whether or in what way Mr Brown raised the issues highlighted by his officials.

**22.** The detailed estimates for military conflict and post-conflict costs produced by the MOD and the Treasury, and the analyses of the implications of a conflict in Iraq for public expenditure produced by the Treasury, were not sent to Mr Blair or to Ministers outside the originating departments.

**23.** Ms Clare Short, the International Development Secretary, wrote to Mr Blair on 5 February, 14 February and 5 March 2003, highlighting the potential cost of a UK contribution to an international humanitarian assistance and reconstruction effort, and the potential cost of pursuing an exemplary approach to the provision of humanitarian assistance in the UK's Area of Responsibility (AOR) in southern Iraq. She also raised the issue in Cabinet on 27 February.

**24.** On 14 March, in response to Mr Blair's request that Mr Brown should draw up a funding plan for Iraq, the Treasury provided a paper setting out the potential cost of a UK contribution to an international humanitarian assistance and reconstruction effort.

**25.** Detailed estimates of military costs and the analyses of the implications of a conflict for public expenditure should have been available to Ministers on three occasions which shaped the UK's involvement in Iraq:

- **In advance of Mr Blair's decision on 31 October 2002** that the UK should offer a large scale land force to the US for planning purposes.

Mr Blair had, over the previous month, expressed his concern to Mr Hoon over the additional costs associated with providing a large scale land force as part of a UK contribution to a US-led invasion of Iraq, and asked whether those costs had been discussed with the Treasury.

The MOD and the Treasury had, by the middle of October, developed broad estimates of the cost of providing a large scale land force. Mr Brown had also been provided with detailed analyses of the implications for public expenditure of a conflict in Iraq.

At the meeting where the decision to offer a large scale land force was taken, Admiral Sir Michael Boyce, Chief of the Defence Staff, stated his belief that providing a large military contribution to the campaign would mean that the UK would be under less pressure to make a large contribution to post-conflict reconstruction.

- **In February and March 2003**, when the Government considered whether to take on military responsibility for a geographical area of Iraq in the post-conflict period.

The MOD and the Treasury had, by February, developed detailed estimates of the potential cost of such a commitment (although there remained a number of unknown factors).

When the Government acceded in April to the US request that it assume leadership of a military AOR encompassing four provinces in southern Iraq, it did so without a robust analysis either of the strategic implications for the UK or of the military's capacity to support the UK's potential obligations in the region. A step of such magnitude should have been taken deliberately, having considered the wider strategic and resource implications and contingent liabilities.

In the event, the UK was responsible for security in its AOR for six years, initially as an Occupying Power and, from June 2004, in support of the Iraqi Government.

- **In advance of Cabinet's decision on 17 March 2003** to issue an ultimatum to Iraq and ask the House of Commons to endorse the use of military action against Iraq if necessary.

**26.** The extent to which cost should be a determining factor in reaching a policy decision is for Ministers to judge based on the circumstances of each particular case. But it is essential that those taking collective responsibility for a decision have the ability to make an informed judgement about the likely costs and risks.

**27.** Neither Cabinet nor any of the Ministerial meetings convened to discuss military options and the UK's role in a post-conflict Iraq were provided with detailed cost estimates for the various policy options for the UK's involvement in Iraq, and their implications for public expenditure.

- 28.** Those meetings were therefore unable to reach informed judgements on the financial risk associated with those options.
- 29.** The leading role played by No.10 in the decision to support US-led military action against Iraq may have contributed to that omission.
- 30.** In relation to decisions of such gravity as invading another sovereign country, it is particularly important that the Prime Minister ensures that the *Ministerial Code* is met.
- 31.** But Mr Brown, as Chancellor of the Exchequer, should have ensured that estimates of the likely overall cost of a UK intervention in Iraq, for military and civilian activities during the conflict and post-conflict period, and the wider implications for public expenditure were identified and available to Ministers and Cabinet.

## Arrangements for funding military operations and civilian activities

- 32.** The Government used the existing – separate – arrangements for funding military operations and civilian activities to fund the UK’s involvement in Iraq.
- 33.** Military operations were funded through well-established procedures which enabled the MOD to incur costs and then reclaim them from the Reserve. Those claims were (in line with the agreed procedures) subject to a relatively light level of scrutiny by the Treasury.
- 34.** DFID and the FCO funded their activities in Iraq in the first instance by reprioritising within their existing departmental settlements and, if and when that proved insufficient, by bidding to the Treasury for additional funding from the Reserve. Those bids were closely scrutinised by the Treasury.
- 35.** The Treasury pressed DFID and the FCO hard to reprioritise within their existing departmental settlements to fund new activities in Iraq, before agreeing to provide additional funding from the Reserve. An FCO official, writing in 2005, described the Treasury as playing “hard ball” and setting departments against one another in order to see off potential and actual claims to the Reserve.<sup>6</sup>
- 36.** The MOD, DFID and the FCO also had access to a small, inter-departmental fund – initially the Global Conflict Prevention Pool (GCPP) – intended for conflict prevention activities. The GCPP had been established to encourage and support a more co-ordinated approach across Government.
- 37.** DFID had a larger departmental settlement than the FCO, including a large allocation for funding programmes. Programme allocations could be used flexibly in response to emerging priorities. DFID therefore had more scope than the FCO to find funding for new programmes in Iraq.

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<sup>6</sup> [Minute Crompton to Sawers, 4 May 2005, ‘Iraq: Reflections’.](#)

**38.** Sir Suma Chakrabarti, DFID Permanent Secretary from 2002 to 2007, told the Inquiry that DFID's funding for Iraq was found by reallocating funding from DFID programmes in other middle-income countries, rather than from programmes in low-income countries.<sup>7</sup>

**39.** Sir Mark Lyall-Grant, FCO Policy Director from 2007 to 2009, summarised the situation in his evidence to the Inquiry:

“... you have the MOD which can call on the Reserve for unforeseen military expenditure. You have DFID, who have a large amount of programme money ... and you have the Foreign Office that doesn't have any money.”<sup>8</sup>

**40.** The Treasury's priority throughout the period covered by the Inquiry was to avoid any suggestion that other departments should have access to the Reserve on the same basis as the MOD. In February 2007, a senior Treasury official advised Mr Stephen Timms, Chief Secretary to the Treasury from May 2006 to June 2007:

“Arguably this [the different arrangements for funding military operations and civilian activities] can lead to perverse outcomes ... if it incentivises decision-makers to prefer military responses to civilian ones. But it is a useful safety net for us and not to be given up without careful thought.”<sup>9</sup>

**41.** The arrangements for funding military operations (including Urgent Operational Requirements – UORs) worked as intended, and did not constrain the military's ability to conduct operations in Iraq.

**42.** All the MOD's claims on the Reserve in respect of UORs and other additional military costs were met.

**43.** There are no indications that Mr Brown, Mr Boateng or Treasury officials acted to delay or distort the provision of funding for UORs and other additional military costs.

**44.** There are no indications that DFID's activities in Iraq were constrained by a lack of resources. The constraints imposed by the disproportionate cost of providing security for civilian staff and contractors in Iraq are addressed in Section 15.

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<sup>7</sup> Public hearing, 22 January 2010, pages 38-40.

<sup>8</sup> Public hearing, 20 January 2010, page 35.

<sup>9</sup> Minute Quinault to Chief Secretary, 13 February 2007, 'DOP Meeting on Iraq and Afghanistan, 14 February'.

## Funding for humanitarian assistance

Ms Short and Sir Suma Chakrabarti both told the Inquiry that DFID's ability to plan to deliver humanitarian assistance had been constrained by the Treasury's reluctance to provide additional funding from the Reserve.

By the end of January 2003, DFID officials had developed a detailed (but still draft) assessment of potential UK contributions for humanitarian relief and reconstruction in Iraq, under a number of scenarios.

Ms Short did not approach Mr Brown or the Treasury with a specific bid for additional resources until 21 March (although she was aware that Mr Brown was likely to support it). She did write to Mr Blair on 5 February, 14 February and 5 March, advising him of the cost of potential UK contributions for humanitarian relief and reconstruction (up to £440m a year), and seeking direction on the role of the UK in delivering the humanitarian response. She also raised the issue in Cabinet on 27 February.

Given the scale of UK resources that might have been required, it was reasonable to seek clear direction from Mr Blair on the UK's role in the humanitarian response. But that did not preclude an early bid to the Reserve. Indeed, a detailed bid may have focused the Government's attention on the need to define the UK's role more clearly.

By the end of March, DFID had earmarked £210m for humanitarian assistance in Iraq, comprising £90m from DFID's own resources and £120m that it had secured from the Reserve. In addition, the Treasury had agreed that the UK military could spend £30m on providing humanitarian assistance in the UK's Area of Operations.

The humanitarian crisis that had been feared did not materialise. By the beginning of May, DFID had reallocated the balance of the £210m allocated for humanitarian assistance that remained uncommitted – approximately £90m – to reconstruction.

**45.** Given its limited programme funds, the FCO found it particularly difficult to identify funding for new activities in Iraq. It was successful in making bids for funding from the Reserve to pay for security costs for personnel deployed to Iraq and diplomatic representation, but other bids were rejected in full or in part.

**46.** The FCO's difficulty in securing additional funding was due in part to the quality of its bids to the Reserve, and in part to the Treasury's perception that the FCO had not made sufficient effort to reprioritise from within its existing resources. The Inquiry has not assessed the accuracy of that perception.

**47.** In their efforts to secure funding, departments stretched the scope of the GCPP to accommodate activities as diverse as military equipment for the Iraqi Security Forces and the Basra Poetry Festival. But the Pool was small (only £7.5m for Iraq in 2003/04) and the process for securing funding was slow. Sir Mark Lyall-Grant told the Inquiry that decisions about how to spend relatively small sums of money had led to "huge disputes

between Government departments” which had consumed significant amounts of senior officials’ time.<sup>10</sup>

**48.** Departments found it particularly difficult to find funding for activities that emerged “in-year” or appeared to fall between the boundaries of departments’ responsibilities (such as activities to promote political outreach or support the Iraqi media). A number of civilian activities that Ministers had identified as a high priority – including, in 2003, support for the Iraq Media Network and, in 2006, the first Better Basra Action Plan – were funded late, and only in part.

**49.** Departments recognised in mid-2003 that the arrangements for funding civilian activities were not working well. In September, the Treasury rejected a proposal from departments for a new pool for funding non-military activity in Iraq, on the grounds that it might lead to an increase in claims to the Reserve.

**50.** The UK’s deployment into Helmand province, Afghanistan, in 2006 prompted departments, led by the FCO, to revisit the arrangements for funding civilian post-conflict activities. Initial proposals focused on enhancing or complementing the GCPP (on the assumption that the Treasury would not allow access to the Reserve for non-military activities).

**51.** At the same time, MOD claims on the Reserve for UORs increased significantly as security in Iraq deteriorated, expenditure on Afghanistan increased, and the Government provided new equipment for the Armed Forces.

**52.** The Treasury continued to agree the MOD’s claims against the Reserve, but by April 2007 had concluded that the UOR programme had become a straightforward supplement to the MOD’s Equipment Programme rather than a response to urgent and specific requirements in a theatre of operations.

**53.** In July 2007, the MOD and the Treasury agreed a new arrangement for funding UORs designed to shift the focus of the MOD’s Equipment Programme towards current operations. The new arrangement was expected to be cost neutral for the MOD.

**54.** There were also changes to the arrangements for funding non-military activities. In July, the Treasury announced the creation of a new Stabilisation Fund (later renamed the Stabilisation Aid Fund – SAF) to fund immediate civilian support to military operations (activities which had previously been funded from the GCPP). The GCPP was combined with the Africa Conflict Prevention Pool to form the Conflict Pool. New governance arrangements sought to link more closely expenditure from the SAF and the Conflict Pool with UK strategy.

**55.** The changes to the arrangements for funding UORs did not affect operations in Iraq, which were by this time generating fewer demands for UORs.

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<sup>10</sup> Public hearing, 20 January 2010, pages 36–37.

**56.** There are no indications that the new arrangements for funding civilian activities affected the civilian effort in Iraq, which was by that time reducing.

**57.** The Government continued to develop its arrangements for funding reconstruction and stabilisation operations.

**58.** The Inquiry has not evaluated in detail the effectiveness of the new arrangements that were introduced in 2007. They do exhibit some important and welcome features:

- a dedicated and substantial pool of resources for civilian activities in environments such as Iraq and Afghanistan; and
- a requirement that allocations should be based on an inter-departmental strategy.

**59.** The Government should have recognised earlier that Iraq was an enduring operation, and adapted its arrangements for funding the military operation and civilian activities accordingly in order to:

- ensure that the UOR programme retained its focus on addressing urgent and specific requirements in theatre; and
- address the difficulties in securing funding for civilian activities.

### **The imposition of Treasury controls on the MOD**

In the light of the publicity surrounding the funding and management of the defence programme in 2003 and 2004, the Inquiry examined two related questions:

- whether the size of the MOD's core budget imposed constraints on operations in Iraq; and
- whether the imposition of controls on the MOD's management of its resources by the Treasury in September 2003 had an impact on operations in Iraq.

Several witnesses told the Inquiry that, in the MOD's view, the 1998 *Strategic Defence Review*, which signified a major shift towards expeditionary armed forces, had not been fully funded.

With respect to military operations in Iraq, there are no indications that there was an unmet, articulated need for additional financial resources. All the MOD's claims on the Reserve in respect of UORs and other additional military costs were met.

The Inquiry concludes in Section 14.2 that there were known military capability gaps in Iraq, and that the availability of funding was not a direct barrier to the identification and deployment of solutions to those gaps.

During September 2003, the MOD's additional cash requirement for 2003/04 rose from £490m to £1,152m. The MOD intended to meet that cash requirement by making a transfer from its non-cash budget. The Treasury took the view that that increase signalled a complete lack of budgetary control within the MOD, and on 26 September imposed controls on the MOD's management of its resources.

The size of the MOD's proposed transfer from its non-cash budget reflected a deliberate attempt by the MOD to exploit the opportunities offered by the Government's transition from cash accounting to Resource Accounting and Budgeting.

The increase in the size of the MOD's cash requirement during September reflected the inability of the MOD to produce reliable estimates of its cash requirement.

There are no indications that the controls imposed on the MOD by the Treasury in September 2003 constrained the military's ability to conduct operations in Iraq.

## Resources and strategy

**60.** Section 9.8 describes the Government's repeated reassessments of its strategy for Iraq. Those strategies tended to focus on describing a desired end state, rather than how it would be reached.

**61.** None of those strategies considered the resources that the Government would need to commit to achieve those end states and (at a strategic level) how those resources should be allocated.

**62.** In the absence of a strong strategic framework, spending on military operations in Iraq was driven by a series of decisions on UK force levels and on the equipment that should be provided to the Armed Forces.

**63.** The Inquiry concludes in Section 9.8 that, from July 2005 onwards, decisions in relation to resources for Iraq were made under the influence of the demands of the UK effort in Afghanistan.

**64.** Allocations for civilian activities were driven by the FCO's and DFID's willingness and ability to reprioritise from within their departmental budgets and their ability to secure additional funding from the Reserve and the GCPP.

**65.** The direct cost to the UK Government of its intervention in Iraq between 2002/03 and 2009/10 was at least £9.2bn in cash terms (the equivalent of £11.83bn in 2016), comprising:

- £8.20bn (89 percent of the total direct cost) on military operations;
- £0.58bn (6 percent) on humanitarian and development assistance;
- £0.30bn (3 percent) on diplomatic representation; and
- £0.16bn (2 percent) from the inter-departmental pools.

**66.** There are no indications that the Government questioned the balance of funding between military operations and civilian activities, or considered what the most effective balance of effort might be to achieve the UK's strategic objectives.

**67.** Lord Boateng told the Inquiry that the imbalance in funding between military operations and civilian activities had arisen "partly as a result of the funding mechanism

deployed, in the sense that the Ministry of Defence had an access to the Reserve that was on a different scale from the others [DFID and the FCO].<sup>11</sup> He continued:

“... did anyone sit down and say, ‘Well, this is the sum of money that we have, this ought to be the balance?’ No, I don’t think they did. Should they have done? Maybe, but actually it is ... very difficult to do.”

## Lessons

**68.** The direction in the *Ministerial Code* that the estimate of a cost of a proposal should be included in the memorandum submitted to Cabinet or a Ministerial Committee applies equally to military operations. When evaluating military options it is appropriate to consider financial risk alongside other forms of risk. While governments will rarely wish to preclude options solely on the basis of cost, they must also recognise that, over time, cost may become an issue and make it difficult to sustain a military operation over the longer term.

**69.** Section 9.8 addresses the difficulties that the Government faced in converting successive UK strategies into action, in part because those strategies tended to focus on describing the desired end state rather than how it would be reached. On none of the occasions when UK strategy was reconsidered was a robust, costed plan for implementation produced.

**70.** Strategies and plans must define the resources required to deliver objectives, identify the budget(s) that will provide those resources, and confirm that those resources are available.

**71.** In developing strategies and plans for civilian/military operations, a government should address the impact of the different mechanisms used to fund military operations and civilian activities and the extent to which those mechanisms provide perverse incentives for military action by making it easier to secure funding for agreed military operations than for civilian activities.

**72.** A government should also address its explicit and implicit financial policy that, while there should be no constraint on the provision of funding for military operations, it is reasonable that for the same civilian/military operation, departments should find funding for new civilian activities from within their existing budgets, which are likely to be fully allocated to existing departmental priorities.

**73.** A government is likely to embark on major civilian/military operations such as Iraq only rarely.

**74.** A government should recognise that, in such operations, the civilian components (including diplomatic activity, reconstruction and Security Sector Reform) will be critical for strategic success, may be very substantial, and must be properly resourced.

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<sup>11</sup> Public hearing, 14 July 2010, page 41.

**75.** One arrangement would be to create a budget for the civilian components of the operation, under the direction of a senior Minister with lead responsibility and in support of a coherent UK strategy. Once allocations were made from that budget to individual departments, the allocations would be managed within departments' legal and policy constraints. Such an arrangement should:

- ensure that UK strategy was resourced;
- promote joint working;
- minimise the potential for gaming;
- be able to respond to in-year priorities; and
- reduce the amount of time that Ministers and senior officials need to spend arguing about funding individual activities.

**76.** The Inquiry recognises that, since 2003, significant changes have been made to the UK's strategic and operational approach to reconstruction and stabilisation, including to the arrangements for funding such operations.

## SECTION 14.1

### MILITARY EQUIPMENT (POST-CONFLICT)

#### Contents

Introduction .....	3
Background .....	3
The procurement process .....	3
Addressing equipment capability gaps .....	5
The need for an expeditionary capability .....	9
Preparing for the post-conflict phase .....	11
Improvement in the MOD's procurement process during Op TELIC .....	16
Protected mobility and the developing threat to UK troops .....	21
Initial deployment of Protected Patrol Vehicles (PPVs) in Iraq .....	21
Deploying PPVs to Iraq .....	25
The appearance of Explosively Formed Projectiles (EFPs) and the UK's response .....	32
Project DUCKBOARD evolves .....	36
The impact of the 2004 Spending Review on FRES .....	43
A "Type B" vehicle .....	45
The threat in mid-2004 .....	48
A PPV for Afghanistan .....	52
Response to the increase in the threat .....	61
The impact on wider civilian operations .....	72
Decisions on the wider protected mobility capability for the Army .....	76
Project Vector .....	85
The decision to procure additional vehicles for Iraq .....	88
The introduction of Mastiff .....	99
Changes to the arrangements for identifying and funding UORs .....	114
Protected mobility between late 2006 and mid-2009 .....	117
Introduction of a new process to determine the acceptable level of risk in operations .....	126
The requirement for an "urban" PPV .....	129
FRES as a distinct requirement .....	137
Call for a public inquiry into the use of Snatch .....	142
Snatch after Iraq .....	144

The impact of Afghanistan on the equipment available in Iraq .....	144
Existing capability gaps before 2006 .....	145
ISTAR .....	145
Support helicopters .....	158
The availability of ISTAR and support helicopters from 2006 onwards .....	168
The DOC's third report, 4 April 2006 .....	170
Re-aligning assets and understanding the shortfalls .....	175
Mr Browne's concern .....	182
The increasing threat of indirect fire attacks .....	189
Considering whether to deploy Reaper to Iraq .....	207
The drawdown of UK forces .....	208
The remaining levels of helicopter and ISTAR support in MND(SE) .....	213

## Introduction

### 1. This Section addresses:

- three examples of a significant capability gap during operations in Iraq: protected mobility, Intelligence, Surveillance, Target Acquisition and Reconnaissance (ISTAR) and support helicopters; and
- the impact that deploying a medium scale force to Afghanistan in 2006 had on the provision of military equipment to Iraq.

### 2. This Section does not address:

- the process by which equipment was funded, which is addressed in Section 13.1;
- MOD operational policy or the specific circumstances in which individuals lost their lives in Iraq; and
- the MOD's procedure for supporting those killed or injured in Iraq, which is addressed in Section 16.3.

**3.** The Ministry of Defence (MOD) has agreed to declassify a large amount of material for this Section but there were places where that was not possible for national security reasons. In those few cases, the Inquiry has agreed with the MOD either to redact the material or replace it with a cipher. Where ciphers appear, they will be explained in a footnote.

## Background

### The procurement process

**4.** The MOD's financial planning framework for its core budget comprised two distinct elements:

- The Short Term Plan (STP); and
- The Defence Programme.<sup>1</sup>

**5.** The STP forecast spending on operational costs. Those were predominantly the responsibilities of the Front Line Commands (FLCs). The STP looked forward four years. Significant investment programmes, where a four-year planning horizon was too short, would be considered in the Defence Programme.

**6.** The Defence Programme provided a 10 year budget to balance capital spend priorities across equipment procurement, equipment support and non-equipment investments.

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<sup>1</sup> Report Gray, October 2009, 'Review of Acquisition for the Secretary of State for Defence'.

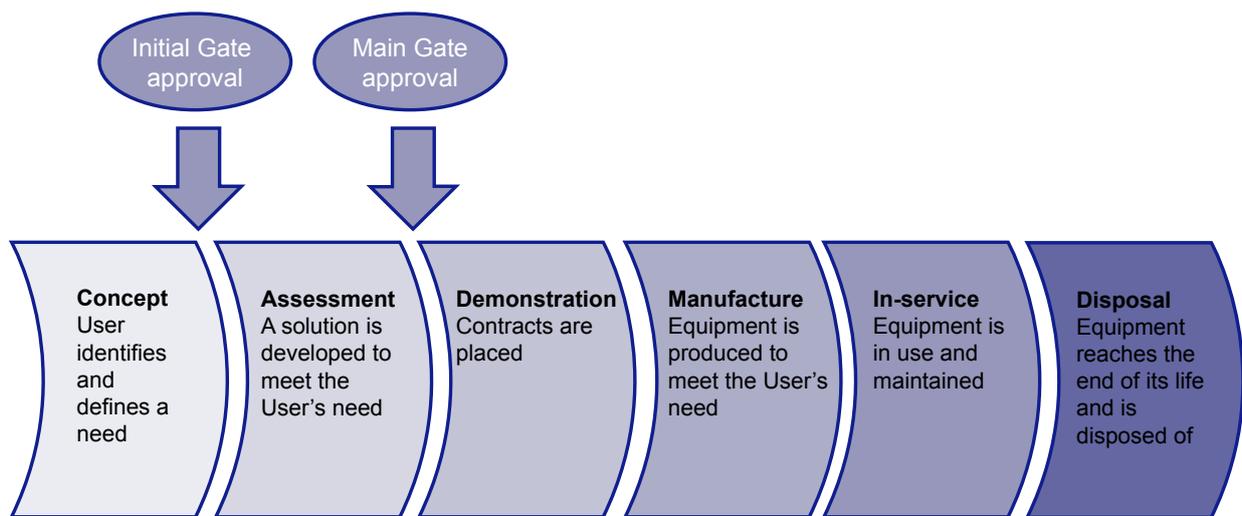
7. The Defence Programme comprised three strands:

- the procurement of new capability through the Equipment Procurement Plan (EPP) which looked forward 30 years;
- provision of equipment support through the Equipment Support Plan (ESP) which was planned over 10 years; and
- the Non-Equipment Investment Plan which planned for investment in non-military equipment, such as IT.

8. Collectively the EPP and the ESP were known as the Equipment Plan (EP).

9. Procuring equipment was achieved through the MOD's Smart Acquisition process, which was established in 1998 and sought to enable a high level of confidence that equipment projects would be delivered on time and within budget.<sup>2</sup> That process is illustrated in Figure 1.

Figure 1: The stages of equipment acquisition



10. Any projects exceeding £100m required explicit approval from the Investment Approvals Board (IAB) at two stages:

- **Initial Gate** – the approval for project initiation where the parameters for the Assessment Phase are set; and
- **Main Gate** – where the targets are set for the performance, time and cost of the Demonstration and Manufacture stages.<sup>3</sup>

<sup>2</sup> Ministry of Defence, *Acquisition Handbook Edition 4*, January 2002.

<sup>3</sup> National Audit Office, *Ministry of Defence: Major Projects Report 2001*, 23 November 2001, HC 330; Report Gray, October 2009, 'Review of Acquisition for the Secretary of State for Defence'.

## Addressing equipment capability gaps

### Three key requirements

When a capability gap in equipment is identified, there are three requirements that must be fulfilled to initiate the procurement process:

**Statement of Requirement (SOR):** A statement articulating a capability shortfall; it states what is required.

**Urgent Statement of User Requirement (USUR):** If the SOR cannot be met by an adjustment of existing assets, a USUR is raised which indicates that there is a capability gap that currently cannot be met. If the USUR is endorsed, it will be designated as either an Urgent Operational Requirement, or an Urgent Sustainability Requirement. It cannot be both.

**Urgent Operational Requirement (UOR):** A UOR seeks to address a capability gap by rapidly procuring new or additional equipment or the enhancement of, or essential modification to, existing equipment. That may involve bringing forward the planned procurement of equipment from the future Equipment Programme.

**Urgent Sustainability Requirement (USR):** A USR seeks to address a sustainability gap by rapidly acquiring additional in-service support.

**11.** During Operation TELIC in Iraq, Urgent Statements of User Requirements (USURs) for new equipment were forwarded to the Permanent Joint Headquarters (PJHQ) who retained ownership of the USUR until it was signed off. The head of PJHQ was the Chief of Joint Operations (CJO).

**12.** Each edition of the Op TELIC Directive, issued by the Chief of the Defence Staff (CDS) to the CJO, stated:

- **“Force Protection.** You are responsible to me for the force protection of all assigned UK personnel and materiel in your JOA [Joint Operational Area] in order to ensure their security from the threats of, WMD, espionage, sabotage, subversion, terrorism and crime ...”
- **“UORs [Urgent Operational Requirements] ...** You are to identify as soon as possible any further capability shortfalls and user requirements for the support of ongoing operations; these should be submitted to DCDS (EC) [Deputy Chief of Defence Staff (Equipment Capability)].”<sup>4</sup>

**13.** The responsibilities of the PJHQ and Front Line Commands (FLCs) for pursuing capability shortfalls through the UOR process were set out in a “Standing Instruction” issued in November 2004.<sup>5</sup>

<sup>4</sup> Letter CDS to CJO, 30 July 2003, ‘Chief of the Defence Staff Directive to the Joint Commander for Operation TELIC (Edition 3)’.

<sup>5</sup> [Minute Soar to UOR Stakeholder, 26 November 2004, ‘Urgent Operational/Sustainability Requirements – Standing Instruction \(Version 1\)’.](#)

14. To identify a new requirement the instruction stated:

“Once operations have commenced any subsequent shortfalls will usually be identified by in-theatre forces. Regardless of the phase of the operation, any capability shortfall is articulated through a Statement of Requirement (SOR).”

15. The instruction also stated:

“The SOR is reviewed by PJHQ/FLC/Jt Cmnd [Joint Command] Staffs who will then either close the gap through re-brigading of current assets or by raising an USUR [Urgent Statement of User Requirement]. The USUR is then staffed by PJHQ ... If endorsed, the USUR is passed to the ... Directorate of Equipment Capability (DEC) ...”

### Roles and responsibilities for addressing capability gaps

**Equipment Capability Customer (ECC)** was created by the 1998 *Strategic Defence Review* to bring together the teams specifying future military needs – known as the Directorates of Equipment Capability (DECs).<sup>6</sup> The ECC was headed by the Deputy Chief of Defence Staff (Equipment Capability) who reported to the Chief of Defence Staff (CDS) through the Vice Chief of Defence Staff.

The ECC was responsible for providing funded capability requirements to meet the current and future needs of the Armed Forces and ensure the equipment was delivered into service. The ECC was designated as “Customer One” in the process.

As well as the DECs, the ECC comprised:

- **Directorate of Capabilities, Resources and Scrutiny (DCRS)** providing internal scrutiny of programmes; and
- **Joint Capabilities Board (JCB)** to make balance of investment decisions across the Equipment Programme.

**Front Line Commands (FLCs)** were designated as the “User” of equipment and referred to as “Customer Two” in the process.

**PJHQ** assessed and reviewed requirements; SORs and USURs.

**Directorates of Equipment Capability (DECs)** were responsible for establishing a Capability Working Group to consider each USUR and, if required, for producing a business case seeking approval with advice from the Defence Procurement Agency (DPA) on the options and procurement strategy for meeting the requirement.

In 2003, equipment was provided and supported by two separate MOD organisations:

- **Defence Procurement Agency (DPA)** which procured the equipment for the Armed Forces; and
- **Defence Logistics Organisation (DLO)** which was responsible for providing and directing logistics support for in-service equipment.

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<sup>6</sup> Report Gray, October 2009, ‘Review of Acquisition for the Secretary of State for Defence’.

Within the DPA and the DLO were a number of **Integrated Project Teams (IPTs)** focused on delivering individual projects and programmes as directed by the DECs. The IPT was responsible for the equipment throughout its life.

The DPA and the DLO merged to form the **Defence Equipment and Support Agency (DE&S)** in April 2007.<sup>7</sup> The Head of the DE&S was the **Chief of Defence Materiel**.

**16.** A process diagram attached to the November 2004 Standing Instruction indicated that PJHQ had the lead responsibility for identification of a requirement, working with the Directorate of Equipment Capability (DEC), the FLCs and the relevant Integrated Project Team (IPT) in the Defence Procurement Agency (DPA) or Defence Logistics Organisation (DLO).

**17.** The instruction included an annex with a list of “UOR key stakeholders” and their roles and responsibilities.

**18.** The list began with the responsibilities of “Force Elements”: the deployed units reporting to the in-theatre commander, which was the General Officer Commanding Multi-National Division (South-East) (GOC MND(SE)) during Op TELIC. The annex said that the Force Elements were responsible for raising SORs, along with any training and integration.

**19.** The role and responsibilities of FLCs included:

- “Conducts routine audits to identify potential USURs as part of the Equipment Capability Shortfall Register.”
- “USUR originator.”

**20.** The role and responsibilities of PJHQ included:

- “Reviews/endorsees USURs and submits to DEC.”
- “Agrees solutions to capability gaps proposed by DECs.”

**21.** In response to a request from the Inquiry in 2011, the MOD provided further evidence on how the UOR process functioned in Iraq.<sup>8</sup> The MOD stated:

- “The fundamental elements of the UOR process remained broadly the same throughout operations in Iraq.”
- Staff deployed in Iraq, and (in the build-up to the operation) staff in FLCs, were responsible for identifying capability gaps “which could not be met by existing holdings”.

<sup>7</sup> Report Gray, October 2009, ‘Review of Acquisition for the Secretary of State for Defence’.

<sup>8</sup> Paper [MOD], 8 June 2011, ‘How the UOR Process Functioned During the Campaign in Iraq’.

- USURs were submitted to PJHQ for authorisation.
- In addition: “Staff in PJHQ could (and did) raise USURs themselves if they became of [sic] aware capability gaps.”

**22.** The Inquiry submitted a further request to the MOD in 2015, seeking clarification on where the primary responsibility for identifying capability gaps lay during Op TELIC.

**23.** The MOD said that a draft USUR “would be originated by any user” and that “there appears to be no simple answer to the question where the primary responsibility for identifying capability gaps and raising USURs lay”.<sup>9</sup> The MOD added:

“Clearly the emphasis in the process was on the co-operation of the various commands and branches involved. But it appears that the onus for initial identification of requirements, at least once a campaign was in progress, lay with the theatre commander [GOC MND(SE)], while the responsibility for signing them off lay with PJHQ. Between those two stages the process of analysing the requirement and developing the solution was essentially a shared one.”

**24.** *The Acquisition Handbook* in 2002 defined the role of Single Service Chiefs of Staff as to:

“... provide overall strategic management of the individual services and their professional direction. This role supports ECC decisions on capability by providing advice and experience on the full range of factors contributing to military capability, including: concepts and doctrine, in-service equipment, sustainability, training, force structure, decision support and personnel. Single Service Chiefs are responsible for ensuring that the JCB [Joint Capabilities Board] and Capability Working Groups receive appropriate input on such matters to develop future capability.”<sup>10</sup>

**25.** The Inquiry asked General Sir John Reith, CJO from August 2001 to May 2004, whether he had submitted any UORs while planning for the invasion of Iraq.<sup>11</sup> He replied:

“I didn’t submit UORs. The Single Services submit the UORs, because ... they are required to deliver to the Chief of Joint Operations fully trained and equipped people. What I did was; we screened the UORs to ensure that they were necessary before the MOD approved them.”

**26.** For the Commander in Chief Land Command, that included providing advice to the CJO on capability requirements for units deployed on operations.

**27.** General Sir Richard Dannatt, Commander in Chief Land Command from March 2005 to August 2006, told the Inquiry that, as “the second senior member of the Army”, the Commander in Chief Land Command had “an important role to play on the Army

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<sup>9</sup> Letter Duke-Evans to Aldred, 26 June 2015, ‘Procuring Military Equipment’.

<sup>10</sup> Ministry of Defence, *Acquisition Handbook Edition 4*, January 2002.

<sup>11</sup> Private hearing, 15 January 2010, pages 28-29.

Board”. He had a role in influencing the Chief of the General Staff, but his primary role was to ensure “whatever troops are required ... are made available, that the units are properly trained, manned and equipped to the greatest degree possible, and that’s his primary responsibility”.<sup>12</sup>

**28.** The USUR process only applied to new capability requirements. Where in-service support was needed to sustain existing equipment, an Urgent Sustainability Requirement (USR) was raised.

**29.** The Standing Instruction issued on 26 November 2004 stated that the Urgent Sustainability Requirement (USR) process was operated in parallel to the UOR process but by the DLO.<sup>13</sup> This was “to deliver urgently required stocks and spares to meet operational sustainability requirements”. The “key points” about the process included:

- USRs followed “a similar staffing process as UORs”.
- DLO procured, tracked and accounted for USR expenditure.
- There was no formal review because DEC, IPT and industry support was already in place for the required equipment.

### The need for an expeditionary capability

**30.** The 1998 *Strategic Defence Review* (SDR) set out the UK’s defence requirements in the period up to 2015.<sup>14</sup>

**31.** The importance of the SDR assumptions for equipment available to the forces deployed for the invasion of Iraq is addressed in Section 6.3.

**32.** The SDR explained that, “in the post Cold War world”, there was a greater need for the Armed Forces to build an expeditionary capability because “we must be prepared to go to the crisis, rather than have the crisis come to us”.

**33.** A supporting essay to the SDR listed the future military capabilities it considered “increasingly important”, including:

- command, control, communications and computers, and Intelligence, Surveillance, Target Acquisition and Reconnaissance (ISTAR); and
- “the trend towards force projections operations, for which we may need to deploy very rapidly in order to be successful, places an increasing premium on transport or lift capabilities”.<sup>15</sup>

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<sup>12</sup> Public hearing, 28 July 2010, pages 10-11.

<sup>13</sup> [Minute Soar to UOR Stakeholder, 26 November 2004, ‘Urgent Operational/Sustainability Requirements – Standing Instruction \(Version 1\)’](#).

<sup>14</sup> Ministry of Defence, *The Strategic Defence Review*, July 1998.

<sup>15</sup> Ministry of Defence, *The Strategic Defence Review: Supporting Essays*, July 1998.

**34.** One of the outcomes of the Review was the creation of the Joint Helicopter Command (JHC). The JHC brought the Royal Navy's commando helicopters, the Army's attack and light utility helicopters, and the RAF's support helicopters under a single command, and was responsible for the peacetime management of the entire battlefield helicopter fleet, and for generating the required battlefield helicopter force package for operations.<sup>16</sup>

**35.** The SDR also provided some detail on the equipment required to support the new type of expeditionary operations that it envisaged. Those included:

- new strategic lift assets, both C17 heavy-lift aircraft and Roll-on Roll-off shipping;
- a new helicopter carrier;
- attack helicopters;
- additional support helicopters;
- an increase in the provision of ISTAR assets including Unmanned Aerial Vehicles (UAVs);
- a modernised air transport fleet; and
- the creation of two Joint Force Logistic Component Headquarters.

**36.** The SDR acknowledged that "major equipments take years to develop". While it identified no definitive timescales for its proposed changes, the MOD did publish a series of targets in December 1998 as part of their Public Service Agreement 1999-2002.<sup>17</sup> Those included establishing the Full Joint Rapid Reaction Forces Capability by October 2001 and the Joint Helicopter Command by April 2000.

**37.** The SDR emphasised the importance of investment in ISTAR assets "not only to maintain a qualitative edge in combat but to facilitate the often rapid-decision-making needed in complex political circumstances".<sup>18</sup>

**38.** The SDR stated that a range of advanced systems were planned or already entering service, including the airborne ground surveillance radar, Astor and a battlefield unmanned target acquisition vehicle, Phoenix.

**39.** In July 2002, the MOD published *The Strategic Defence Review: A New Chapter* – an update on the SDR's progress and a consideration of the "UK's defence posture and plans" in light of the 9/11 attacks.<sup>19</sup>

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<sup>16</sup> Ministry of Defence, *The Strategic Defence Review*, July 1998.

<sup>17</sup> *Public Services for the Future: Modernisation, Reform, Accountability*, December 1998, Cm 4181.

<sup>18</sup> Ministry of Defence, *The Strategic Defence Review*, July 1998.

<sup>19</sup> Ministry of Defence, *The Strategic Defence Review: A New Chapter*, July 2002.

**40.** On the Armed Forces' ability to conduct multiple, simultaneous operations, the MOD wrote:

“The capability of our forces is strained not just by the scale of operations, but by the number of simultaneous or near-simultaneous operations. Since the SDR we have assumed that we should plan to be able to undertake either a single major operation (of a similar scale and duration to our contribution to the Gulf War in 1990-91), or undertake a more extended overseas deployment on a lesser scale (as in the mid-1990s in Bosnia), while retaining the ability to mount a second substantial deployment – which might involve a combat brigade and appropriate naval and air forces – if this were made necessary by a second crisis. We would not, however, expect both deployments to involve war-fighting or to maintain them simultaneously for longer than 6 months.”

**41.** The MOD had “analysed a set of plausible and realistic scenarios” to assess the demands potentially faced by the UK overseas. That work had taken account of lessons learned from operations, including in Afghanistan. The MOD recognised that the particular scenarios it had envisaged may not be “replicated precisely in real life”, but they did allow the MOD to “draw general conclusions about the capabilities that may be particularly important”.

**42.** In assessing capabilities for operations abroad, the MOD concluded that the SDR was “generally taking our Armed Forces in the right direction, but reinforced the growing importance” already attached to “network-centric capability”. That concept had “emerged substantially in the 1991 Gulf Conflict” and “demonstrated how precision weapons and shared information technologies could be linked together to produce devastating military effects with unparalleled speed and accuracy”.

**43.** Network-centric capability had three elements:

- sensors (to gather information);
- a network (to fuse, communicate and exploit the information); and
- strike assets to deliver military effect.

**44.** The MOD stated that it had already invested in a range of sensors, including airborne stand-off surveillance such as Nimrod MRA4, battlefield UAVs and communications (including BOWMAN).

### **Preparing for the post-conflict phase**

**45.** The planning and procurement of equipment for the post-conflict phase (Phase IV) was constrained by the lack of an agreed concept of operations (CONOPS).

**46.** Wider planning for the post-conflict phase is addressed in Section 6.5.

**47.** The funding arrangements for the procurement of equipment are addressed in Section 13.1.

**48.** From 21 January 2003, Lord Bach, Parliamentary Under Secretary of State and Minister for Defence Procurement, was asked by Mr Geoff Hoon, the Defence Secretary, to take temporary responsibility for the progression of UORs. Lord Bach's role, and the weekly meetings he chaired with senior officials to consider progress, is addressed more extensively in Section 6.3.

**49.** On 7 February, Air Marshal Sir Jock Stirrup, Deputy Chief of the Defence Staff (Equipment Capability) (DCDS(EC)) from April 2002 to May 2003, advised Lord Bach that an agreement in principle had been reached with the Treasury to continue funding "small scale UORs" for operations following the combat phase:

"We are starting to identify potential UORs for aftermath operations but will need a robust concept of operations if we are to secure Treasury agreement to fund such measures. Initial plans are being developed by PJHQ and are being taken forward by DCDS(C) staff, but must be seen in light of US plans and the wider Government context for which the FCO has the lead."<sup>20</sup>

**50.** In an update to Lord Bach on 28 February, Rear Admiral Charles Style, Capability Manager (Strategic Deployment), wrote that the MOD continued to "identify, prioritise and refine potential UORs" for Phase IV.<sup>21</sup>

**51.** RAdm Style wrote key enhancements that were "likely to be required" included:

- force protection against the asymmetric threat, particularly for elements of the air transport fleet; and
- long-term infrastructure enhancements.

**52.** On 14 March, RAdm Style reported to Lord Bach that the Treasury had accepted in principle that some additional resources from the Reserve<sup>22</sup> would be needed for Phase IV UORs.<sup>23</sup>

**53.** RAdm Style wrote that work was continuing to clarify and better define UOR requirements for Phase IV: 26 had been identified as high priority "regardless of the CONOPS" and a further 84 possible UORs had been identified by Front Line Commands but would remain "below the line" until the CONOPS had been developed further.

**54.** On 21 March, AM Stirrup reported to Lord Bach that PJHQ had endorsed USURs for 10 high-priority UORs for Phase IV, including maritime communications, aircraft protection and Explosive Ordnance Disposal (EOD) capabilities.<sup>24</sup>

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<sup>20</sup> Minute DCDS(EC) to PS/Minister(DP), 7 February 2003, 'Iraq: Op TELIC UORs'.

<sup>21</sup> Minute CM(SD) to PS/Min(DP), 28 February 2003, 'Iraq: Op TELIC UORs'.

<sup>22</sup> The Reserve is a fund held by the Treasury intended for genuinely unforeseen contingencies which departments cannot manage from their own resources and was used to pay for the net additional costs of military operations (NACMO). The process behind that is explained in Section 13.1.

<sup>23</sup> Minute CM(SD) to PS/Minister(DP), 14 March 2003, 'Iraq: Op TELIC UORs'.

<sup>24</sup> Minute DCDS(EC) to PS/Minister(DP), 21 March 2003, 'Iraq: Op TELIC UORs'.

**55.** The full list of UORs, including 48 measures deemed to be “below the line”, was awaiting confirmation of the CONOPS, which would be submitted to the Chiefs of Staff the following week.

**56.** AM Stirrup provided an update to the Chiefs of Staff on 28 March.<sup>25</sup> He asked the Chiefs to note that 65 potential UORs had been identified, of which 33 were “likely to be needed in any aftermath scenario”, the other 32 were on hold until the “way ahead” became clearer.

**57.** The potential UORs identified included requirements for force protection (such as Defensive Aids Suite for air transport and support helicopters), infrastructure enhancements, and ISTAR enhancements to aid drawdown.

**58.** Phase IV UORs were “being co-ordinated with the developing policy on recuperation”.

**59.** AM Stirrup stated:

“Despite the understandable lack of clarity over CONOPS for Phase IV, we are making every effort to get ahead of the game.”

**60.** The MOD’s preliminary discussions with the Treasury about Phase IV funding indicated that officials would “agree to some further access to the Reserve”. It was unclear whether that would be sufficient to cover the 65 measures already identified or whether the criteria for access to the Reserve would encompass the full range of measures to be sought.

**61.** The MOD intended to make “a formal approach to the Treasury within the next week”. Depending on the outcome, AM Stirrup wrote: “... we may have to prioritise Phase IV UORs further and/or to make adjustments to in-year priorities to accommodate remaining measures within the Defence budget.”

**62.** AM Stirrup stated:

“Unlike previous UOR tranches, we have no firm time by which Phase IV measures have to be effective if they are to qualify for consideration. We are, though, using a yardstick of six months as a guideline. Where measures have a longer lead time (for example Defensive Aids Suite on large aircraft), we will need to address them within the normal EP process.”

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<sup>25</sup> Minute DCDS(EC) to COSSEC, 28 March 2003, ‘Iraq Contingency Planning – Urgent Operational Requirements for Phase 4’.

**63.** Lt Gen Reith sent an assessment of the threat in the UK's Area of Operations to Admiral Sir Michael Boyce, CDS, on 29 March.<sup>26</sup> In his covering minute, Lt Gen Reith wrote that predictions about the latter stages of Phases III and IV were "more difficult to ascertain" and they largely depended on "the progress of the Coalition campaign, forces assigned to security tasks, etc". He continued:

"However, for the moment we are dealing with a spectrum of threats ranging from regular to terrorism. As we progress operations the regular forces threat will be eliminated and we will eventually be left with a residual terrorist threat, as is already the case in some areas we control, such as Umm Qasr."

**64.** The assessment stated that the threat, in addition to the indirect threats posed by surface to surface missiles, fell broadly into three categories:

- Conventional forces where Coalition Forces do not hold ground and RA [Iraqi Regular Army] forces are still deployed.
- "Asymmetric forces" including Fedayeen, Ba'ath Party officials and militia, "other regime officials", opportunists and criminals and the dissatisfied population.
- Foreign terrorists including Palestinian and "other committed Islamic groups" and the Iraq-based Iranian dissident group Mujahideen e Khalq (MEK) who were "known" to operate in the South of Iraq. There was "no physical evidence of these threats materialising as yet".

**65.** On 3 April, Lt Gen Reith produced a draft "operational concept" for Phase IV.<sup>27</sup> He wrote that Phase IV operations would begin in southern Iraq "within days" but that the backdrop to their implementation was "uncertain and changing". The baseline conditions from which they would operate were "far from clear" and "important issues", such as the level of military involvement, remained unresolved. While the paper detailed the military's potential tasks and capability, its focus was on force levels and it did not cover equipment.

**66.** The Inquiry has seen no evidence of any further comments on the draft.

**67.** The record of Lord Bach's meeting on 14 April stated:

"Phase IV UORs remain a problem. Although CJO [Lt Gen Reith] has a draft in hand, we are still without a defined CONOPS. This limits our ability to plan for and procure such items."<sup>28</sup>

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<sup>26</sup> Minute Reith to PSO/CDS, 29 March 2003, 'Iraq – The Threat Within UK's AO' attaching Paper [undated], 'Iraq – UK AO – Threat Assessment'.

<sup>27</sup> [Paper Reith, 3 April 2003, 'Operation TELIC Phase 4 the Joint Commander's Draft Operational Concept'](#).

<sup>28</sup> Minute APS/Min(DP) to MA/DCDS(EC), 14 April 2003, 'Iraq: Op TELIC – UORs'.

**68.** It is not clear precisely when the draft was finalised, but Lt Gen Reith stated in a paper on 14 April that the operational concept had been agreed.<sup>29</sup> The development of the operational concept is addressed in Section 8.

**69.** Lt Gen Reith produced two papers on the roulement and recovery of UK forces.<sup>30</sup> On the operational requirement for UK land forces he wrote:

“In broad terms a mix of capabilities will be needed at each ‘strongpoint’, providing the local commander with maximum flexibility. This will include the retention of some armour, armoured/mechanised infantry and artillery support, but would increasingly rely on operations ‘amongst the people’ on foot. The ability to ‘find’ and remove hostile elements is critical; ISTAR/HUMINT [human intelligence] will continue to be required. Reserves, in some cases with mobility provided by helms [helicopters], would be required to surge into rural areas ... Force protection requirements are likely to increase as the UK occupies permanent bases. Additional companies may be needed to provide security, possibly provided by the TA.”

**70.** For battlefield helicopters, Lt Gen Reith suggested that the main force should consist of:

- five Chinook;
- five Sea King or Puma; and
- five Lynx, with Sea King and Puma operating only at night, or some eight Chinook, but with “potential longer term ramifications for the fleet”.

**71.** Lt Gen Reith suggested that Lynx could be used to provide aerial surveillance but that the deployment of Puma, Gazelle or an Islander aircraft would be “more sensible” although they could “only be provided at the expense of the capability currently deployed in Northern Ireland”.

**72.** On equipment husbandry, Lt Gen Reith stated:

“Time and cost prevent the procurement of further environment and protection UOR enhancements to equipment. This will require the majority of combat vehicles to remain in theatre.”

**73.** On 15 April, Lt Gen Reith produced an SOR for South-East Iraq for the Chiefs of Staff.<sup>31</sup> In an annex there was an assessment of each of the provinces under the UK’s Area of Responsibility (AOR), including a judgement on the levels of consent to the Coalition amongst the local population. That was used as an indicator of whether or not the Coalition faced any threat of attack.

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<sup>29</sup> Paper Reith, 14 April 2003, ‘Phase IV Roulement/Recovery of UK Land Forces’.

<sup>30</sup> Minute Reith to SECCOS, 14 April 2003, ‘Phase 4: Roulement and recovery of UK forces’ attaching Paper CJO, 14 April 2003, ‘Phase 4: Roulement and Recovery of UK Air forces’ and Paper CJO, 14 April 2003, ‘Phase 4: Roulement and Recovery of UK Land forces’.

<sup>31</sup> [Minute Reith to PSO/CDS, 15 April 2003, ‘The Statement of Requirement \(SOR\) for SE Iraq’.](#)

**74.** Lt Gen Reith assessed that all provinces coming under the UK's AOR would be at least "relatively stable" with "medium-high" or "high" levels of consent to the Coalition amongst the local population.

**75.** In a separate annex, there was a table of UK force requirements which assessed that the helicopters required were three Chinook, three Lynx and three Puma or Sea King.

**76.** By 9 May, the MOD had approved 18 Phase IV measures at a cost of around £87m, and a further 12 were being processed.<sup>32</sup>

**77.** On 30 May, a list of all the equipment capability UORs approved for the pre-deployment and invasion phases were sent around the MOD with an analysis of how they did or did not address equipment capability gaps.<sup>33</sup> It sought to determine where UOR activity was focused, "both in terms of the capability delivered and also in terms of the relationship between UORs and the Equipment Programme".

**78.** The capability shortfalls addressed by UORs were:

- network-enabled capability 31 percent;
- force protection 19 percent;
- force projection 12 percent;
- counter-terrorism/Special Forces 7 percent;
- precision strike 3 percent; and
- other 27 percent.

**79.** The analysis stated that the fact that almost a third of the UORs were required to address shortfalls in network-enabled capability validated "the major balance of investment shift undertaken" in the 2003 Equipment Programme (EP03). That also applied, "albeit to a lesser extent", to the force protection and force projection enhancements.

## **Improvement in the MOD's procurement process during Op TELIC**

**80.** In August 2004, Major General William Rollo, GOC MND(SE) July to December 2004, asked that "consideration be given to the establishment of an EC [Equipment Capability] staff within HQ MND(SE)".<sup>34</sup>

**81.** A short study was commissioned in September to determine the feasibility of Maj Gen Rollo's request.<sup>35</sup> The report stated that one of the main difficulties "was in

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<sup>32</sup> Minute CM(M) to PS/Min(DP), 9 May 2003, 'Iraq: Op TELIC Phase 4 UORs'.

<sup>33</sup> Minute DEP and DCRS to DNO, 30 May 2003, 'Op TELIC UORs from DEP and DCRS'.

<sup>34</sup> Minute, 10 June 2005, 'Multi National Division (South East) Equipment Capability – Initial Deployment Report'.

<sup>35</sup> Minute, 10 June 2005, 'Multi National Division (South East) Equipment Capability – Initial Deployment Report'.

the area of capability integration; this being the responsibility of the Chief of Joint Operations (CJO)”.

**82.** The study was endorsed in December and lead elements of the EC Branch deployed to Iraq in January 2005.<sup>36</sup> The MND(SE) EC Branch was formally established in theatre on 24 February 2005, and was staffed by three staff officers.

**83.** The EC Branch produced an ‘Initial Deployment Report’ on 10 June 2005, considering its performance so far and making recommendations for its longer-term role.<sup>37</sup>

**84.** The report stated that the EC Branch initially performed “two discrete roles”. The first was the provision of support to the UOR process, on behalf of MND(SE), by providing a central focus for UOR activity and taking the lead in the co-ordination of requirements, capturing activity and SOR staffing. The EC cell’s mandate did not explicitly state that EC Branch could “engage authoritatively in UOR integration matters”. That had been “identified as a key MND(SE) shortfall” in the report.

**85.** Although having no formal mandate to do so, the EC cell did engage in UOR integration activity, which had meant creating appropriate structures and procedures to support the effective integration of UOR capabilities. The cell established a “Capability Integration Working Group (CIWG) framework, formalised Capability Integration Plans (CIP), and ensuring that theatre capability issues were addressed across the Defence Lines of Development (DLOD)”.<sup>38</sup> That work had “already proven instrumental in identifying a number of capability issues likely to have an adverse effect on theatre operations” and in identifying action to mitigate those issues. The report stated that the work would enable the EC cell to “deliver greater benefit than its current MND(SE) focused role would normally permit”.

**86.** In the report, the cell recommended that “a broader remit, acting on behalf of CJO” would also enable the EC Branch to deliver greater benefit. The cell did not recommend any changes to EC Branch staffing levels, “due to the continued evolution of the Branch ... and the awaited outcome of this report”.

**87.** The report contained a number of lessons:

- The formation and deployment of the EC Branch was “too late to deliver maximum benefit to the operation”. Maximum benefit of an EC Branch capability would be realised “if it is embedded within the force prior to or immediately

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<sup>36</sup> Minute, 10 June 2005, ‘Multi National Division (South East) Equipment Capability – Initial Deployment Report’.

<sup>37</sup> Minute, 10 June 2005, ‘Multi National Division (South East) Equipment Capability – Initial Deployment Report’.

<sup>38</sup> The MOD framework for capability assessment recommends breaking down capabilities into eight constituent elements, or “Defence Lines of Development”: Training, Equipment, Personnel, Information, Concepts and Doctrine, Organisation, Infrastructure and Logistics.

after deployment in order to facilitate the staffing and subsequent integration of Urgent Operational Requirement”.

- The EC Branch was “constrained in its operation due to the lack of an agreed and authoritative Directive”. The report recommended that operational and EC chains should “develop and agree an appropriate Directive comprising TOR [Terms of Reference], roles and responsibilities and CONOPS”.
- The Customer Two focus and procedures for the integration of UOR capabilities deployed directly to an operational theatre was “not clear”. It cited the need to implement the Standing Instruction from 26 November 2004.

**88.** In his statement for the Inquiry, Air Chief Marshal Sir Glenn Torpy, CJO from July 2004 to March 2006, described the role of PJHQ as:

“... to act as the interface between the in-theatre force and the MOD and Front Line Commands (FLC), particularly in ensuring that the in-theatre force is provided with the wherewithal to deliver its objectives. This required a constant dialogue at every level, between the MOD, PJHQ, FLC and in-theatre force.”<sup>39</sup>

**89.** ACM Torpy wrote that he had “inherited a Joint force structure ... that was appropriately sized to deliver the military objectives” he had been given; and that the in-theatre commanders, including the GOC MND (SE), were required to conduct a Force Level Review every six months to “validate their force requirements”. Those reviews were “undertaken in consultation with the PJHQ” and “presented to the CDS (and the Chiefs of Staff) for endorsement”. That “imposed an important level of discipline” and “provided the vehicle for force level increases if conditions in a particular component demanded additional capability”.

**90.** On 10 October 2006, the extent to which capability gaps were being anticipated in UK theatres was raised by General Sir Timothy Granville-Chapman, Vice Chief of Defence Staff, following a meeting about helicopter availability in Afghanistan.<sup>40</sup>

**91.** On 27 October, Gen Granville-Chapman’s Private Office wrote to Lieutenant General Nicholas Houghton, CJO, requesting a report on “how effective we currently are and how we might be more so” in predicting emerging capability requirements and reporting these back to the UK after “the recent debate on what capabilities are needed for operations” had “thrown the spotlight” on the issue.<sup>41</sup>

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<sup>39</sup> Statement, 14 June 2010, pages 4-6.

<sup>40</sup> Minute Granville-Chapman to ACDS(Ops), 10 October 2006, ‘Helicopter Availability’.

<sup>41</sup> [Minute MA/VCDS to MA/CJO, 27 October 2006, ‘Theatre Articulation of Capability Requirements’.](#)

**92.** Gen Granville-Chapman had recently discussed potential improvements with Major General Richard Applegate, MOD Capability Manager (Battlespace Manoeuvre), who thought:

“... we used to deploy people to theatres specifically to proactively keep current and future requirements under review; the added advantage of this was that they could also keep theatre informed of [sic] was being done for them at home, for example on UORs.”

**93.** Lt Gen Houghton replied on 9 November, inviting Gen Granville-Chapman to note:

“I intend to formalise the PJHQ procedures to deliver systematic and coherent progress in conjunction with the MOD sponsored Capabilities Working Group ...

“We still need to improve our processes for identifying the EC [Equipment Capability] dimension of emerging theatre CONOPS which lay in the domain of the early years of the EP [Equipment Programme] rather than in the UOR process.”<sup>42</sup>

**94.** Lt Gen Houghton wrote that the EC cell’s “primary purpose” was to identify all capability requirements. Future capability definition was determined between PJHQ, MND(SE), Multi-National Forces-Iraq (MNF-I) and the DECs.

**95.** Lt Gen Houghton stated: “In my judgement, EC definition and requirements management in Op TELIC is systematic, coherent and effective.”

**96.** As a proposed improvement, Lt Gen Houghton stated:

“Better interaction between MOD staff and theatres would enhance comprehension of the operating environment and keep theatre commanders abreast of progress.”

**97.** In conclusion, Lt Gen Houghton stated:

“... I am not so convinced that we are as good at matching up the EC dimension of emerging CONOPS in the slightly longer time-frame. We are looking at the issue, which is central to the future role of the PJHQ in influencing the early years of the EP, but beyond the time-frame which is appropriate for the UOR process.”

**98.** In September 2007, the MOD’s Directorate of Operational Capability (DOC) published an audit of force protection which highlighted the need for a better articulation of the risk to which the military would be exposed during operations.<sup>43</sup> The report is addressed in further detail later in this Section.

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<sup>42</sup> Minute CJO to MA/VCDS, 9 November 2006, ‘Emerging Capability Requirements’.

<sup>43</sup> Report DOC, September 2007, ‘Directorate of Operational Capability Protection of the Deployed Force Operational Audit Report 1/07’.

**99.** In November 2007, the MOD produced a force protection policy which has remained under “constant review”.<sup>44</sup> It is unclear from the evidence how many force protection policies preceded this version but the MOD has been unable to find any individual force protection policies before November 2007.

**100.** The MOD told the Inquiry that the version dated 21 May 2015 “defines risk ownership and governance more clearly than its predecessors”.<sup>45</sup> The MOD said that this had been integrated into wider MOD risk management processes which had also been revised.

**101.** The MOD said that the Operational Commander (which for Iraq was the CJO), was accountable to CDS for understanding, quantifying and reducing risk to the force and mission respectively. That risk response may require changes to activities or capabilities.

**102.** On 31 August 2010, an analysis of the land operation in Iraq was published on behalf of the Chief of the General Staff by Brigadier Ben Barry.<sup>46</sup> It was known as “the Barry Report”.

**103.** On specifying equipment requirements, the report stated:

“It appears for much of this period the mechanism for formulating new capability requirements was sub-optimal. Where there was a strong coherent sponsor in the Army or MOD there was more chance of requirements being quickly identified and UORs succeeding. Difficulties experienced at the start of this period [2005] were overcome to a certain extent by fielding Equipment Capability staff to PJHQ and Basra. But it was not clear who owned the medium term vision for the capability requirements of the theatre and longer term thinking on equipment requirements was inhibited by the lack of campaign continuity.”

**104.** The report said that, where UORs succeeded, “some of these were the result of ‘pull’ from theatre, others the result of ‘push’ from equipment staff in the MOD. This was the case with Mastiff, the requirement for which was formulated in London.”

**105.** The report quoted evidence from Lt Gen Applegate:

“We must recognise that UORs were/are generally reactive and until about 2009 when I managed to convince people to think in campaign terms, there was a tendency to think only six months ahead: some of the solutions could not be delivered in that timescale and were refused ... our six-monthitis and lack of a campaign design limited sufficient forward thinking.”

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<sup>44</sup> Letter Duke-Evans to Aldred, 26 June 2015, ‘Procuring Military Equipment’.

<sup>45</sup> Letter Duke-Evans to Aldred, 26 June 2015, ‘Procuring Military Equipment’.

<sup>46</sup> Report Land Command, 31 August 2010, ‘Operations in Iraq: An Analysis From a Land Perspective’.

## Protected mobility and the developing threat to UK troops

### Initial deployment of Protected Patrol Vehicles (PPVs) in Iraq

**106.** The 1998 *Strategic Defence Review* (SDR) stated the British Army would comprise four different types of infantry battalions:

- 9 armoured infantry battalions;
- 6 mechanised battalions;
- 3 parachute battalions; and
- 22 light infantry battalions.<sup>47</sup>

**107.** The 1998 SDR stated that “deployable and mobile” forces, “but with sufficient protection and firepower for war-fighting” would be required for land operations.<sup>48</sup>

**108.** The Army had an agreed requirement for a family of vehicles to replace existing medium weight armoured vehicles, the Future Rapid Effect System (FRES) programme.

**109.** In May 2002, AM Stirrup told the House of Commons Defence Committee that FRES was designed to reflect the post-Cold War era.<sup>49</sup> It would focus “much more upon mobility, speed and precision than upon heaviness and armoured defence”. It would be introduced “in the latter part” of that decade.

**110.** On 23 July 2007, an MOD note stated that FRES was designed to fill a capability gap by replacing the Saxon, Combat Vehicle Reconnaissance (Tracked) (CVR(T)) and FV430 wheeled and tracked vehicles.<sup>50</sup>

**111.** FRES comprised “five families”:

- utility – wheeled armoured vehicles, principally to provide protected mobility;
- basic capability utility – vehicles that did not require the same capacity, protection or mobility as the utility family and could therefore be procured more cheaply;
- recce – tracked vehicles to replace the majority of the CVR(T) fleet;
- medium armour – a new capability for a tracked medium weight tank; and
- manoeuvre support – tracked vehicles for general armoured engineering tasks.

**112.** The programme was expected to deliver over 3,500 wheeled and tracked medium weight armoured vehicles (between 20 and 40 tonnes).

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<sup>47</sup> Ministry of Defence, *The Strategic Defence Review: Supporting Essays*, July 1998.

<sup>48</sup> Ministry of Defence, *The Strategic Defence Review: Supporting Essays*, July 1998.

<sup>49</sup> Fourth Report from the House of Commons Defence Committee, Session 2001-02, *Major Procurement Projects*, HC 779, page 83.

<sup>50</sup> [Minute, DCI\(A\), 23 July 2007, ‘The Future Rapid Effect System \(FRES\) – Information Note’](#).

**113.** General Sir Richard Dannatt, Assistant Chief of the General Staff from 2001 to 2002, told the Inquiry that in 2001-2002 “as we were moving towards an expeditionary era” after the Cold War, the Army had identified a clear requirement for “vehicles that were small and light enough to go into aircraft to be flown to trouble spots, but heavy and capable enough to be useful and usable when they got there”.<sup>51</sup> He said that formed the basis of the FRES programme, which had been approved in 2002.

**114.** Gen Dannatt described FRES as “a rapid programme”; an “urgent” short-to-medium term requirement that “needed to be filled quite quickly”. In his view, “85 percent of the solution delivered quickly would have been the right answer”. The intention was “to go to the market and see what was out there and procure it”:

“... our aspiration in 2002 was that FRES, the utility vehicle, would come into service from as early from 2007 and better if we could do it, and the money was there because we had made the money available.”

**115.** On 26 June 2003, the DMB considered a “thinkpiece” paper from Mr Colin Balmer, MOD Finance Director, about what strategic guidance the DMB might offer on investment priorities for 2004’s Equipment Programme (STP/EP04).<sup>52</sup> It said that the MOD faced some “difficult choices” in a year where its “financial freedom of manoeuvre” would be “limited”. There would be “no new resources to distribute”, despite a range of cost pressures and new risks emerging.

**116.** Mr Balmer suggested that some areas of the Equipment Programme represented “vital ground” and “should be protected”. Those included network-enabled capability, deployable ISTAR, Combat ID, Nuclear, Biological and Chemical protection capabilities and logistics. He wrote that DMB “might also endorse the need to re-examine ISD and platform numbers against the DPAs with a view to establishing the effect of a deferral ... or reductions”. Amongst others, that review would specifically consider the FRES programme.

**117.** The Equipment Programme for 2003 had “continued a shift from quantity to quality” and was consequently “much better balanced” than it had been but “significant shortfalls” remained. It did, however, have “serious” issues of affordability resulting from “formally programmed excesses, unanticipated pressures and industrial factors”. The current forecasts suggested that £4bn would need to be cut from the programme over 10 years to bring it in line with the allocated resource. The MOD also needed “to obtain a better understanding of the non-cash costs of ownership of the growing equipment programme, to ensure that it is affordable in resource terms”.

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<sup>51</sup> Public hearing, 28 July 2010, page 58.

<sup>52</sup> Paper Finance Director [MOD], 20 June 2003, ‘Defence Strategic Audit and Guidance for STP/EP04’.

**118.** Mr Balmer’s paper was endorsed by DMB on 26 June, which said it should be used as a basis for STP/EP04, although any policy decisions would be considered more fully later in the planning round.<sup>53</sup>

**119.** At the time of the invasion of Iraq, the Protected Patrol Vehicles (PPVs) in service with the Army were Snatch and Tavern.

**120.** By 2002, Snatch was already at the end of its planned life In Service.

### What is a Protected Patrol Vehicle (PPV)?

A Protected Patrol Vehicle (PPV) is a wheeled vehicle, that provides some ballistic protection to personnel inside.<sup>54</sup>

PPVs were initially designed to carry four people, although more recent models, such as the Mastiff, can carry 10 people. The PPV’s purpose is to enable a combination of foot and vehicle-mounted patrols; generally, but not exclusively, within peace support/ counter-insurgency operations. That is distinct from heavier, Armoured Fighting Vehicles (AFVs), which are primarily designed for combat. A PPV must enable one (ideally two) top cover sentries to observe the environment when mobile. PPVs are expected to be able to operate on roads and tracks and need to be agile.

A PPV has to maintain freedom of manoeuvre and mobility to patrol in both urban and semi-rural environments. PPVs provide a less aggressive profile than AFVs, thereby enabling the patrol to be more engaged with local populations.

**121.** The Snatch Land Rover was designed for operations in Northern Ireland and entered service in 1992.<sup>55</sup> It was also deployed in limited numbers to Kosovo and Macedonia.

**122.** In March 2000, the Defence Evaluation and Research Agency provided advice to the Defence Procurement Agency (DPA) about the limited levels of protection afforded by the vehicle.<sup>56</sup> It stated:

“The vehicle was also tested against the RPG 7 [Rocket Propelled Grenade 7] and improvised grenades, as would be expected it does not offer full protection from this type of device.”

**123.** Lieutenant General Graeme Lamb, GOC MND(SE) from July 2003 to December 2003, told the Inquiry that “in Northern Ireland we didn’t drive vehicles south of whichever line it was for 20 years because of the threat of massive IEDs [Improvised Explosive Devices] that were being placed in the road”.<sup>57</sup>

<sup>53</sup> Minutes, 26 June 2003, Defence Management Board meeting.

<sup>54</sup> [Minute Applegate to APS/Min\(DP\), 28 June 2006, ‘Protected Patrol Vehicles \(PPV\)’](#).

<sup>55</sup> Letter MOD to Iraq Inquiry, 24 January 2011, ‘MOD Evidence: Equipment Issues’.

<sup>56</sup> Minute MOD [junior officer] to MOD [junior officer], 1 March 2000, ‘Reference SNATCH Armour’.

<sup>57</sup> Private hearing, 24 May 2010, page 26.

**124.** The replacement of Snatch Land Rovers, and Tavern, was being addressed through Project DUCKBOARD, a programme pursuing the provision of light protected mobility vehicles for counter-terrorist and public order operations in Northern Ireland from 2007-2008 onwards.<sup>58</sup>

**125.** A draft User Statement of Requirement (USUR) for Project DUCKBOARD produced on 7 January 2002 said:

“The current NI [Northern Ireland] patrol vehicles are essential for troop deployment, patrolling urban and rural areas and for administrative tasks. They were procured to counter the threat from low and high velocity small arms, Improvised Explosive Devices (IED), anti-armour weapons, petrol bombs and general hand-held catapulted missiles. In order to afford the troops on the ground an acceptable level of protection, mobility and capacity to counter the threat two vehicles are currently in service, Tavern in the high risk areas and Snatch in the lower risk areas.”<sup>59</sup>

**126.** The USUR noted that the End Service Date for Snatch was 2002 but it was anticipated that would need to be extended. It concluded that as vehicles arising out of Project DUCKBOARD entered service, Snatch and Tavern would be phased out of service.

### **Tactics, Techniques and Procedures (TTPs)**

The features and capabilities of a vehicle, or any other platform, are only one element of protection.

The military rely on Tactics, Techniques and Procedures (TTPs) to avoid being located, identified or targeted. Devising successful TTPs is part of trying to make UK forces as safe as possible from the likelihood of attack.

Military platforms are provided with other features to act as an additional layer of protection in the event that the TTPs are not successful. This could mean armour being placed on the outside of a vehicle, electronic countermeasures, or it could be enhanced surveillance equipment. A solution cannot be applied universally but will depend on the nature of the threat.

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<sup>58</sup> Letter MOD to Iraq Inquiry, 24 January 2011, ‘MOD Evidence: Equipment Issues’.

<sup>59</sup> Minute Ewing, 7 January 2002, ‘User Statement of Requirement (USOR) for Future NI Patrol Vehicle – Project DUCKBOARD’.

## DEPLOYING PPVS TO IRAQ

**127.** Despite the decision in the 1998 SDR to shift the focus towards a capability for expeditionary operations, no concept of operations for PPVs had been identified in mid-2003 and there were no definitive timescales for the provision of vehicles.

**128.** PPVs were not deployed during the invasion of Iraq and unarmoured Land Rovers were initially used for patrols.

**129.** The MOD Directorate [of] Equipment Capability (Special Projects) (DEC(SP)) hosted a PPV workshop on 16 July 2003.<sup>60</sup> It was attended by MOD teams and stakeholders, including representatives from Headquarters Land Forces.

**130.** A DEC(SP) representative “reiterated his belief that the capability gap was essentially three fold:

- a. the enduring NI [Northern Ireland] type requirement;
- b. the emerging wider requirement for light forces engaged on operations such as in the Balkans and in Iraq;
- c. the enduring requirement for protected mobility for specialist users such as Royal Engineers Explosive Ordnance Disposal ...”

**131.** A range of procurement options for a capability to meet the requirement were set out at the workshop, including options to extend the life of Snatch by 10 years, a commercial off-the-shelf purchase or the up-armouring of an in-service vehicle such as the Pinzgauer.

**132.** It was agreed at the meeting that a coherent statement of the concept of operations, threat assessment and payload requirement should be provided by the end of August. HQ Land would facilitate a trial of Snatch, and possibly Tavern, in Iraq.

**133.** There was limited intelligence on the conditions of southern Iraq before the invasion but there were warnings from the Joint Intelligence Committee (JIC) about the size, attitudes and capabilities of tribes in the area. That is addressed in Section 6.2.

**134.** A significant and increasing threat to UK forces in Iraq from Improvised Explosive Devices (IEDs) was emerging as early as July 2003.

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<sup>60</sup> Minutes, 17 July 2003, ‘Protected Patrol Vehicle Workshop Wednesday 16 July 2003’.

## What is an Improvised Explosive Device (IED)?

An IED is a bomb constructed and activated in ways other than through conventional military action. The types most commonly encountered in Iraq were:

**Radio-Controlled IED (RCIED):** This uses a radio signal to initiate detonation – a number of different commercial devices were used in Iraq such as doorbells, burglar alarms and radio-controlled cars.<sup>61</sup> Radio-controlled detonation meant that an explosion on a specific target could be initiated by an operator situated a safe distance away. Those were the most commonly used type of IED in Iraq between 2003 and mid-2005. UK electronic countermeasures were used to jam the detonation signal.

**Command Wire IED (CWIED):** This uses a wire to transmit the signal to detonate.<sup>62</sup> It is a retrograde form of technology and had the disadvantage of requiring a wire dug into the ground, or concealment through other means, but they became more common in Iraq from 2006 onwards as they were immune to any form of electronic countermeasure.

**Explosively Formed Projectile (EFP):** A directional charge designed to defeat armour by using the energy of the explosive to create a projectile that travels at between one and three kilometres per second towards its target.<sup>63</sup> EFPs were commonly used as charges for IEDs in Iraq from mid-2004 onwards.

**Passive Infrared IED (PIR IED):** An evolution from RCIEDs where passive infrared beams are used remotely to detonate IEDs. The first of those attacks in MND(SE) was in May 2005 and indicated an attempt to circumvent the UK's electronic countermeasures.

**135.** On 2 July 2003, the JIC issued an Assessment about potential flashpoints in Iraq over the next two to three years.<sup>64</sup> It focused on “potential negative outcomes rather than positive ones”.

**136.** The JIC judged that extremist groups currently posed a direct threat to Coalition Forces, but:

“For now, the activities of these groups are largely unco-ordinated. However, it is likely that the links between groups will become stronger.”

**137.** The Assessment stated that there had been no sign of an organised campaign of violence against Coalition Forces by Shia groups “so far”. There had, however, been reports that the two main armed Shia groups (the Badr Corps and the followers of Muqtada al-Sadr) had “recently been trying to acquire large quantities of weapons”. The JIC stated that there were indications that they were “preparing for intra-Shia conflict (as opposed to anti-Coalition activity)”. That would add to instability and it was “probable” that Coalition Forces would “be caught up in violence”.

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<sup>61</sup> Paper DIS, September 2003, ‘An Analysis of the Major IED Threats to Coalition Forces in Iraq’.

<sup>62</sup> Paper DIS, 1 October 2004, ‘The Command Wire Improvised Explosive Device Threat to UK Forces in Iraq’.

<sup>63</sup> Paper DIS, May 2006, ‘The EFP Threat in MND(SE)’.

<sup>64</sup> [JIC Assessment, 2 July 2003, ‘Iraq: Potential Flashpoints’](#).

**138.** The JIC also stated that:

- Lebanese Hizballah had “a small but threatening presence in Iraq”.
- “... although Iran would prefer to influence developments in Iraq by taking advantage of the political process”, it would “retain the option of causing trouble for the Coalition”.

**139.** On 7 July, a Defence Intelligence Staff (DIS) paper, circulated at a working level within the MOD, stated that Radio-Controlled IEDs (RCIEDs) and their components had been found in the UK Area of Operations since early April.<sup>65</sup> The paper did not speculate on the origin of the material.

**140.** On 30 July, Lt Gen Reith informed the Chiefs of Staff that there was “an increasing use of more sophisticated IEDs, and attacks against Iraqi police and locals employed by the Coalition”.<sup>66</sup> There was a discussion about whether the UK should support the US in developing RCIED countermeasures and Lieutenant General Robert Fry, Deputy Chief of Defence Staff (Commitments), was directed to “assess the scope of the issue”.

**141.** It was reported at the next Chiefs of Staff meeting on 6 August that Lt Gen Fry’s paper had been postponed “pending further consultation”.<sup>67</sup> In the actions recorded from the meeting, it stated that the paper would be discussed on 13 August.

**142.** The minutes also recorded that the US Combined Joint Task Force 7 (CJTF-7) was to establish an IED intelligence cell to provide an “immediate in theatre threat analysis of IEDs”.

**143.** A DIS paper produced on 31 July recorded that RCIEDs had been used in the UK Area of Operations around Basra on 14 and 28 July:

“The former Iraqi regime had a proven advanced IED capability including RC methods ... Latterly there have been many (double figures) attacks against Coalition Forces believed to have involved RCIEDs, as well as significant finds of RC-related hardware ...

“There are a large number of former regime and ex-military personnel skilled in constructing and deploying IEDs who remain at large within Iraq and their involvement in RCIED incidents would raise the level of threat. There is also the potential for foreign groups opposed to the Coalition presence to appear within Iraq and become engaged in attacks. If organisations such as Hizballah (that has an extremely potent and proven RCIED capability) were to do this, then the RC threat would increase very significantly.”<sup>68</sup>

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<sup>65</sup> Paper DIS, July 2003, ‘The Radio-Controlled Improvised Explosive Device Threat to Coalition Forces in Iraq’.

<sup>66</sup> Minutes, 30 July 2003, Chiefs of Staff meeting.

<sup>67</sup> Minutes, 6 August 2003, Chiefs of Staff meeting.

<sup>68</sup> Minute MOD [junior officer] to SO1 (Info) MO3 DMO, 31 July 2003, ‘Assessment of the RCIED Threat to Coalition Forces Deployed in Iraq’.

**144.** A PJHQ operational summary from 4 August recorded:

“The use of IEDs against Coalition Forces is increasing and there remains no shortage of raw materials across Iraq from which to draw upon.”<sup>69</sup>

**145.** On 7 August, Mr Adam Ingram, Minister of State for the Armed Forces, told the Ad Hoc Ministerial Group on Iraq Rehabilitation that: “Improvised Explosive Devices posed an increasing threat.”<sup>70</sup>

**146.** In August 2003, the security situation in Baghdad continued to deteriorate. A bomb exploded outside the UN headquarters on 19 August, killing 22 UN staff and visitors. Further attacks included a bomb outside the Jordanian Embassy and several unsuccessful attempts to shoot down Coalition aircraft.

**147.** The implications of those attacks are addressed in Section 9.2.

**148.** On 27 August, the Chiefs of Staff were briefed that Maj Gen Lamb was reviewing manpower and equipment requirements.<sup>71</sup> The Coalition Provisional Authority (CPA) was “constrained by force protection” and:

“Although they had ordered armoured vehicles and were reviewing security until this was in place, they were confined to the barracks. Unless a plan drawn up by experts, managed by technically qualified personnel, was put immediately into action, then the consent of the people in the MND(SE) AO [Area of Operations] could be irrevocably lost with all the consequences of strategic failure.”

**149.** Air Chief Marshal Sir Anthony Bagnall, Vice Chief of the Defence Staff, invited Major General Robin Brims, Deputy Chief of Joint Operations, to “remind theatre that the question of force protection needed to be looked at in the broadest way, taking into account not only local expediencies but also strategic implications”, especially when taking decisions about helmets and body armour.

**150.** Maj Gen Brims pointed out that “the British Army did not have any wheeled vehicles with sufficient armour against the threat”. ACM Bagnall invited Air Vice Marshal Clive Loader, Assistant Chief of Defence Staff (Operations), to investigate the issue. Air Chief Marshal Sir Jock Stirrup, Chief of the Air Staff, pointed out that “what was important was knowing what may be required in advance so that any enhancements could be put in place quickly”.

**151.** On 1 September, MND(SE) produced a Forces and Resources Review to examine the resources required in MND(SE), for both short-term and enduring operations.<sup>72</sup>

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<sup>69</sup> Paper PJHQ OPSUM, 4 August 2003, ‘PJHQ Middle East Operations Team OPSUM 075 as at 041700Z Aug 03 – D+138’.

<sup>70</sup> Minutes, 7 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>71</sup> Minutes, 27 August 2003, Chiefs of Staff meeting.

<sup>72</sup> Paper MND(SE), 1 September 2003, ‘HQ MND(SE) Forces and Resources Review’.

**152.** The Review noted that CPA(South) had “yet to extend its influence” beyond Basra City. The arrival of Sir Hilary Synnott as Head of Coalition Provisional Authority (South) was the “first recent sign of this state of affairs improving; but without the people, protected mobility, communications and life support Sir Hilary will not have the means at his disposal to implement the changes he requires”. It said that Governorate Teams were also “under resourced” and “barely exist” outside Basra.

**153.** In the short term, 16 vehicles were recommended (four Land Rovers and 12 white fleet 4x4s<sup>73</sup>) to support the staff in Governorate Teams. There was an additional requirement for six “stripped down Land Rovers to provide top cover escorts” for CPA(South) staff operating inside Basra City, including for consultants.

**154.** The Review stated that the enduring requirement for greater surveillance capability was “urgent”. The existing force protection measures limited the ability to “observe a situation from the ground”.

**155.** The Review articulated the requirement for light protected mobility:

“The threat posed to CF [Coalition Forces] within Basra City from IED, RPG and small arms attacks is currently being countered by the use of stripped-down Land Rovers with top cover sentries. This necessarily carries a risk to the top cover vehicles from attack, particularly from IEDs. Force protection will be improved by the provision of up-armoured 4x4 vehicles that meet the broad definitions below. Replacing the full complement of this in the UK Bde [brigade] would require of the order of 420 vehicles. The minimum quantity to provide essential protected movement in Basra and Maysan is 228. Any lower number will be put to good use in accordance with priorities. The requirement is for:

- An agile wheeled vehicle capable of swift acceleration and speed in excess of 60 mph.
- A high degree of protection against small arms fire and blast devices.
- A cupola to allow top cover protection to deter attackers, particularly those deploying anti-armour weapons and small arms.
- ... [G]rills to give windows protection against thrown objects, both to enhance routine protection and to enable its use in public order situations where a Warrior [AFV] may be too threatening or unable to manoeuvre in small streets.”

**156.** The Review also “strongly recommended” that at least one battlegroup in each UK brigade be equipped with four companies<sup>74</sup> of Warrior as it was the “only infantry vehicle with protection against RPG”.

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<sup>73</sup> A white fleet 4x4 is an unarmoured Army vehicle.

<sup>74</sup> A military company is a type of military unit that consists of between 80 and 250 soldiers.

**157.** Maj Gen Brims provided a written update to the Chiefs of Staff on the Forces and Resources Review on 2 September.<sup>75</sup> He wrote:

“The deployment of protected mobility is key to improving the FP [force protection] available to soldiers and to enabling the posture of the force to be changed to meet emerging threats. The initial assessment is that a minimum of 228 vehicles will be required – further detailed work is still needed to identify the most appropriate platform from those that have been identified as being available and it may be that an ‘in-service’ quick fix is required using NI [Northern Ireland] and pool assets.”

**158.** The Review was discussed by the Chiefs of Staff on 3 September.<sup>76</sup> General Sir Michael Walker, Chief of the Defence Staff (CDS), directed that the request for additional Snatch vehicles should be met by drawing from the Northern Ireland reserve battalions in the first instance.

**159.** On 4 September, Mr Hoon’s Private Office sent a letter to No.10 setting out the outcome of the Forces and Resources Review.<sup>77</sup> It stated that roughly 1,200 servicemen and women were being deployed; an “early increase of 12 percent to the UK forces currently in theatre”. The extra personnel would be supported by the “deployment of a quantity of armoured patrol vehicles, some of which will be drawn from Northern Ireland”. That would have “a limited, but manageable effect” on the UK’s ability to “conduct current operations in support of the PSNI [Police Service of Northern Ireland]”.

**160.** On 5 September, a further meeting of the PPV Working Group was held “to develop a list of issues and associated options to meet the perceived requirement for the future deployment of PPV in support of Op TELIC”.<sup>78</sup>

**161.** The record of the meeting stated that the “initial verbal request” was for 228 vehicles for delivery to Iraq within two weeks, as per the Forces and Resources Review. All representatives present at the meeting agreed that was an “unrealistic” timetable. A DEC(SP) representative set out a phased approach to meeting the requirement, the final phase being that enough vehicles were provided for two brigades.

**162.** Whilst there was currently no SOR, information provided from theatre indicated a requirement “closely aligned to those for the Tavern/Snatch vehicles currently in use in Northern Ireland”. A footnote stated:

“Due to the limited Tavern fleet and the expected high cost of procuring similar vehicles, the PPV protection requirement must be realistic in order to permit a timely and cost effective solution to the UOR.”

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<sup>75</sup> Minute SECCOS to PSO/CDS, 1 September 2003, ‘OP COS paper: Op TELIC – UK Force and Resources Review An Update’ attaching Minute Brims, 2 September 2003, ‘Op TELIC – UK Force and Resources Review – An Update’.

<sup>76</sup> Minutes, 3 September 2003, Chiefs of Staff meeting.

<sup>77</sup> [Letter Williams to Rycroft, 4 September 2003, ‘Iraq: UK Forces and Resources Review’.](#)

<sup>78</sup> [Minutes, 5 September 2003, ‘Protected Patrol Vehicle \(PPV\) Workshop Group Friday 5 September 2003 – Minutes’.](#)

**163.** To meet the immediate requirement of 228 vehicles, the merits of deploying either Snatch or Tavern were debated including on the grounds of protection, mobility, capacity and sustainability. The need for climate modifications and communications adaptations was also considered.

**164.** The Group concluded that Snatch was the preferred option because there were Integrated Logistic Support issues and reliability concerns with Tavern. It acknowledged that the “protection levels afforded by Snatch may not meet the requirement to counter the local threat”.

**165.** Other solutions considered were:

- fitting the in-service Wolf (a Land Rover variant) or Pinzgauer with appliqué armour – discounted because of the scarcity of suitable vehicles;
- refurbishing the Armoured Patrol Vehicle (APV)1.5 awaiting disposal – discounted because of the poor mechanical condition of the fleet and the “political implications” of utilising equipment marked for disposal;
- refurbishing Snatch – discounted as an immediate response because of the timescales and level of technical risk but considered a possible long-term solution to Project DUCKBOARD; and
- procuring new vehicles – discounted as an immediate response because of the timescales but considered a valid solution in the medium-to-long term.

**166.** The Group recommended that:

- the deployment of Snatch be taken forward to meet the timescale for the provision of 228 vehicles for Iraq in four weeks; and
- a new vehicle purchase, with protection levels similar to or better than Snatch, be considered to meet the requirement of enough vehicles for two brigades within four to six months.

**167.** 180 Snatch Land Rovers were dispatched from Northern Ireland to Iraq on 11 September.<sup>79</sup>

**168.** An operational analysis for Project DUCKBOARD was produced at the end of September, making a number of recommendations for further analysis to examine the requirements for a “Rest Of [the] World” PPV capability.<sup>80</sup> That is covered in the Vector operational analysis later in this Section.

**169.** Lt Gen Lamb told the Inquiry that there was a need for “a less aggressive means to transport people around” but “the need to armour it was self-evident”.<sup>81</sup> Lt Gen Lamb

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<sup>79</sup> Minute Comd CSS to CSVS IPT, 16 September 2003, ‘SNATCH Deployment from Northern Ireland’.

<sup>80</sup> Report DSTL, 31 March 2004, ‘VECTOR Operational Analysis’.

<sup>81</sup> Private hearing, 24 May 2010, pages 25-26.

said he “was acutely aware that ... Snatch was not designed [for 21st century urban warfare]” and “so one was stuck with a difficult set of circumstances”.

**170.** Lt Gen Lamb added:

“Yet ... what have you got available at short order? Well ... better have a Snatch than a Land Rover.”

**171.** General Sir Mike Jackson, Chief of the General Staff (CGS) from February 2003 to August 2006, told the Inquiry:

“Snatch Land Rovers were deployed to Iraq because they were available or could be made available as we drew down from Northern Ireland, and without them it would have been completely soft-skinned Land Rovers. That’s where the state of the equipment inventory was at that point.

“The Snatch Land Rover was only designed to give protection from low velocity rounds and shrapnel and it wasn’t set out to do anything else, but it was better than a completely unprotected vehicle.”<sup>82</sup>

## **The appearance of Explosively Formed Projectiles (EFPs) and the UK’s response**

**172.** A JIC Assessment on 3 September judged that the security environment would “remain poor” and “probably worsen over the next year”.<sup>83</sup> The JIC stated that the “most frequent attacks” had been against Coalition Forces and “increasingly” were from small IEDs. Those using them had “shown growing competence, determination and sophistication”. The JIC assessed that IED attacks would become more effective.

**173.** The JIC judged that Shia consent was “fragile and eroding”. The guidance of “senior Iraqi Shia clerics” had been “to give the Coalition a year”, but the recent attacks were “likely to have shortened this timeline substantially”. If acquiescence turned to hostility, that “would have the most serious consequences for the security situation, particularly in southern Iraq”. If the Coalition was “perceived to be impotent”, the Shia would “take law and order into their own hands”. Reporting indicated that supporters of the Muqtada al-Sadr were “acquiring weapons” and “planning attacks on Coalition targets”.

**174.** In addition, the JIC judged that Iran and Hizballah were:

“... probably inciting violent anti-Coalition protests and other disruptive activity. Their incitement probably falls short of directly ordering attacks on Coalition Forces. But after the death of Ayatollah al-Hakim [the leader of the Supreme Council for Islamic Revolution in Iraq], Iran will be reconsidering its approach.”

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<sup>82</sup> Public hearing, 28 July 2010, pages 74-75.

<sup>83</sup> [JIC Assessment, 3 September 2003, ‘Iraq: Threats to Security’](#).

**175.** In September, the DIS produced a review of the major threats from IEDs in Iraq, intended “to provide analysis and outlook on current terrorist activities”.<sup>84</sup> The review emphasised Iraq’s “long history of state sponsored manufacture of complex IEDs, as in the case of the failed 1993 ‘Bush Bomb’”, and stated that the regime had used an “IED strategy” as a means of extending domestic and foreign policy. During the conflict there had been significant finds of radio-controlled hardware and:

“All indications show that the Iraqi regime planned to continue to adapt its well tested pre-conflict IED strategy and production methods in a guerrilla conflict after the regime capitulated ...”

**176.** The review stated that RCIEDs accounted for around 50 percent of all IED incidents.

**177.** On 25 September, the JIC reported that attacks against Coalition Forces in the South were at the “lowest level since June” but it also judged that Shia militias were emerging in the South.<sup>85</sup> The tactics of armed groups in Iraq continued to evolve, “including the increased use of more sophisticated IEDs and more elaborate attacks”.

**178.** A JIC Assessment on 15 October stated that the South remained “relatively calm”, although some former regime elements were aiming to “foment greater unrest”.<sup>86</sup> The JIC noted that reporting that indicated “the return of a specific bomb maker to Basra” was of “particular concern”.

**179.** On 5 November, the JIC reported that the situation in the South remained “relatively calm” but there had been a spate of IED attacks in Basra province in mid-October including one using a sophisticated remote control device.<sup>87</sup> The JIC also stated that IEDs were the “single most common form of attack” in Iraq, that they were “becoming more sophisticated”, and that stand-off attacks using remote control were “becoming more common”.

**180.** On 18 November, Mr David Williams, MOD Director Directorate Capabilities, Resources and Scrutiny (DCRS), wrote to Mr John Dodds, Head of the Defence, Diplomacy and Intelligence Team in the Treasury, seeking advice on how to take forward new force protection measures within the agreed UOR “ceiling” of £550m.<sup>88</sup> Mr Williams flagged a new requirement for £73m to fund an electronic countermeasures (ECM) project, Project L\*.<sup>89</sup> Mr Williams’ letter also sought funding for aerial surveillance, which is addressed later in this Section with regards to ISTAR provision.

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<sup>84</sup> Report DIS, September 2003, ‘An Analysis of the Major IED Threats to Coalition Forces in Iraq’.

<sup>85</sup> [JIC Assessment, 25 September 2003, ‘Iraq Security’](#).

<sup>86</sup> JIC Assessment, 15 October 2003, ‘Iraq Security’.

<sup>87</sup> [JIC Assessment, 5 November 2003, ‘Iraq Security’](#).

<sup>88</sup> Letter Williams to Dodds, 18 November 2003, ‘Additional Operation TELIC UORs’.

<sup>89</sup> A cipher has replaced the name of this project for national security reasons.

**181.** Mr Williams wrote that the deterioration in Iraq's security had led "to an increase in demand for force protection measures, including armoured (Land Rover type) patrol vehicles and specialist counter-terrorist equipment". He said that, although the MOD had looked at utilising Northern Ireland's resources to meet the requirement, there was a need to ensure that the equipment was "appropriate to the threat in Iraq". He added: "Some development effort is likely to be required."

**182.** Mr Williams outlined the requirement in an attached annex:

"The most serious threat facing UK personnel in Iraq (military and civilian) is that from Radio-Controlled (RC) IEDs. It took PIRA [the Provisional IRA] some years to develop RCIEDs and associated tactics successfully. By contrast, as a result of state-sponsored activity, FRL (Former Regime Loyalists) forces, already well equipped and experienced, were able to mount attacks of similar technical sophistication in Baghdad, Basra and elsewhere in Iraq without a pause after the fall of the Ba'athist Regime ... A further trend is evident in theatre: terrorist attacks (and tactics and equipment) may be trialled in the US area, but it does not take them long to appear in the UK area."

**183.** The annex referred to evidence that between 11 July and 31 October 2003 there were 28 IEDs detected in MND(SE); of those, nine employed remote detonation. It stated that one UK serviceman had been killed<sup>90</sup> and there were "various degrees of injury to UK personnel".

**184.** In the US-controlled areas, IED attacks were occurring at a rate of around 10 per day, with 80 percent of those being radio-controlled.

**185.** Mr Williams explained that, whilst some existing ECM equipment was effective against threats in Iraq, the most significant threats were new and therefore required a new response. He stated that only about 25 percent of UK vehicles would need to be fitted with equipment on the basis that vehicles moved in groups for mutual protection. He cautioned that, "owing to the high level of its security classification, and the restricted industrial base, there are limits to the manufacture rate" and stated that the first new equipment would arrive in Iraq in December 2003.

**186.** On 6 January 2004, a briefing note sent to Mr Hoon and Gen Walker stated that the Treasury had "recently agreed" to fund the £73m for Project L\*.<sup>91</sup>

**187.** The question of how that funding could be met was part of wider, ongoing discussions with the Treasury which are referred to later in this Section and set out in Section 13.1.

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<sup>90</sup> Captain David Jones was killed in a remote-controlled IED attack on 14 August 2003: *BBC News*, 15 August 2003, *Welsh soldier killed in Iraq*.

<sup>91</sup> Briefing McKane to APS/Secretary of State [MOD] and PSO/CDS, 6 January 2004, 'Operation TELIC: Presentation to the Chief Secretary'; Letter Williams to Dodds, 18 November 2003, 'Additional Operation TELIC UORs'.

**188.** On 16 January, the UOR business case to modify existing Snatch vehicles for deployment in Iraq was approved.<sup>92</sup> The case for the “desertisation” of vehicles was at a cost of £2.2m, with a completion date of May 2004. The modified version of Snatch became known as the “Snatch 1.5” variant.

**189.** The business case stated:

- While the requirement had originally been for 228 vehicles, only 208 Snatch were available “without an unmanageable impact” on Northern Ireland operations.
- “Recent attacks have highlighted the need for protected mobility capable of providing protection from small arms and IEDs.”
- Snatch was not designed for expeditionary operations and modifications to its communications and air conditioning were required for operations in Iraq.
- The modifications were “a short-term solution to meet immediate needs”.
- DEC(SP) was reviewing options to provide a more durable medium-term solution, funded from the core equipment programme, “for introduction not before late 2004/2005”.
- The other protective vehicles in use, Challenger 2, Warrior, CVR(T) and Saxon, were “not available in sufficient numbers, nor are they appropriate to the majority of tasks due to profile and size”.

**190.** Lieutenant General Andrew Ridgway, Chief of Defence Intelligence (CDI), briefed the Chiefs of Staff on the IED threat on 21 January.<sup>93</sup> He stated:

“Although it was assessed that the transfer of terrorist technology from North to South Iraq meant MND(SE) could expect an increased threat from IEDs, there was still no evidence of a co-ordinated campaign.”

**191.** In his post-tour report on 30 January, Maj Gen Lamb recorded:

“There is consistent level of attack at five/six weekly and it is anticipated that this threat will grow.”<sup>94</sup>

**192.** On 8 February, Major General Andrew Figgures, the Senior British Military Representative in Iraq and Deputy Commanding General Multi-National Force-Iraq, reported to Gen Walker and Lt Gen Reith about an attack on one of the Snatch vehicles deployed to Baghdad:

“Although we were fortunate in this case it raises a number of wider issues of the application of our national doctrine and equipment in this theatre. The Snatch vehicle

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<sup>92</sup> Paper MOD, 16 January 2004, ‘UOR 10383 Business Case – Op TELIC SNATCH’.

<sup>93</sup> Minutes, 21 January 2004, Chiefs of Staff meeting.

<sup>94</sup> Report Lamb, 30 January 2004, ‘Post Operational Tour Report – Version 1 Operation TELIC 2/3 11 July to 28 December 2003’.

undoubtedly saved the lives of the crew by absorbing the majority of the blast ... I doubt, however, that it would have withstood the effects of a [...] (which is the usual weapon of choice) if it had been rigged up to the remote initiator. This observation and the fact that the C\*<sup>95</sup> was fitted in both vehicles and operational indicates that we are still some way short of providing adequate levels of protection for the principal threat in Iraq. In terms of drills, the habit developed in Northern Ireland of deploying top cover to counter direct attack on the vehicle may actually be exposing our soldiers to greater danger from IEDs – a threat not seen in Northern Ireland.”<sup>96</sup>

**193.** Although the rate of attacks against Coalition Forces had levelled off, February 2004 was the worst month for casualties since the fall of Saddam Hussein’s regime.<sup>97</sup>

**194.** From March 2004 onwards the deteriorating security situation in Iraq took a serious turn for the worse. That is addressed in Section 9.2.

**195.** Maj Gen Stewart told the Inquiry that the violence started to increase in “February/March” 2004.<sup>98</sup>

**196.** Maj Gen Stewart explained that 50 percent of his force was assisting Security Sector Reform (SSR) during this time. He said that SSR continued in April (although it reduced to 25 percent of his force’s time) but that “one or two of the major incidents we had was people ... actually moving from location to location to try and help the SSR”.

## PROJECT DUCKBOARD EVOLVES

**197.** On 3 February 2004, Gen Jackson wrote to Mr Hoon about the impact of maintaining the current and forecast level of military commitment:

“... in meeting essential short term operational demands we must take care not to prejudice our ability to meet longer term rebalancing goals ... Measures in the EP threaten our ability to meet our strategic objectives in the longer term, particularly with regard to introducing a medium weight intervention capability centred on FRES.”<sup>99</sup>

**198.** On 26 February, the DMB agreed a large number of service enhancements and savings measures as part of a Spending Review.<sup>100</sup> That was in response to the imposition of new controls introduced by the Treasury (addressed in Section 13.1).

**199.** The DMB considered a paper by Mr Trevor Woolley, MOD Finance Director, which detailed all the measures.<sup>101</sup> In relation to PPVs, he referred to Project DUCKBOARD as

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<sup>95</sup> A cipher has replaced the name of this capability for national security reasons.

<sup>96</sup> Minute Figgures to CDS, 8 February 2004, ‘SBMR-I Report 072 of 8 February’.

<sup>97</sup> [JIC Assessment, 25 February 2004, ‘Iraq Security’](#).

<sup>98</sup> Public hearing, 9 December 2009, pages 74-75.

<sup>99</sup> Minute CGS to PSO/CDS, 3 February 2004, ‘Operational Tempo’.

<sup>100</sup> Minutes, 26 February 2004, Defence Management Board meeting.

<sup>101</sup> Paper Finance Director, [undated], ‘ST/EP04: Years 1 and 2’.

“the UK’s future protected mobility capability for light forces engaged on peace support and other operations”.

**200.** Mr Woolley wrote that, whilst DUCKBOARD had originally been designed to replace Snatch in Northern Ireland, UK casualties on operations in Macedonia and experiences from operations in Afghanistan and Iraq had “confirmed the requirement for a global family of vehicles offering similar protection levels”. To supplement the Snatch vehicles that had been deployed from Northern Ireland to Iraq, he recommended re-profiling the funding of the programme by:

- bringing forward a battlegroup worth of 80 vehicles from 2007-2012 to 2004-2007 (£38.5m over three years); but
- cutting the remaining PPV capability to support a medium scale PPV capability of 222 vehicles that had been profiled between 2007-2014 (£76.2m over seven years).

The overall budget was reduced by 49 percent.

**201.** On 31 March, the Defence Science and Technology Laboratory (DSTL) produced an operational analysis for a “Rest of [the] World PPV (ROW)” which would later become known as the “Vector” vehicle.<sup>102</sup>

**202.** DSTL stated that, subsequent to an earlier operational analysis produced in September 2003, Project DUCKBOARD had changed and the emphasis had “shifted from a Snatch replacement in the medium term (ISD [In Service Date] 2007) to providing a PPV (ROW) in the near term (ISD 2005) with an eight year in service life”. That would “provide an interim capability between the Snatch OSD [Out of Service Date]” and FRES.

**203.** It was clear from the operational analysis that DSTL intended to highlight that additional work needed to be done. Its stated aim was simply to summarise its progress to date. Further work was needed because:

- Vector’s capacity, mobility and protection Key User Requirements (KURs) were “still only in draft form”; they had not been articulated as part of Project DUCKBOARD’s operational analysis.
- The “coherent statement of CONOPS, threat assessment and payload requirement” that had been tasked to “the user community” in the July 2003 workshop had not been developed in time for the DUCKBOARD operational analysis. While further work had been done, and some assumptions about Vector’s role had been made, more needed to be done to develop the user requirement.

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<sup>102</sup> Report DSTL, 31 March 2004, ‘VECTOR Operational Analysis’.

- The user's understanding of how the PPV ROW would be deployed was still developing which meant that the estimated fleet numbers should be re-examined.
- Costs would need to be revised in accordance with all the above factors.

**204.** The operational analysis acknowledged that PJHQ and 19 Mechanised Brigade had indicated IEDs were “a considerable threat in Iraq” and stated:

“... Vector is likely to face a broad range of threats. These will range from stones and bricks to RPG and large IEDs. Previous analysis has shown that it is not technically feasible to armour a Vector equivalent to defeat [...] and [...] blast weapons without it becoming some form of AFV. Therefore it will always be overmatched by these threats. However, if these are the common threats that are to be faced in theatre then a vehicle commensurate with that threat is likely to be deployed e.g. Warrior.”

**205.** Based on the current CONOPS, Vector would “therefore be used in lower threat environments”.

**206.** On 14 April, Main Gate approval was sought for the development and manufacture of 312 Snatch vehicles to “Snatch 2” standard, 208 of which would be for Iraq.<sup>103</sup> That was to “meet immediate operational needs” and would replace the 208 Snatch 1.5 variant vehicles that had previously been dispatched from Northern Ireland. There was an ISD of between December 2004 and February 2005 for 80 of the vehicles.

**207.** The total procurement cost of the 312 vehicles was £13.01m and would be funded from the Project DUCKBOARD budget. The case stated that the enhancement measures agreed in the 2004 Spending Review was recognition that the requirement for light protected mobility was “expected to grow in future”.

**208.** The aim of the upgrade was defined as:

“To provide a capability that will afford the user sufficient protection and mobility for framework operations to be conducted in a semi-permissive environment, in both the NI theatre and in support of expeditionary operations worldwide over FYs 04/05 & 05/06.”

**209.** The business case had been produced to satisfy the immediate requirement; the current Snatch fleet was over 10 years old, was in “heavy operational use” and suffered from “chassis corrosion problems”. The Specialist Utility Vehicles IPT (Integrated Project Team) had stated that it would “become increasingly difficult to sustain after 18 months on Op TELIC without a substantial upgrade or replacement programme” and “some form of project to maintain the current operational PPV capability” would be “essential in FY 04/05”.

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<sup>103</sup> [Paper DEC\(SP\), 14 April 2004, 'Business Case URD 1090 SNATCH 2 Protected Patrol Vehicle'](#).

**210.** The business case said that it was supported by current operational analysis but a “fully developed justification, in the context of a balance of investment” would be undertaken in support of an “overall Project DUCKBOARD” submission in September 2004, where the requirement for “Snatch 2 in the worldwide role” would also be established. The urgency of the current requirement meant that the balance of investment analysis would not be complete before funds had to be committed. Evidence would be provided in the DUCKBOARD submission to demonstrate that investing in Snatch 2 “early” remained “the most cost effective solution”.

**211.** Four options were considered in the business case:

- do nothing;
- minor refresh;
- major refresh (Snatch 2) – fitting the old protected “pod” on a new base vehicle with upgrades to communications and ECM; or
- a commercial-off-the-shelf solution.

**212.** The preferred option was the “major refresh”. That would not provide additional physical protection; the relevant KUR said that Snatch 2 should have a protection level that was “equivalent to current Snatch”.

**213.** An off-the-shelf purchase was discounted on the grounds of cost and timing.

**214.** Considering publicity, the business case stated: “There will be considerable interest in Snatch 2 as a result of recent deaths and injuries.”

**215.** In response to a US request for additional UK forces during US operations in Fallujah (see Section 9.2), including an armoured or mechanised battlegroup to provide a theatre-wide reserve, Gen Walker agreed Lt Gen Reith’s request to return Warrior vehicles to Iraq on 28 April, to provide a battlegroup reserve for MND(SE).<sup>104</sup>

**216.** On 11 May, Major General David Richards, Assistant Chief of the General Staff (ACGS), received advice about the impact of Op TELIC’s expansion and reinforcement on Headquarters Northern Ireland.<sup>105</sup> A request had been made for 297 Snatch vehicles: 77 vehicles were needed immediately, and an additional 220 over the next three to four months. A request for 350 sets of ECM equipment had also been made.

**217.** The advice highlighted concerns about the operational implications for Northern Ireland of redeploying Snatch to Iraq, particularly over the marching season. At most, 225 vehicles could eventually be released, but that would fall short of the Op TELIC requirement by 72 vehicles. It was suggested that PJHQ be directed to conduct a

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<sup>104</sup> Minutes, 28 April 2004, Chiefs of Staff meeting.

<sup>105</sup> Minute MOD [junior officer] to MA/ACGS, 11 May 2004, ‘Impact of TELIC Expansion and Reinforcement on NI’.

full review of their current holdings and future requirement to assess the impact of a shortfall.

**218.** On 10 June, that concern was reiterated to Maj Gen Richards by Lieutenant General Philip Trousdell, GOC Northern Ireland.<sup>106</sup> He wrote:

“... it appears that what other theatres think they require is some form of protected mobility. What I require is a protected mobility vehicle which has the size and agility to perform an integral part in riot control ... My perception is, therefore, that the requests for support are not being delivered in a coherent manner and this has been particularly true of Snatch, a vehicle that has rapidly become a placebo for many operations.”

**219.** Lt Gen Trousdell warned:

“... drip feeding the protected mobility requirement from Northern Ireland is not viable in the medium to long term ... Too often have we received requests for specific equipment or specific personnel without a clearly defined effect.”

**220.** Maj Gen Richards sent the minute to Lt Gen Fry, commenting:

“We also need to address the longer term issue as we cannot continue to solve the problem on an ad hoc basis. Given our duty of care responsibilities, should we not look at the issue of protected mobility again and establish a longer term policy that can meet enduring commitments other than NI?”<sup>107</sup>

**221.** On 11 June, Maj Gen Applegate upgraded the Snatch 2 business case to an “Operational Emergency”.<sup>108</sup> It would be taken forward using UOR processes to bring the anticipated ISD from December 2004 to “as early as possible”.

**222.** Maj Gen Applegate wrote that the MOD was “engaged in contingency planning for Op TELIC surge forces”. As a result, Mr Hoon and the Chiefs of Staff had “directed” that these forces must be equipped to the same standard as those already in theatre. The industrial timelines precluded any Snatch 2 deployment meeting the “current contingency timetable” which meant that the Snatch 1.5 fleet had been increased by 150 vehicles.

**223.** On 12 June, a separate USUR was raised by the Royal Engineers, for a “suitable vehicle” that could be used by Explosive Ordnance Disposal (EOD) teams because their existing vehicle, the Snatch Land Rover, provided “inadequate protection”.<sup>109</sup>

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<sup>106</sup> Minute Trousdell to Richards, 10 June 2004, ‘Support to Operation TELIC’.

<sup>107</sup> Minute ACGS to DCDS(C), 11 June 2004, ‘NI Support to Op TELIC’.

<sup>108</sup> Minute CM(BM) to DEC(SP), 11 June 2004, ‘URD 1090 (SNATCH 2 Protected Patrol Vehicle) Business Case (BC) – Change of Status’.

<sup>109</sup> [Minute 22 Engineer Regiment Group to COS HQ I Mech Bde, 12 June 2004, ‘Urgent Statement of Operational Requirement Ballistic and Blast Protected Vehicles for Bomb Disposal and Search Teams on Op TELIC’.](#)

The Royal Engineers argued that Snatch vehicles placed EOD teams at “unacceptable levels of risk” and reduced “operational capacity, capability, flexibility and effectiveness”. They recommended the purchase of an off-the-shelf solution – the Sisu operated by the Swedish Army.

**224.** The requirement for EOD teams was later identified as a “Type C” requirement and is addressed later in this Section.

**225.** Lord Bach visited Basra from 27 to 28 April and reported an “almost universally positive” message on equipment.<sup>110</sup> On Project L\* his visit report stated:

“Lord Bach understands that the delivery of vital ECM equipment procured under this UOR is subject to delay. He would welcome advice on this and what is being done to improve matters.”

**226.** On 21 May, an MOD official replied that the L\* capability would be fully operational by January 2005 as its outstanding components would start to be delivered in July 2004.<sup>111</sup> The components already delivered would meet 90 to 95 percent of the threats encountered “thus far” in Iraq.

**227.** The official wrote: “The delays in the delivery of the full L\* capability are largely due to the lack of clear threat and technical intelligence from the operational theatre.”

**228.** On 28 June, the UK suffered its first fatality from a roadside IED when Fusilier Gordon Gentle was killed whilst performing top cover duties for a Snatch vehicle in Basra.<sup>112</sup> Two officers who were inside the vehicle survived the blast but suffered serious injuries.

**229.** The PJHQ operational summary of the incident recorded:

“The sad death of a UK soldier in an IED attack today does not signal a step change in activity in MND(SE); rather it illustrates how fortunate the UK has been to avoid fatalities over the last few months.”<sup>113</sup>

**230.** The Board of Inquiry into Fusilier Gentle’s death concluded that there had been serious delays in fitting the most up-to-date ECM equipment into vehicles and that the IED that killed Fusilier Gentle would have been “inhibited” by that equipment, although there was “insufficient evidence to prove this conclusively”.<sup>114</sup>

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<sup>110</sup> Minute PS/Minister(DP) to D Iraq, 29 April 2004, ‘Visit to Basra’.

<sup>111</sup> Minute MOD [junior official] to PS/Minister DP), 21 May 2004, ‘Visit to Basra’.

<sup>112</sup> *BBC News*, 29 October 2007, *Fusilier’s final patrol described*.

<sup>113</sup> PJHQ OPSUM, 28 June 2004, ‘PJHQ Middle East Operations Team OPSUM 131 a at 281659Z Jun 04’.

<sup>114</sup> Minute Mitchell to PS/Min(AF), 11 June 2008, ‘Claim by Rose Gentle in Respect of the Death of Her Son Fusilier Gordon Gentle in Iraq on 28 June 2004’.

**231.** In his post-tour report on 13 July, Maj Gen Stewart wrote:

“The early decision to deploy Snatch and ECM has saved lives.”<sup>115</sup>

**232.** The first IED attack in Iraq using an Explosively Formed Projectile (EFP) took place against a UK Warrior vehicle in al-Amara in May 2004.<sup>116</sup>

**233.** On 1 July, Brigadier William Moore, Director Directorate of Equipment Capability (Ground Manoeuvre) (DEC(GM)), advised PJHQ on the performance of the UK’s AFVs against recent attacks.<sup>117</sup>

**234.** Brig Moore wrote that initial assessments suggested that insurgent capabilities, including EFPs, were capable in some circumstances of overmatching armour fitted to Challenger 2 and Warrior vehicles, but they were not “at any significant risk from EFP”.

**235.** Work to identify potential enhancements had begun, although “no platform enhancement measure” in response to EFPs could be considered until an example of the specific threat weapon had been examined. He also proposed a review of TTPs. Brig Moore emphasised the importance of PJHQ highlighting any new anti-armour weapons found in theatre and full reports of past and future incidents to inform further work on armour protection.

**236.** Brig Moore provided guidance for commanders in Iraq which stated that commanders and AFV crews should “remain aware of the finite limitations of armour”.

**237.** Lieutenant General Sir William Rollo, GOC MND(SE) from July 2004 to December 2004, told the Inquiry that things were “very quiet” when he took over as GOC MND(SE) in July.<sup>118</sup> He said that the Sadrist disturbances from April and May had “died away”. Problems started arising again in August with the clash at Najaf which re-ignited attacks on the coalition, but by December Lt Gen Rollo thought “things were relatively on track”.

**238.** Asked by the Inquiry whether there was any difficulty “moving around” at this time, Lt Gen Rollo said that there was “a sufficient number of Warrior fighting vehicles” that could be used when the situation “became very unpleasant”.<sup>119</sup> He added:

“Outside of that, then we were back into Snatch Land Rovers, which at that stage, while ... they could clearly be damaged by IEDs, they were remarkably tough against the threat at that time.”

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<sup>115</sup> Report, 13 July 2004, ‘HQ MND(SE) Post Operation Report Operation TELIC 3/4 – 28 December 2003 – 13 July 2004’.

<sup>116</sup> [Report DIS, 19 August 2004, ‘Further Evidence of Lebanese Hizballah produced weapons in Iraq’.](#)

<sup>117</sup> Minute Moore to PJHQ, 1 July 2004, ‘Force Protection: Information Relating to the Performance of UK Armour in Iraq’.

<sup>118</sup> Public hearing, 15 December 2009, page 5.

<sup>119</sup> Public hearing, 15 December 2009, pages 15-16.

**239.** When asked whether he had been briefed on the threat from EFPs and the predicted growth in the use of ever more sophisticated IED technology when he became CJO in July 2004, ACM Torpy told the Inquiry:

“Not specifically EFPs. IEDs, yes ... it was not a significant threat in 2004 when I took over and it grew ...”<sup>120</sup>

### THE IMPACT OF THE 2004 SPENDING REVIEW ON FRES

**240.** During September 2003, the MOD’s cash requirement for 2003/04 had risen from £490m to £1,152m. That prompted Mr Gordon Brown, Chancellor of the Exchequer, to impose controls on the MOD’s management of its resources. That is addressed in Section 13.1.

**241.** At the DMB on 1 October, Mr Ian Andrews, MOD Second Permanent Under Secretary, explained that the MOD was now facing a near-cash shortfall of £1.1bn.<sup>121</sup> Part of the MOD’s response was to identify near-cash reductions of £300m across the DLO and DPA.

**242.** Mr Andrews had produced a paper for the Board that set out proposals for those reductions, all of which were accepted. One measure was to defer £13m from the FRES programme (needed to underpin its suggested procurement strategy), which could “delay the programme by a few months”.<sup>122</sup>

**243.** Considering the Equipment Programme on 26 February 2004, the DMB was told by Sir Kevin Tebbit that Treasury controls had rendered it “unaffordable”.<sup>123</sup> There was likely to be no increase in resources and there was no scope to take risks. He said that any additional enhancements “must have compensating offsets”.

**244.** The DMB discussed Mr Woolley’s paper of proposed enhancements and savings measures, including deferring the FRES ISD by a further year to December 2011.<sup>124</sup> The DMB said that this was a concern and frustrating:

“But there was a tension between the need for a basic vehicle relatively quickly and a more complex capability downstream.”

**245.** The Assessment Phase for the procurement of FRES was announced on 5 May 2004.<sup>125</sup>

**246.** On 24 June, in the context of a wider DMB discussion about the risks of meeting the targets on cost and time for major procurement projects, concern was expressed

<sup>120</sup> Public hearing, 18 January 2011, page 62.

<sup>121</sup> Minutes, 1 October 2003, Defence Management Board meeting.

<sup>122</sup> Paper 2nd PUS, 30 September 2003, ‘In-Year Management: AP03 update’.

<sup>123</sup> Minutes, 26 February 2004, Defence Management Board meeting.

<sup>124</sup> Paper Finance Director, [undated], ‘ST/EP04: Years 1 and 2’; Minutes, 26 February 2004, Defence Management Board meeting.

<sup>125</sup> Report MGO, 9 July 2004, ‘MGO’s Report to ECAB 2004’.

that FRES “was in danger of falling into the trap of over-specification ... despite Board injunctions to the contrary”.<sup>126</sup> The project would therefore focus on “delivering simpler variants as soon as possible ... with more complex variants later on”.

**247.** On 25 June, Maj Gen Richards produced a paper for the Executive Committee of the Army Board (ECAB) on the impact of the DMB’s decisions.<sup>127</sup> He wrote that support to current operations “remained the enduring top priority”, but between 2004 and 2008, the emphasis should be on developing network-enabling activity, an initial air manoeuvre capability, “and the development of medium weight forces”.

**248.** The “most painful measure” for the Army as a result of the DMB decisions was the effect on the FRES programme. Maj Gen Richards wrote that delays in agreeing the procurement strategy for the programme meant that the ISD had slipped from 2009 to 2010. In addition, the measures agreed by DMB as part of the discussions about the Equipment Programme in February, meant that the ISD could be delayed further to 2012. As a result, the full operating capability for FRES was “unlikely” to be fielded before 2017. That would mean running on existing armoured vehicles and could lead to additional Short Term Plan or Equipment Programme costs elsewhere in the programme.

**249.** Addressing future requirements, the paper stated that the Army’s highest priority for the next 15 years was the development of a rapid intervention capability “with capable medium forces as soon as possible”. Given the delay to FRES, “an imaginative and incremental approach” would be needed. ECAB was asked to agree that the priorities for a medium weight capability were:

- **Between 2005 and 2009:** Development of an initial medium weight capability, “based on in-service equipments, and those about to enter service in the period”.
- **Between 2010 and 2014:** Capable medium weight forces based on the simple FRES variant.
- **Beyond 2014:** Fully capable medium weight forces, including complex FRES variants.

**250.** It was also clear from the paper that the Army perceived the costs of the DMB’s decision to protect large capital programmes for the Navy and Air Force, in support of an “apparent ambition to deliver a sophisticated capability in every capability area”, had been found from “Land programmes”; and that could lead to further cuts in future.

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<sup>126</sup> Minutes, 24 June 2004, Defence Management Board meeting.

<sup>127</sup> Paper ACGS, 25 June 2004, ‘Review of the Equipment Programme for the Army 2004 (Repa 04)’.

## A “TYPE B” VEHICLE

**251.** In Maj Gen Richards’ review of the Equipment Programme for the Army on 25 June, he had stated that, in “the very short term”, UORs would allow “an uplift in capability to meet operational requirements”.<sup>128</sup> The UK would “be committed to Op TELIC until at least the end of 2006” and “the UK’s commitment to Afghanistan could increase in the same timeframe”. Operations in Iraq had:

“... highlighted the need for a mix of heavy ground manoeuvre capability and DCC [Dismounted Close Combat], whilst the requirement for improved protected mobility has been met by the deployment of Snatch from NI and Saxon. Snatch will be replaced by DUCKBOARD beyond 06. The need for a coherent plan to deliver protected mobility vehicles to meet the requirement of both theatres of operation has been highlighted.”

**252.** On 7 July, DEC(SP) set out the next steps on Project DUCKBOARD so a business case could be developed and approved by September.<sup>129</sup> The minute stated that the role for light protected mobility in Northern Ireland remained enduring, and it reiterated how operational experience overseas had highlighted capability gaps in post-conflict, peace support operations and counter-terrorist situations.

**253.** DEC(SP) stated that the way forward was “beset with unresolved issues”, including:

- a range of threats across new operating environments, such as Iraq and Afghanistan with “ill-defined” requirements;
- “no clearly defined” user focus or capability management mechanisms;
- an “incomplete definition” of the number of vehicles required; and
- “no defined logistic vision or relationship with other mobility capabilities”.

**254.** DEC(SP) repeated the concerns raised in the 14 April business case about the aged Snatch fleet and chassis corrosion.

**255.** The number of required vehicles remained “undefined” but DEC(SP) stated that an initial analysis “might be” for three different types of PPV:

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<sup>128</sup> Paper ACGS, 25 June 2004, ‘Review of the Equipment Programme for the Army 2004 (Repa 04)’.

<sup>129</sup> [Paper DEC\(SP\) to D Jt Cap, 7 July 2004, ‘Project DUCKBOARD – Way Forward’.](#)

Table 1: The requirement for three types of PPV, July 2004

Type	Features	Estimated number required
A	Essentially a Snatch replacement with the same levels of ballistic protection for low level counter-terror and public order operations, mainly for use in Northern Ireland.	612
B (the Expeditionary or "Rest of World" vehicle)	For expeditionary use in "high threat CT operations". The minimum ballistic protection level required was considered to be B6 (as was currently provided by Tavern).	144
C	A specialised EOD vehicle; again requiring B6 ballistic protection for use on expeditionary operations.	120

**256.** On protection levels, the DEC(SP) said that "the terrorist will invariably overmatch the target" given that Iraqi and other Middle Eastern terrorists had been "able to destroy tanks in IED attacks":

"Protection levels therefore should be optimised for blast, fragments, the 'near-miss' etc rather than to defeat direct attack. Protection for a PPV is more a function of Tactics, Techniques and Procedures (TTPs) (examples include top-cover sentries, combined foot and mounted patrols, multiple vehicle patrols, helicopter top-cover etc) than thickness of armour."

**257.** The purchase of new vehicles to meet the Type A requirement had an estimated total programme cost of £62.5m. As only £55.31m of funding was available, an upgrade to Snatch 2, at an estimated total cost of £53.8m, was recommended.

**258.** DEC(SP) intended to take a "twin-track" approach to procurement:

- A programme to upgrade existing Snatch vehicles to Snatch 2 would begin almost immediately to meet the Type A requirement, with 100 Snatch 2 being available by 31 December 2004 and a further 200 by 30 June 2005.
- An initial assessment for the remainder of the Type A requirement and the Types B and C requirement would be undertaken. Delivery of the Type B requirement was expected in Financial Year (FY) 2006/07 and Type C was expected in FY 2007/08.

**259.** The letter identified the savings measure imposed from the 2004 Spending Review, to reduce the expeditionary capability from medium to small scale in the longer term, as "programme blight". It stated that that, and "the lack of an endorsed requirement for both numbers and capability", meant that a business case for the whole light protected mobility requirement would not be available before September 2004.

**260.** DEC(SP) also wrote that the actual requirement for Type B vehicles was 396 but the savings measure agreed in February 2004 had rendered that unrealistic.

**261.** The minute concluded, however, by stating that the enhancement measure agreed in the same review, to bring forward the funding for 80 vehicles to 2004/05, had enabled the search for a solution:

“To date light protected mobility in an expeditionary role has been something of an orphan capability, managed on an ad hoc basis from a base capability centred on the NI role. Operational imperatives and the bring-forward of funding now offer the opportunity to develop the capability in support of global expeditionary operations, delivering a coherent and integrated concept, whilst at the same time continuing to meet long-term NI commitments.”

**262.** An acquisition strategy for the Type B (expeditionary) PPV capability was produced by the Specialist Utility Vehicle IPT on 19 July.<sup>130</sup> It stated that operational analysis studies had “discounted the use of Snatch 2 as a coherent option for meeting this capability”. It considered three options:

- to do nothing;
- a commercial off-the-shelf or a modified commercial off-the-shelf procurement; or
- design development – creating a “bespoke” solution.

**263.** The option to do nothing was not recommended because the “use of in-service assets that fail to meet the minimum stated performance levels would put users at risk and potentially create an operational vacuum at the source of provision”. The time and cost implications of the design development option meant that that was also ruled out.

**264.** Considering the commercial off-the-shelf procurement, the IPT wrote that there were “a number of products on the market from specialist military vehicle suppliers that could provide a near match to the identified KURs and derived KSRs [Key Service Requirements]”. The difficulty was that there would “inevitably” be areas that would not be “optimised for British Army use”, such as communications equipment.

**265.** A modified commercial off-the-shelf procurement was therefore the recommended option as that would allow the MOD to engage suppliers over the British Army’s specific requirements.

**266.** The procurement strategy was to be developed and reviewed leading up to the submission of a business case. No timescale or deadline was specified.

**267.** Major General Peter Gilchrist, Master General of the Ordnance, produced a paper for an ECAB meeting on 20 July on the Army’s Equipment Programme.<sup>131</sup> He said that

<sup>130</sup> [Paper SUV IPT, 19 July 2004, ‘Acquisition Strategy Project DUCKBOARD – Protected Patrol Vehicle’.](#)

<sup>131</sup> Report MGO, 9 July 2004, ‘MGO’s Report to ECAB 2004’.

new lessons from Operation TELIC were “the need to give greater thought to future ECM, protected mobility and [Type] B vehicle desertisation requirements”.

**268.** The requirement for PPVs on operations continued to grow. Immediate needs were being met by the redeployment of vehicles from Northern Ireland and desertisation would be complete by the end of May 2004,<sup>132</sup> “despite delays in receiving clear requirements and UOR funding”. There was concern “over the longer-term sustainability” of Snatch’s “aged, petrol-engined chassis” but the funding brought forward from EP04 would “help address this issue”.

**269.** Maj Gen Gilchrist wrote that the DEC(SP) minute of 7 July had provided “a sensible framework ... to commence project activity” using the twin-track approach: “... in the short term (1-2 yrs), a life extension for Snatch, and in the medium term a new COTS [commercial off-the-shelf] PPV, a little larger than Snatch”. The life extension programme, “known as Snatch 2”, was already under way. The business case had been approved and trial vehicles had been delivered in June.

**270.** On FRES, Maj Gen Gilchrist wrote that, following the announcement of the its Assessment Phase on 5 May 2004, it was envisaged that a contract would be let in late 2004, leading to Main Gate approval “for the system and simpler FRES variants” in late 2006.

**271.** At ECAB on 20 July, although “disappointment” was expressed at the pace with which FRES was being taken forward, the meeting was told that “the collective view of the IAB [Investment Approvals Board] was that the project had not been sufficiently well thought through in terms of requirements”.<sup>133</sup>

**272.** ECAB also noted that “the Army needed better to influence the equipment and planning communities”.

**273.** In discussion of the review of the Army Equipment Programme by Maj Gen Richards, it was pointed out that “it should be made clear that developing an initial medium weight capability [between 2005-2009] was based on existing equipment and did not depend on FRES”.

#### THE THREAT IN MID-2004

**274.** The IED threat in Iraq continued to grow.

**275.** On 28 June 2004, the Coalition Provisional Authority (CPA) formally handed over to a sovereign Iraqi government. The security situation in Iraq remained febrile. The chronology of events and their impact on the UK’s overarching strategy is detailed

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<sup>132</sup> Maj Gen Gilchrist’s report was written in July 2004. It is not clear whether the process of desertisation had been completed by the end of May 2004 or whether it was still under way.

<sup>133</sup> Minutes, 20 July 2004, Executive Committee of the Army Board meeting.

in Section 9.3. The impact of events on the progress of SSR is described in Section 12.1 and the impact on reconstruction is provided in Section 10.2.

**276.** The JIC Assessment of the security situation in Iraq on 21 July stated:

“We also judge that Lebanese Hizballah will retain an influence in Iraq (Hizballah members may have been linked to the group that attacked the Sheraton Hotel,<sup>134</sup> and could supply Iraqi groups with terrorist expertise and munitions.”<sup>135</sup>

**277.** On 26 July, the DIS reported that an EFP IED had been found on 15 July in Baghdad.<sup>136</sup> The DIS noted that the EFP IED design had not previously been encountered in Iraq but was, as with the find in May 2004, of a type associated with Lebanese Hizballah. There were also indications of Iranian involvement in the construction of the devices.

**278.** The DIS concluded:

“Irrespective of the attribution of the design, production or employment of these charges, their presence and use in attacks against Multi-National Forces in Iraq is a significant force protection issue.”

**279.** A JIC Assessment was produced on 11 August about the recent upsurge of Shia violence.<sup>137</sup> It stated that Iran was “establishing agent networks, providing funding and material to a number of Shia groups and generally seeking to gain influence” and judged that “Iranian encouragement, funding and possibly arms” were “being provided to al-Sadr and the Mahdi Army”; but the “exact degree of Iranian involvement” remained “unclear”.

**280.** On 12 August, Private Marc Ferns was killed by a roadside IED while driving a Warrior vehicle.<sup>138</sup> The vehicle had its hatches open to increase visibility and because of the lack of air conditioning in the vehicle. The blast penetrated the open hatch, killing Pte Ferns.

**281.** A Current Intelligence Group (CIG) Assessment the following week stated that theatre had reported that a number of Iranian sourced weapons had been seized in al-Amara.<sup>139</sup>

**282.** General Sir Timothy Granville-Chapman, Commander in Chief Land Command, visited Iraq later that month.<sup>140</sup> His report to General Jackson highlighted that the

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<sup>134</sup> Iraqi insurgents launched rocket attacks on two hotels in Baghdad on 2 July 2004, one of which was the Sheraton: *BBC News*, 2 July 2004, *Rocket blasts hit Baghdad hotels*.

<sup>135</sup> [JIC Assessment, 21 July 2004, 'Iraq Security'](#).

<sup>136</sup> Report DIS, 26 July 2004, 'Further Evidence of Lebanese Hizballah produced weapons in Iraq'.

<sup>137</sup> [JIC Assessment, 11 August 2004, 'Iraq Security: Shia Violence'](#).

<sup>138</sup> PJHQ OPSUM, 16 August 2004, 'PJHQ Middle East Operations Team OPSUM 138 as at 161659Z Aug 04'.

<sup>139</sup> [CIG Assessment, 18 August 2004, 'Iraq security'](#).

<sup>140</sup> Letter Granville-Chapman to Jackson, 20 August 2004, [untitled].

security situation was “now far more difficult than hitherto”. It was “complex and multi-layered” and, with the intimidation and killing of key people, it was having an effect on governance and recovery.

**283.** On 3 September, a CIG Assessment reported:

“The recent fighting has shown that the Mahdi Army is developing into an increasingly resolute organisation, capable of launching sophisticated attacks ... They have been able to mount determined and sophisticated attacks using small arms, improvised explosive devices (IEDs) and heavier weapons such as mortars and RPGs ... Al-Sadr retains the ability to mobilise a significant body of poor, unemployed Shia youth.”<sup>141</sup>

**284.** The Assessment also stated that “some recovered anti-armour weapons may have been procured through Lebanese Hizballah with Iranian knowledge”.

**285.** On 26 September, a report from Mr Robert Davies, Chief Police Adviser to the Iraq Ministry of Interior, stated that the FCO’s Overseas Security Adviser had directed UK police staff not to travel in Snatch Land Rovers because of inadequate armour.<sup>142</sup> Mr Davies wrote:

“This direction places a significant limitation on the deployment of our staff ... The appropriate protection could be provided by a team from the Control Risk Group,<sup>143</sup> but there are insufficient numbers to meet our requirements.”

**286.** Acting Commander Kevin Hurley, Chief Police Adviser in Basra June 2004 to December 2004, wrote in a statement to the Inquiry:

“Security conditions made road travel almost impossible ... [W]e were not allowed to travel in Army vehicles due to their lack of protection (Snatches). We were all but ineffective for most of our time. Ultimately ... we reached a stage whereby if we could not get a helicopter ride we did not move.”<sup>144</sup>

**287.** On 28 September, Corporal Marc Taylor and Gunner David Lawrence were killed during the ambush of a military convoy south-west of Basra.<sup>145</sup> An armoured Land Rover was badly damaged and the soldiers came under fire as they tried to extract the casualties.

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<sup>141</sup> [CIG Assessment, 3 September 2004, 'Iraq security: Shia violence in Multi-National Division \(South East\)'](#).

<sup>142</sup> Minute Davies, 26 September 2004, 'Weekly report number: 46'.

<sup>143</sup> Control Risks Group was the security company contracted to provide armed support to UK secondees. Its role and the security concerns for civilian personnel is detailed in Section 15.1.

<sup>144</sup> Statement, 17 June 2010, page 3.

<sup>145</sup> *BBC*, 30 September 2004, *MOD names second killed soldier*; *GOV.UK*, 1 October 2004, *Corporal Marc Taylor and Gunner David Lawrence killed in Iraq*.

**288.** On 1 October, the DIS produced two reports that were circulated within the MOD and to the intelligence agencies.<sup>146</sup> One looked at the Command Wire IED (CWIED) threat and the other at the Radio-Controlled IED (RCIED) threat.

**289.** The CWIED report assessed that CWIED attacks were relatively uncommon but were growing in number and sophistication; that was assessed as a “concerted attempt” to counter ECM. The DIS advised that improvements to ECM were “likely to lead to increased use of CWIED, RCIED and other forms of non-Radio-Controlled command initiated IEDs”.

**290.** The RCIED report stated that RCIED attacks represented around 75 percent of all IEDs and that IEDs in turn accounted for 75 percent of casualties. The DIS assessed that in the next 12 months:

“IED technology in use with other Middle Eastern groups especially Lebanese Hizballah, can be expected to appear in Iraq. This would include multiple systems, such as RC (Radio-Controlled) switched PIRs [Passive Infra Red].”

**291.** Also on 1 October, Gen Walker received an update from AM Torpy on the provision of ECM to UK forces:

- The number, complexity and sophistication of RCIEDs used against coalition forces was increasing.
- The L\* programme was experiencing some manufacturing delays.
- There was insufficient ECM equipment in MND(SE) to provide protection for all troops and therefore prioritisation had been necessary.
- ECM did not offer 100 percent protection and was used in conjunction with TTPs and other force protection measures.<sup>147</sup>

**292.** AM Torpy informed Gen Walker that the value of the L\* programme had risen to over £100m since its approval in late 2003.

**293.** In his post-tour report, Maj Gen Rollo commented:

“The current ECM suite is adapting to meet the threat, providing UK soldiers the best protection amongst the coalition forces, but procurement and production struggle to meet the demands in theatre. We are well below the scales needed for appropriate ECM protection and whilst the problem lies with industry there must be constant pressure to improve the situation.”<sup>148</sup>

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<sup>146</sup> Report DIS, 1 October 2004, ‘The Radio-Controlled Improvised Explosive Device Threat to UK Forces in Iraq’; Report DIS, 1 October 2004, ‘The Command Wire Improvised Explosive Device Threat to UK Forces in Iraq’.

<sup>147</sup> Minute PJHQ to PSO/CDS, 1 October 2004, Op TELIC/ORACLE: Provision of Electronic Counter Measures (ECM)’.

<sup>148</sup> Report Rollo to PJHQ MA to CJO, 4 December 2004, ‘Post Operation Report Operation Telic 4/5 14th July – 1st December 2004’.

## A PPV FOR AFGHANISTAN

**294.** In June 2004, a decision was taken that the Allied Rapid Reaction Corps HQ (ARRC), a UK-led NATO asset, should deploy to Afghanistan in 2006, rather than Iraq (see Section 9.2). By October, that decision had become an important factor in considering resources for Iraq.

**295.** On 15 October, the strategy for delivering Project DUCKBOARD was produced.<sup>149</sup>

**296.** A total of 371 “desertised” Snatch 1.5 vehicles had been delivered to support operations in Iraq: 308 were in operation and 63 were held in reserve. An additional 70 Snatch 2 vehicles would be available from December 2004, also for the reserve, to replace the 1.5 variants as their capability deteriorated. More than 20 vehicles on Op TELIC had already been damaged beyond repair.

**297.** The strategy identified that a requirement for protected mobility still had to be defined and that there were a number of “challenges”, including:

- “If Defence has to support; current NI commitments; a continuance of Op TELIC on current scales; and a medium scale operation in Afghanistan simultaneously in 2006, a new acquisition of Protected Mobility vehicles, currently unfunded ... will be necessary.”
- Production would need to start in April 2005 to meet the “ready to train date” for deployment to Afghanistan.
- Regardless of concurrent operations in 2006, “urgent EP/UOR action” was needed to meet “USURs arising from Operation TELIC and to sustain the Snatch fleet”.
- There was “no overarching doctrine, no endorsed CONOPS nor definitive scaling for the provision of Protected Mobility for expeditionary operations”.
- The “lack of definition of the numbers and types of vehicles required” continued to “stall the acquisition process”.

**298.** The strategy recommended requirements should be taken forward as three separate projects, “within an overarching scrutiny mechanism”, so that each strand could be delivered independently and at its own pace:

- Type A project (“Snatch 2”) – continuing the conversion of existing Snatch vehicles for operations in UK and Iraq (the first tranche already under way as an Operational Emergency);
- Type B project (“Vector”) – producing this capability would depend on Afghanistan and Iraq concurrency assumptions “and or direction as to required protection levels”; and

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<sup>149</sup> [Minute MOD \[junior officer\] to D Jt Cap \(AD Jt Mvre\), 15 October 2004, ‘Strategy for Delivery of Protected Patrol and Combat Support Mobility – Project DUCKBOARD’.](#)

- Type C project (“Format”) – producing capability for combat support units in expeditionary operations, including replacing eight Zimmer<sup>150</sup> vehicles sent to Iraq for IED Disposal teams in April 2003, which were “failing” and the USUR raised by the Royal Engineers on 12 June for “some form of protected mobility”.

**299.** The strategy stated that an analysis of the numbers had “proved extremely difficult” without any endorsed CONOPS and “no overall front line Customer 2 lead”. The 308 Snatch 1.5 vehicles in Iraq, and 133 in reserve, were listed as a “firm requirement”.

**300.** The “emerging requirements” included a minimum of 224 Type B Vector vehicles for Afghanistan in 2006. Considering its options, the strategy stated that:

- If operations in Iraq and Afghanistan were not concurrent, the present vehicle scaling would suffice, Vector would not be procured, and any enhancements to the 2005 Equipment Programme would be withdrawn. Priority would switch to sustaining the conversion of Snatch 1.5 vehicles to the Snatch 2 variant.
- If the operations were concurrent, the requirement for 224 vehicles for Afghanistan could be met by removing the 133 Snatch vehicles held in reserve for Iraq and reducing Northern Ireland’s allocation by 100. “Alternatively, TELIC could reduce to 100 vehicles, freeing the balance of 271”, subject to refurbishment, available for Afghanistan.
- If the operations were concurrent, an additional capability could be procured. That was the recommended option.

**301.** The “realistic assessment” was that definitive requirements and numbers were not likely to be possible before December 2004 and the balance between Iraq and Afghanistan was “unlikely to be clear before mid 05”. The strategy proposed that:

- Snatch 2 production be extended by a further Operational Emergency business case for the conversion of another 360 Snatch 1 vehicles to guarantee the model’s sustainability for 2006;
- the first tranche of 141 Vector vehicles be procured by UOR against Equipment Programme funding to ensure an interim operating capability by 31 January 2006; and
- the first two of four tranches be procured for 24 combat support vehicles by UOR against Equipment Programme funding.

**302.** On 27 October, Commodore Peter Eberle, Director Directorate of Joint Capability, raised an SOR for all three Types of PPV with DEC(SP) and Brigadier Tim Inshaw, Director of Capability Integration (Army) (DCI(A)).<sup>151</sup> Cdre Eberle said that it was “needed as a matter of priority” to inform consideration of options in the 2005

<sup>150</sup> The Zimmer vehicle was a deployable EOD capability vehicle that was brought into service in approximately January 2003.

<sup>151</sup> [Paper Eberle, 27 October 2004, ‘Statement of Operational Requirement for Protected Patrol Vehicle \(PPV\) for Operations During Period 2005-2007’.](#)

Equipment Programme and because of the finite number of Snatch vehicles and the lead times needed by industry to produce additional vehicles in time for a deployment to Afghanistan in 2006.

**303.** Cdre Eberle stated that there was a potential increase in operational activity over the period 2005-2007 and, in particular in 2006, which correlated with priorities already identified: the importance of light forces in combating international terrorism and the key capability of force protection from asymmetric threats. The “requirement for protected mobility and force protection measures” was “unlikely to diminish”. PPVs had continued to prove their worth, “albeit within strict limitations of physical protection”.

**304.** Looking at the three variants of PPV required, the paper stated that the User Requirement Document (URD)<sup>152</sup> for the Type A (public order) variant remained “extant”. The URD for the Type B (expeditionary) variant was “similar to the Type A” but also needed:

- better physical protection,<sup>153</sup> including protection against fragmentation and blast, which was “essential”, and some degree of protection against mines which was “highly desirable”; and
- the ability to be fitted with the most appropriate ECM suite to counter the prevailing threat in a given theatre.

**305.** In relation to deployment in Iraq, the paper stated that the employment of PPV Snatch was “threat driven”, which:

“... meant that all tasks being conducted in or through specific areas have required the use of PPV Snatch, with these tasks ranging from framework patrolling to the escorting of white fleet vehicles that are unable to provide their own top cover protection.”

**306.** The paper’s recommendations included:

- A minimum requirement of 1,236 vehicles to cover both Type A and Type B PPV variants should be made available to support all UK operations worldwide during 2006.<sup>154</sup>
- A minimum requirement of 1,228 ECM suites which “should be able to counter the prevailing threat where PPV are deployed”.
- The figures were the minimum and not the totality of the requirement, constituting 72 percent of the potential peak requirement.

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<sup>152</sup> A specification about what the equipment is expected to do and what features or capabilities it needs to fulfil its role.

<sup>153</sup> The precise level of physical protection specified remains classified.

<sup>154</sup> The detail about how this figure was broken down according to each operation was provided in an attached annex but the MOD has been unable to provide the Inquiry with a legible copy and unfortunately the defined PPV requirement for Iraq and Afghanistan cannot be seen.

- Brig Inshaw would act as Customer Two “Core Leader” with “the role of overseeing the lines of development” in consultation with Cdre Eberle, who would act as the joint Customer Two.

**307.** Cdre Eberle stated that the number of PPVs required had been “derived from consultation with FLCs, PJHQ and within MOD Centre” but there were a number of “unknowns” that constrained the ability to “achieve a high degree of accuracy” in the figures. Those included the timeline for the drawdown in Iraq and, for Afghanistan, the nature of the threat, the UK CONOPS, and the scale and timing of the UK’s medium-term engagement.

**308.** The paper stated that there were “no alternatives to PPV for the protected mobility capability requirement within the timeframe under consideration”. It described tracked light armoured vehicles as “inappropriate due to their posture and the extended distances that are regularly travelled while on patrol or escort tasks”.

**309.** Civilian movements in Iraq were being constrained by the IED threat as even the Army’s more heavily armed vehicles came under attack.

**310.** On 4 November, Sergeant Stuart Gray, Private Paul Lowe and Private Scott McArdle were killed in a suicide bomb attack at a vehicle check-point in Fallujah.<sup>155</sup> They had been travelling in a Warrior vehicle. An Iraqi interpreter was also killed and eight soldiers were injured.

**311.** On 5 November, Mr David Hayward, FCO Military Liaison Officer, sent a teletype to Mr Tom Dodd, Deputy Consul General in Basra, in reply to “a number of problems” Mr Dodd had raised about policing in MND(SE).<sup>156</sup> He wrote:

“You [sic] comment that rigid security rules prevents senior police officers from being allowed to move freely on the ground is understood. The underlying issue is that FCO duty of care for all HMG staff currently dictates that military vehicles do not meet the minimum level of protection required.”

**312.** Mr Hayward wrote that they were discussing with the Security Strategy Unit whether there was any “room for flexibility in application of current policy”. He added: “However, as you know the duty of care does weigh heavily in terms of the safety of personnel in Iraq.”

**313.** On 8 November, Private Pita Tukutukuwaqa was killed when the Warrior vehicle in which he was travelling hit a roadside IED south west of Baghdad.<sup>157</sup>

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<sup>155</sup> GOV.UK, 6 November 2004, *3 British soldiers killed in Iraq*; BBC News, 5 November 2004, *Blair tribute to Black Watch dead*.

<sup>156</sup> Teletype Hayward to Dodd, 5 November 2004, ‘Southern Iraq: Civilian Policing’.

<sup>157</sup> GOV.UK, 10 November 2004, *Private Pita Tukutukuwaqa*; BBC News, 9 November 2004, *MOD names soldier killed in Iraq*.

**314.** AM Torpy visited Iraq from 24 to 27 November.<sup>158</sup> He noted that “the level of incidents [had] increased significantly” since his visit in August, but in MND(SE) the security situation was “improved”.

**315.** On 2 December, the DIS produced a report on the evolution of the IED threat in Iraq.<sup>159</sup> It stated:

“Improvised Explosive Devices (IEDs) remain the main killer of coalition forces (CF). The threat from IEDs continues to evolve not only quantitatively, but also qualitatively, with new or modified device types and Modus Operandi (MO).

“The rise in IED attacks in 2004 indicates that, despite CF tactical successes, the security situation has not improved overall and individual terror groups are making significant progress in terms of ability to mount successful IED attacks, probably through improved C2 [command and control], logistics, recruiting and external assistance.

“Improvement in IED technology has been most significant in Shia areas since May 04, where insurgents have technical progress that we assess could only have been achieved through focused external assistance. We assess that this may be due to an influx of Lebanese Hizballah IED technology under Iranian sponsorship ...”

**316.** The DIS stated that the increased use of CWIEDs in MND(SE) indicated an awareness of UK ECM and assessed that the threat was likely “to continue to develop to resemble that of other Middle East countries, such as Israel, with the further import of IED technology and MO from Palestinian, Lebanese and AQ [Al Qaida] associated groups”. It highlighted that IEDs accounted for 40-45 percent of MNF fatalities and over 70 percent of all injuries.

**317.** On 19 January 2005, Mr Hoon wrote to Mr Paul Boateng, Chief Secretary to the Treasury, asking for an increase of £165m in the MOD’s current UOR ceiling (£829m).<sup>160</sup> The additional funding would cover “mainly” force protection and communications equipment:

“The environment in Iraq for the second half of 2004 was marked by a gradual deterioration in the security situation ... The immediate and expanding threat from Radio Controlled IEDs (RCIEDs), which has already resulted in death and injury to UK personnel, has required us to procure further Project L\* ECM equipment, to the value of £54m ...”

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<sup>158</sup> Minute Torpy to Walker, 30 November 2004, ‘CJO Visit Report – Iraq – 24-27 Nov 04’.

<sup>159</sup> [Report DIS, 2 December 2004, ‘The Evolution of the IED Threat in Iraq’.](#)

<sup>160</sup> Minute Hoon to Boateng, 19 January 2005, ‘Op TELIC; UORs’.

**318.** Mr Hoon wrote:

“Protected mobility continues to be a key requirement for forces undertaking a wide range of roles, including patrolling, public order duties and IED search tasks. Protected Patrol Vehicles are therefore vital, and we are seeking an advance of programmes already in our Equipment Plan to the tune of £12m.”

**319.** On 26 January, as part of the new biennial planning cycle, the DMB discussed proposals in a paper by Mr Woolley on the “Future Defence Programme”.<sup>161</sup>

**320.** Mr Woolley outlined that the strategy for Short Term Plan and 2005 Equipment Programme was to implement decisions already taken by the DMB and Ministers, “rather than making significant adjustments to force structure or capability”.

**321.** Mr Woolley wrote that “some £82m” had been earmarked to fund the continuing support costs of recently procured UOR equipments. Recognising constraints on accessing the Reserve, £30m had been set aside across 2005/06 and 2006/07 to “provide headroom for equipment enhancements that might be needed for planned operations” but no specific provision had been made for the “extra equipment costs required to support the possible deployment of a UK brigade to Afghanistan alongside the ARRC HQ”.

**322.** Along with the associated budgets, the paper identified:

- 69 proposed savings measures, including a delay to the ISD of three FRES variants;
- 78 proposed enhancements, including three enhancements to Warrior, two for CVR(T) (both including enhanced protection); and
- 24 further savings measures that were not recommended for DMB approval.

**323.** The list of proposed enhancements also identified “additional protected mobility for light forces from 2006”. That included the upgrade of 550 “near-obsolete Northern Ireland fleet of Snatch 1 vehicles, through the provision of a new chassis”, and 100 Vector vehicles that were “better suited to worldwide, rough terrain operations”.

**324.** The minutes of the DMB recorded that Sir Kevin Tebbit had said the 2004 Spending Review settlement had “increased resources in real terms, but there were substantial pressures”.<sup>162</sup>

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<sup>161</sup> Paper Finance Director [MOD], [undated], ‘Future Defence Programme 05’.

<sup>162</sup> Minutes, 26 January 2005, Defence Management Board meeting.

**325.** Lt Gen Fulton told the DMB that there had been “significant cost growth in several large programmes, some of which had proved impossible to contain”, and that:

“... balancing and de-risking the programme had required a number of painful measures, especially in the early years. But it was now a robust programme that could be taken forward effectively.”

**326.** In agreeing the programme to be submitted to Mr Hoon, the DMB approved lists of proposed savings and enhancements in the Equipment Programme, “reflecting the pressures and changing circumstances since the 2004 Spending Review settlement”.

**327.** A report on lessons from Op TELIC produced by the MOD’s Directorate of Operational Capability (DOC) on 22 February stated:

“With the continued increase in the use of IEDs, the Snatch conversion programme was a belated reaction to the threat ... Trends indicate that future operations will continue to face threats of a similar nature and Defence planning should be cognisant of this reality, rather than reactive to a situation after a deployment is under way.”<sup>163</sup>

**328.** The report highlighted two lessons on protected mobility:

- “Sustained investment is required to provide sufficient protected mobility vehicles for operations in hostile environments such as Iraq ...”
- “Sufficient equipment to protect patrol vehicles against IEDs should be maintained and available for current and future operations ...”

**329.** The Chiefs of Staff discussed the report on the same day but the minutes do not record any specific reference to the protected mobility concerns raised in the DOC report.<sup>164</sup>

**330.** The PPV Capability Integration Working Group (CIWG) met for the first time on 1 February 2005.<sup>165</sup> The Chair summarised the group’s challenge as “a combination of delivering a PPV capability with insufficient funding against an ambitious timeline”.

**331.** A DEC(SP) representative briefed the CIWG that the DMB had agreed, subject to Ministerial approval of the 2005 Equipment Programme, that the Capital Departmental Expenditure Limit should be approximately £42m over the next three financial years.

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<sup>163</sup> Report DOC, 22 February 2005, ‘Operation TELIC Lessons Study Vol. 2’.

<sup>164</sup> Minutes, 22 February 2005, Chiefs of Staff meeting.

<sup>165</sup> Minutes, 1 February 2005, Protected Patrol Vehicle (PPV) Capability Integration Working Group meeting.

**332.** The minutes recorded that the £42m was insufficient to deliver the total fleet requirement of 1,228 needed to support the deployment of PPVs worldwide.<sup>166</sup> The 1,228 figure would have supported the deployment of 982 Snatch 2 and 246 Vector. There was now only available funding for one of the following options:

- 512 vehicles (312 Snatch 2 and 200 Vector);
- 724 vehicles (624 Snatch 2 and 100 Vector); or
- 936 vehicles (936 Snatch 2 and no Vector).

**333.** It was agreed that the Directorate of Joint Capability would confirm which option should be pursued by 18 February.

**334.** The Specialist Utility Vehicle IPT stated that in order to deliver 100 Vector vehicles by June 2006, the solution would need to be a commercial off-the-shelf option and the business case needed to be submitted by July 2005, with the contract let by October 2005.

**335.** The group agreed Key User Requirements for the Vector vehicle and, the Specialist Utility Vehicle IPT was tasked to identify all of the options that could meet them. Those would be discussed at the next CIWG on 23 February.

**336.** On 21 February, a revised PPV SOR was produced in light of the funding levels agreed by the DMB, which was referred to in the SOR as a “45% cut” (see the consideration of that figure in the Box, ‘Was there a 45% cut?’).<sup>167</sup>

**337.** The SOR elaborated on the three options provided by the PPV Working Group:

- Option 1: Convert the remainder of Snatch to Snatch 2 – giving a total of 936 vehicles;
- Option 2: Convert 312 Snatch to Snatch 2 (in addition to the 312 already undergoing conversion for Iraq) and procure approximately 100 Vector giving a total of 624 Snatch 2 and 100 Vector – an overall total of 724 vehicles; or
- Option 3: Procure 200 Vector – giving a total of 312 Snatch 2 and 200 Vector.

**338.** Option 2 was identified as the preferred option, with Vector vehicles to be delivered by 1 June 2006.

**339.** The paper stated that further examination of the funding was necessary to enable a “sensible transition of the PPV fleet from its current to its future configuration” after the Vector vehicles were delivered. Force Level Reviews “must re-examine the current PPV requirements for all theatres” once the actual fleet size was known. The exact number of

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<sup>166</sup> The minutes do not record the budget to which this figure refers but the Inquiry infers that it was to cover the 1,236 Type A and Type B vehicles proposed in the SOR on 27 October. See the Box, ‘Was there a 45 percent cut?’

<sup>167</sup> [Minute MOD \[junior officer\] to DINF Col FD, 21 February 2005, ‘Protected Patrol Vehicle \(PPV\) Operational Requirement’.](#)

PPVs that could be converted to Snatch 2, and the exact number of Vector vehicles that it would be possible to procure, was not yet known.

**340.** In considering protection levels, the paper stated:

“The increasing levels of violence during Phase IV of Op TELIC, which necessitated the widespread use of protected mobility, have been highlighted in recent reports.<sup>168</sup> Additionally OA [operational analysis] is consistently reporting on the increased effectiveness of small arms weapons and ammunition. Therefore the PPV CIWG has deemed that the combination of ECM and an enhanced level of protection [...] are to be the minimum standard for TYPE B Vector Variant. For Type A, a [...] protection level, in conjunction with ECM, is deemed sufficient given the nature of the threat it is likely to be exposed to ...”

**341.** Highlighting current concerns, including the DOC Op TELIC Lessons study, the paper stated:

- “As experience from the last 18 months has shown, having insufficient PPV to meet the operational demands ... has resulted not only in sub-optimal solutions through reallocation between theatres (and a commensurate increase in operational risk for all concerned), but also adverse media attention ...”
- “There are public, political and media expectations that military operations can now be conducted without significant casualties. Indeed, lessons learnt from operations and policy guidance are demanding sustained investment to provide sufficient protected mobility vehicles for operations in hostile environments, such as Iraq and Afghanistan.”

**342.** The paper ended:

“Despite the significant resource constraint that has been placed on this aspect of the Force Protection capability as a result of EP/STP05, the operational requirement for Op HERRICK [Afghanistan], which has been the principal driver behind this PPV work, demands a more capable vehicle than PPV Snatch 2. Indeed, the need for PPV is unlikely to diminish for the foreseeable future.”

### Was there a 45 percent cut?

The Statement of Requirement (SOR) produced by the MOD on 21 February 2005 stated that it reflected revised funding levels for PPVs as agreed by the DMB as part of the 2005 Equipment Programme. The MOD claimed that was a 45 percent cut in funding.

The Inquiry has been unable to find any evidence that that was the case.

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<sup>168</sup> “In particular, DOC Op TELIC lessons Study, Vol 2 ...” This footnote is provided in the original document.

It has considered the papers that went to the DMB meeting on 26 January 2005 and the minutes of that meeting. The only difference that appears to arise is that the DMB agreed to fund 650 vehicles as opposed to 724 but the minutes and papers do not provide any consideration of how the number of vehicles was decided.

The MOD told the Inquiry it was:

“... unable to find any evidence of a specific reduction in the funding of PPVs by 45%. It is unclear how that figure was determined.”<sup>169</sup>

**343.** The second meeting of the PPV CIWG was held on 23 February.<sup>170</sup> Option 2 had been finalised but the Chair highlighted the need to “give SUV IPT direction with confirming URs and KURs”.

**344.** Concerns “were aired as to the future of the remaining Snatch” vehicles that had not been funded for an upgrade. The Directorate of Joint Capability agreed to investigate whether they could be funded “from the Afghanistan Contingency Funds through PJHQ”.

**345.** The business case for the conversion of the second batch of 312 Snatch vehicles was submitted on 16 June 2005 and was approved in early July 2005. That is addressed later in this Section.

## Response to the increase in the threat

**346.** In Iraq the IED threat was continuing to evolve, prompting a review of tactics and protection.

**347.** On 28 April, DSTL produced a presentation entitled ‘Performance of Explosively Formed Projectiles Against UK Armour’ outlining the results of further testing of IEDs against Warrior-type armour.<sup>171</sup> That stated:

“Initial investigations concluded that these devices [...] posed a significantly enhanced threat when compared to previously exploited weapons.”

**348.** DSTL recommended the inclusion of an additional layer of protective armour on Warrior to help to mitigate the new threat.

**349.** On 2 May, Guardsman Anthony John Wakefield died as a result of injuries sustained when the Snatch vehicle he was travelling in hit a roadside IED in al-Amara.<sup>172</sup>

<sup>169</sup> Letter Duke-Evans to Hammond, 2 February 2016, [untitled].

<sup>170</sup> Minutes, 23 February 2005, Protected Patrol Vehicle (PPV) Capability Integration Working Group meeting.

<sup>171</sup> Briefing DSTL, 28 April 2005, ‘Performance of EFPs against UK Armour’.

<sup>172</sup> *BBC News*, 6 May 2005, *UK soldier’s body returned home*.

**350.** The first attack where an EFP was detonated using Passive Infra Red (PIR) technology took place in MND(SE) on 29 May, when Lance Corporal Alan Brackenbury was killed while travelling in a Land Rover south of al-Amara.<sup>173</sup>

**351.** At the Chiefs of Staff meeting on 1 June, Gen Walker directed Major General Peter Wall, Deputy Chief of Joint Operations (Operations), to conduct an analysis of the incident and inform the Chiefs of Staff of the lessons identified, particularly with regard to countermeasures, and “to take a view on the current operating procedures and the relative merits of protected/unprotected vehicles”.<sup>174</sup>

**352.** Maj Gen Wall submitted his analysis to the Chiefs of Staff on 6 June.<sup>175</sup> He wrote that the attacked vehicle was leading a three vehicle patrol of unprotected Wolf Land Rovers. It was assessed that a Snatch Land Rover would not have offered greater protection or prevented LCpl Brackenbury’s injuries.

**353.** Addressing the use of Snatch, Maj Gen Wall wrote:

“Operating procedures are based on the threat, the task, the terrain and force profile. Threat and mobility are the key factors in assessing the relative merits of deploying Snatch or TUM [Wolf Land Rover]. Whilst there is no formal limitation on the use of Snatch ... TUM is usually preferred for cross country use in rural areas ... and this is the standard operating procedure. There is insufficient Snatch in theatre for its general use outside the urban areas ...”

**354.** Maj Gen Wall added that Maj Gen Riley had “adopted a more protective posture” following the recent IED attacks and that “all road movement within the province” was being conducted in Snatch or armoured vehicles – Warrior and CVR(T).

**355.** In his final report as GOC MND(SE), Maj Gen Riley wrote that his “overriding concern” was the “continuing IED attacks in Maysan”, where:

“... patrols now use Warriors to over-watch the armoured Land Rovers in order to give additional protection. This takes careful explaining to the local population who remember the use of Warriors to defeat last summer’s JAM [Jaysh al-Mahdi] offensive.”<sup>176</sup>

**356.** Some of the key lessons Maj Gen Riley identified in a separate report on 10 June were:

- “More training on Snatch and other UOR requirements, and the development of basic infantry skills, must be factored into any pre-deployment training.”

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<sup>173</sup> GOV.UK, 29 May 2005, *Death of British Servicemen in Iraq – Lance Corporal Alan Brackenbury*. PIR reference provided in Minute DJC to PS/SofS, 26 August 2005, ‘Iraq: Pre-detonation of Passive Infra Red Initiated Roadside Bombs’.

<sup>174</sup> Minutes, 1 June 2005, Chiefs of Staff meeting.

<sup>175</sup> Minute DCJO(Ops) to PSO/CDS, 6 June 2005, ‘Analysis of Fatal IED Attack Against UK Forces in Iraq on 29 May 05’.

<sup>176</sup> Minute Riley, 8 June 2005, GOC MND(SE) Weekly Report.

- Poor administration of UORs in the UK had caused “a huge amount of work in theatre”. He cited ECM as an example.<sup>177</sup>

**357.** Maj Gen Riley’s report also highlighted that a UOR had been raised for the enhanced protection of Saxon vehicles.

**358.** On 8 June, Gen Walker directed that Lt Gen Fry should lead on a paper looking at “the new IED threat” and the technical and tactical responses to it.<sup>178</sup>

**359.** The record of actions from the Chiefs of Staff meeting on 15 June indicated that the paper would be produced on 17 June.<sup>179</sup>

**360.** Lieutenant General Robert Fulton, DCDS(EC), provided that paper on 20 June.<sup>180</sup> He advised that the UK’s current capability was “largely ineffective” in MND(SE). A new detector, due to enter service in December, was more effective, but “not suitable for the protection of mobile patrols”. An airborne detection capability had been deployed to MND(SE) but that also had its limitations.

**361.** Lt Gen Fulton asked the Chiefs of Staff to note those points but no solution or further action was recommended. He stated that there was no complete solution to the problem available.

**362.** On 21 June, DSTL submitted a report to the DIS on the performance of EFPs against UK armour.<sup>181</sup> It concluded that the weapons it had been asked to examine had “greatly enhanced penetration capability” against those tested by DSTL in September 2004 and could overmatch the armour of a Warrior.

**363.** On 30 June, Major General James Dutton, who had succeeded Maj Gen Riley as GOC MND(SE), recorded in his weekly letter that a PIR IED had been used in attacks in MND(SE).<sup>182</sup> He stated:

“We are not yet sure exactly what this means (although a link to Lebanese Hizballah, possibly through Iran seems likely), but there is no doubt that the threat to our troops has increased. I have confidence that work under way both here and in the UK to address the threat is progressing as quickly as possible.”

**364.** Reflecting the preferred option identified in February of a PPV fleet comprising 624 Snatch 2 and 100 Vector vehicles, a business case to convert the remaining 312 vehicles to Snatch 2, at a cost of £21.5m, was put forward on 16 June.<sup>183</sup>

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<sup>177</sup> Report Riley, 10 June 2005, ‘Progress Report – Operation TELIC’.

<sup>178</sup> Minutes, 8 June 2005, Chiefs of Staff meeting.

<sup>179</sup> Minutes, 15 June 2005, Chiefs of Staff meeting.

<sup>180</sup> Minute DCDS(EC) to COS, 20 June 2005, ‘Command Wire Improvised Explosive Devices – Counter-Measures’.

<sup>181</sup> Report DSTL, 21 June 2005, ‘Performance of Explosively Formed Projectiles Against UK Armour’.

<sup>182</sup> [Report, 30 June 2005, CG MND\(SE\) Southern Iraq Update – 30 June 2005’.](#)

<sup>183</sup> [Note DEC\(SP\), 16 June 2005, ‘SNATCH 2 Review Note – URD 1090’.](#)

**365.** The ISD for 80 vehicles was November 2005 and the development of an up-armoured appliqué kit that could provide protection levels of up [...] for Snatch 2 was to be complete by September 2005.

**366.** The business case stated that the operational analysis on Snatch had been conducted by DSTL and that the cheapest options to meet the Snatch 2 and Vector protection requirements were to upgrade remaining Snatch 1 vehicles to Snatch 2 or a potentially new Snatch 3 variant.

**367.** While no work had been done to understand the proportion of the fleet that required higher levels of protection, a “sensitivity analysis” had confirmed that evolving the Snatch model was the most cost-effective method of achieving better protection. Further work would be done to understand the number of upgrades needed and would be reported when the Vector business case was submitted.

**368.** The business case to convert the remaining 312 Snatch 1/1.5 vehicles to Snatch 2 standard was approved by the Investment Approvals Board (IAB) on 7 July.<sup>184</sup>

**369.** The IAB’s approval note said that, in early 2004, Mr Nick Bennett, Director General (Scrutiny & Analysis) (DG(S&A)), met a DEC(SP) official and agreed a strategy for “establishing the balance between Snatch 2 and Vector numbers around which a procurement route was to be determined”. The note said that that work had not been done, “presumably due to the Operational Emergency approach” taken to the 14 April 2004 submission, “which indicated that the balance of investment operational analysis work would be completed to inform the follow-on submission. This was also not done”.

**370.** The note stated that Mr Nick Barnett, DG(S&A) between July 2005 and September 2005, wanted reassurance that, in parallel with any other procurement action for the second batch of conversions to Snatch 2, the balance of investment work on Vector and Snatch 2 numbers would “be taken forward before long”.

**371.** The work that concentrated on the Type B PPV capability necessary to procure the Vector vehicle became known as Project Vector.

**372.** The business case for the first tranche of vehicles was submitted on 3 March 2006 and is addressed later in this Section.

**373.** Lord Drayson, who had become Parliamentary Under-Secretary of State and Minister for Defence Procurement in May 2005, visited Iraq from 6 to 8 July.<sup>185</sup>

**374.** The report of his visit stated that feedback on equipment was generally positive but “a number of issues” were raised when he spoke to troops from 12 Mechanised Brigade. Those included the long wait for Warrior upgrades and that “the protection of

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<sup>184</sup> Minute SIT-IAB Sec 1d to DEC(S), 7 July 2005, ‘SNATCH 2: Review Note – Approval Note (IAB Sec 1406)’.

<sup>185</sup> Note APS/Minister(DP) to DJC Iraq(Pol), 13 July 2005, ‘Minister(DP) visit to Iraq: 6-8 July 2005’.

RAF Regiment Land Rovers was not thought to be sufficient by the troops for the tasks that they were expected to carry out in the vehicles”.

**375.** On 16 July, Second Lieutenant Richard Shearer, Private Phillip Hewett and Private Leon Spicer were killed in an EFP IED attack in al-Amara.<sup>186</sup> They were travelling in a Snatch Land Rover.

**376.** After 16 July until late August, the Chiefs of Staff reviewed progress on countermeasures against the threat from IEDs using PIR devices and EFPs at every meeting.<sup>187</sup>

**377.** At the Chiefs of Staff meeting on 20 July, AM Torpy briefed that there had been a 13 per cent increase in the overall number of attacks in Iraq, with a 65 percent increase in casualties as the lethality of attacks also rose.<sup>188</sup>

**378.** The minutes stated:

“With the exception of Maysan, MND(SE) had remained comparatively quiet; the fatal attack of a vehicle patrol on 16 Jul 05 had nevertheless resulted in a review of Tactics, Techniques and Procedures, including increased ISR [Intelligence, Surveillance and Reconnaissance] and use of SH [support helicopters], and the possibility of deploying elements of the Divisional Reserve to ensure that essential security and SSR could be sustained.”

**379.** The update from Major General Mark Mans, Deputy Commanding General MNF-I, on 20 July said that the attack on 16 July was “the fifth EFP incident in the vicinity” of al-Amara since October 2004, including three devices which had been “found and cleared”.<sup>189</sup> The use of EFPs was “spreading”, including attacks in Mosul and Kirkuk. Significant numbers had been used in attacks in Baghdad.

**380.** On 22 July, a UOR was submitted for additional armour to protect Warrior vehicles in Iraq.<sup>190</sup>

**381.** The UOR said that, although the last three EFP attacks had been directed at Snatch vehicles, there was no reason why insurgents would not try to ambush Warrior vehicles, especially if Warrior was used “more in the future due to EFP attacks”. It was “not possible” to protect Snatch, CVR(T), FV430 and Saxon against EFPs; the only vehicle that could be “better protected” was Warrior. Warrior was currently being used as the lead and rear vehicle for all convoys in Maysan province.

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<sup>186</sup> Report, 20 July 2005, ‘MNC-I Update – 20 Jul 05’.

<sup>187</sup> Minutes, 3 August 2005, Chiefs of Staff meeting; Minutes, 17 August 2005, Chiefs of Staff meeting; Minutes, 24 August 2005, Chiefs of Staff meeting; Minutes, 3 August 2005, Chiefs of Staff meeting; Minutes, 17 August 2005, Chiefs of Staff meeting; Minutes, 24 August 2005, Chiefs of Staff meeting.

<sup>188</sup> Minutes, 20 July 2005, Chiefs of Staff meeting.

<sup>189</sup> Report, 20 July 2005, ‘MNC-I Update – 20 Jul 05’.

<sup>190</sup> Minute DEC(GM), 22 July 2005, ‘Operation TELIC 5 Urgent Operational Requirement I0XXX Business Case: Warrior (WR) Additional Protection (WRAPUOR)’.

**382.** The UOR for additional Warrior armour was approved and the MOD told the Inquiry that that was fitted to vehicles in September 2005.<sup>191</sup>

**383.** The minutes from the Chiefs of Staff meeting on 27 July stated:

“Following the recent attacks in Maysan, procedures have been modified to counter the threat: TF [Taskforce] Maysan were now conducting patrols in Warrior, and would not automatically respond to IED incidents to avoid being caught in secondary explosions. An additional Warrior company and the Telic Reserve RE [Royal Engineer] Search Team (from Cyprus) had been deployed into the area, with the latter able to provide a surge capacity for up to 60 days. The current cycle of attacks had ‘fixed’ CF [coalition forces] in the area and, as a result, progress on SSR had stagnated; PJHQ had therefore asked for an urgent review of UK SH [support helicopters] priorities, to see if further assets could be allocated to MND(SE) ...”<sup>192</sup>

**384.** Lt Gen Fry told the Chiefs of Staff that work on PIR IED countermeasures continued, “but thus far they were only effective at very short range”:

“The importance was therefore stressed of countering the threat by all means possible, including TTPs. DCDS(EC) confirmed that appropriate action was being taken at the right tempo, and that the work was joined up with US efforts to counter similar threats elsewhere in Iraq.”

**385.** On 30 July, two British security guards employed by Control Risks Group were killed while travelling in an armoured vehicle in Basra.<sup>193</sup> The deaths were later attributed to PIR EFPs.<sup>194</sup>

**386.** AM Torpy’s report of his visit to Iraq in late July 2005 addressed the PIR EFP IED attacks:

“With the exception of Maysan, incident levels across the AOR [Area of Responsibility] remain low and there are no major issues. In Maysan, significant effort is focused on building up an intelligence picture of the group suspected of carrying out the EFP/PIR attacks ... whilst at the same time improving overall force protection measures. The GOC is also keen to gain more visibility of possible Iranian infiltration across the border ... and maintain the pace of SSR in Maysan.”<sup>195</sup>

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<sup>191</sup> Paper [MOD] to the Iraq Inquiry, [undated and untitled], in response to letter Aldred to Duke-Evans 25 November 2010.

<sup>192</sup> Minutes, 27 July 2005, Chiefs of Staff meeting.

<sup>193</sup> Report Smith, 31 July 2005, ‘UK Chief Police Advisor-Iraq: Weekly Report’.

<sup>194</sup> Minute DJC to PS/SofS, 26 August 2005, ‘Iraq: Pre-detonation of Passive Infra Red Initiated Roadside Bombs’.

<sup>195</sup> Minute PSO/CJO to PSO/CDS, 5 August 2005, ‘CJO Visit Report – Pakistan, Afghanistan, Iraq and Qatar 25-30 July 05’.

**387.** On 3 August, Maj Gen Dutton reported:

“... the threat from IEDs is worrying, with our Electronic Countermeasures unable to defend against the victim operated Passive Infra Red and the use of EFPs and (in the most recent attack) shaped charges able to penetrate armoured vehicles [...] if used accurately. This technology has now been used across MND(SE) and indeed further north having first been seen in Maysan.”<sup>196</sup>

**388.** Following Lord Drayson’s visit to Iraq in early July, Mr Ingram sought advice on the protective capability of RAF Land Rovers on 19 August.<sup>197</sup>

**389.** PJHQ advised that three Land Rover variants were used by the RAF Regiment, of which Snatch was “the most highly protected”. Its allocation across theatres was “centrally managed” on the basis of “relative priority” for those troops most at risk. That inevitably meant:

“... compromises which mean that individual theatres receive fewer than is ideal. That said, a greater allocation of Snatch to Iraq is not currently judged to be operationally essential.”

**390.** PJHQ wrote that there were “some 380 Snatch Land Rovers deployed” in Iraq, “(including 64 Snatch 2), against a liability of 420”. The Snatch 2 programme was under way and 66 of the “updated vehicles” had already arrived in theatre.

**391.** There were “no spare Snatch” to deploy to Iraq, and the production line was “currently devoted to non-air conditioned variants”. The programme would “not address the numbers” of vehicles available but would “enhance the capability” of the vehicles deployed. DLO intended to return the number of Snatch deployed in Iraq to the agreed level of 420 “as soon as suitable vehicles” were produced.

**392.** The process of allocating priorities in Iraq, in common with all operations, involved “acceptance of risk in some areas”. While PJHQ sought “to reduce this risk as much as possible”, it was “impossible to eliminate”. Since Lord Drayson’s visit, six Snatch vehicles had been allocated to the RAF Regiment. The number of vehicles allocated to the RAF Regiment was “judged to be commensurate with current threat levels” and would “continue to be subject to review”.

**393.** PJHQ stated that: “Theatre assigns its Snatch assets in line with the currently assessed areas of highest risk and operational policy.”

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<sup>196</sup> [Report, 3 August 2005, ‘CG MND\(SE\) – Southern Iraq Update – 3 August 2005’.](#)

<sup>197</sup> Note PJHQ [junior official] to PS/Minister(AF), 19 August 2005, ‘Iraq: Equipment – Follow-up to Minister(DP)’s Visit Report’.

**394.** Draft press lines stated that British lives were not being put at unnecessary risk. Service personnel used:

“... the vehicles most appropriate to the missions and tasks they are undertaking. If the threat level increases, so do the protective and preventative measures taken, for example by using Warrior Infantry Fighting vehicles.”

**395.** The key message was that British forces were:

“... equipped with the most suitable and best protected vehicles for the job in hand. The allocation of vehicles on Op TELIC is therefore constantly reviewed in line with the currently assessed areas of highest risk and operational priority.”

**396.** Mr Ingram’s Private Office recorded on 24 August that he had noted the advice.<sup>198</sup>

**397.** In late August, in response to tasking from Lieutenant General Robin Brims, who had become Senior British Military Representative-Iraq in April, the DIS, PJHQ and MND(SE) assessed Muqtada al-Sadr’s strategy and future intentions:

“Given past casualties and the increasing sophistication of recent attacks, we expect such action in the future to mainly consist of limited engagements, standoff attacks and deniable operations including the use of technologically advanced Improvised Explosive Devices (IED), (incorporating Passive Infra-Red sensors (PIR), Explosively Formed Projectiles (EFP), and Remote Controlled (RC) arming), of Lebanese Hizballah/IRGC QF design. It is assessed such IED attacks are not being directed by JAM as an organisation but it appears that certain Shia extremists, who may also belong to JAM, are co-operating with external actors to conduct such attacks.”<sup>199</sup>

**398.** On 26 August, Dr John Reid, who had become Defence Secretary in May, was provided with advice from a junior official in the Directorate of Joint Commitments about how the MOD intended to counter the threat posed by the PIR IEDs.<sup>200</sup>

**399.** The official stated that technical work on a countermeasure was at an “advanced stage” and that the UK should deploy a pre-detonation capability (M<sup>\*201</sup>) to Iraq as soon as one was technically available, subject to securing UOR funding. That was expected to be around October 2005. The initial estimate of cost was £35m.

**400.** The official also warned that PIR detonation was the insurgents’ response to existing ECM and that it was likely that any UK response would be met with further adaptation resulting in yet further ECM requirements.

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<sup>198</sup> Note PS/Minister(AF) to PJHQ Hd Fin/Pol Ops 1, 24 August 2005, ‘Iraq: Equipment – Follow-up to Minister(DP)’s Visit report’.

<sup>199</sup> Report [30 August 2005], ‘Muqtada Al-Sadr’s Strategy and Future Intentions’.

<sup>200</sup> Minute DJC [junior official] to PS/SofS [MOD], 26 August 2005, ‘Iraq: Pre-detonation of Passive Infra Red Initiated Roadside Bombs’.

<sup>201</sup> A cipher has replaced the name of this project for national security reasons.

**401.** Dr Reid agreed on 30 August that this capability should be deployed once available.<sup>202</sup>

**402.** On 5 September, Fusilier Stephen Robert Manning and Fusilier Donal Anthony Meade died as a result of injuries sustained when the vehicle in which they were travelling hit an IED in az-Zubayr.<sup>203</sup> They were providing top cover at the time of the explosion.

**403.** On 11 September, Major Matthew Bacon was killed when a roadside IED hit the Snatch vehicle in which he was travelling in Basra.<sup>204</sup> Three other British soldiers, who were travelling in the same vehicle, were seriously injured.

**404.** AM Torpy visited Iraq from 12 to 15 September.<sup>205</sup> On the threat in MND(SE) he reported:

“The recent spate of IED attacks in Basra appears to be employing the same EFP/PIR technology seen in Maysan ... Focused intelligence effort is being targeted against key individuals in these groups ... with the aim of conducting offensive operations at the earliest appropriate moment ... On the defensive side, it is apparent that aviation top cover has a positive deterrent effect and we are looking to see what can be done to increase the hours available from the aircraft currently in theatre. On the ground a great deal of work is under way to refine TTPs and the first tranche of PIR countermeasures equipment is due to arrive in theatre soon. The GOC has also worked hard ... to improve the use of ISTAR assets and coordination of intelligence.”

**405.** The first two M\* units arrived in Iraq on 2 October.<sup>206</sup>

**406.** It is clear that UK forces struggled to cope with the sophistication of the IED threat in MND(SE) during the summer of 2005.

**407.** Lt Gen Riley told the Inquiry that, after “a long spell of quiet” after he arrived as GOC MND(SE) in December 2004, there was “an increase in effective attacks” from “the end of April/early May” 2005.<sup>207</sup> Those attacks introduced more sophisticated IEDs that “were very hard for our countermeasures to defeat and which were capable of penetrating pretty much any vehicle that had been out”.

**408.** Asked how the UK dealt with the change in threat during his time as GOC, Lt Gen Riley told the Inquiry that it took “perhaps half a step backwards at first” and that

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<sup>202</sup> Minute APS/SofS to DJC, 30 August 2005, ‘Iraq: Pre-detonation of Passive Infra Red Initiated Roadside Bombs’.

<sup>203</sup> GOV.UK, 5 September 2005, *Deaths of two British soldiers in Iraq – Fusilier Donal Anthony Meade and Fusilier Stephen Robert Manning*.

<sup>204</sup> GOV.UK, 11 September 2005, *British Officer killed in Iraq – Major Matthew Bacon*.

<sup>205</sup> Minute Torpy to Walker, 19 September 2005, ‘CJO Visit Report – Iraq – 12 to 15 Sep 05’.

<sup>206</sup> Report, 3 October 2005, ‘PJHQ Middle East Operations Team OPSUM 197 as at 021700Z OCT 05’.

<sup>207</sup> Public hearing, 14 December 2009, pages 5 and 27.

“we had forgotten institutionally how to deal with this” after the long period of ceasefire in Northern Ireland.

**409.** Lt Gen Riley added that “the armour on the Warrior and Challenger main battle tanks was upgraded very rapidly”. The Snatch vehicles were also upgraded and “a new series of vehicles which were more effective” were introduced. But “the sort of vehicles that we employ now in Afghanistan were just not in production” and there was “no technological silver bullet” to address the problem. The US was still “relying on the Humvee ... largely”. The UK “had not procured anything and there was little on the market that could have been deployed to assist me”.

**410.** When the Inquiry asked whether the IED threat had been brought to his attention during his time as Defence Secretary, Mr Hoon said:

“I think it was beginning to develop at the time that I left the department [May 2005] yes.”<sup>208</sup>

**411.** Asked whether the UK was unable to move around in a protected way once the insurgency in Iraq developed, Sir Kevin Tebbit replied:

“I don’t think ... that was not anticipated because of lack of money. I think that was not anticipated because we hadn’t seen the threat evolving as rapidly as it did with IEDs and roadside bombs. That developed so very quickly from 2004.”<sup>209</sup>

**412.** Sir Kevin added: “I think the roadside bomb, the IED threat evolved very, very rapidly in a way we hadn’t anticipated, and we hadn’t really got grounds to have expected, frankly.”

**413.** Gen Dannatt told the Inquiry that the circumstances in Iraq:

“... became very difficult from the summer of 2005, particularly most dramatically evidenced by the appearance of ... explosively formed projectiles, in threes, that were sufficiently effective that even our most protected vehicles were at risk ...”<sup>210</sup>

**414.** When asked by the Inquiry what he was being asked to produce to support force readiness for the growing insurgency, Gen Dannatt said: “The critical deficiency was force protection measures, vehicles in particular.”

**415.** At their meeting on 5 October, the Chiefs of Staff noted that “the high tempo of insurgent PIR technological and tactical innovation was forcing equally rapid evolution of Coalition countermeasures”.<sup>211</sup>

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<sup>208</sup> Public hearing, 19 January 2010, pages 199-200.

<sup>209</sup> Private hearing, 6 May 2010, pages 46-47.

<sup>210</sup> Public hearing, 28 July 2010, pages 16-18.

<sup>211</sup> Minutes, 5 October 2005, Chiefs of Staff meeting.

**416.** On 13 October, a DIS report of the technical influence of foreign fighters on the insurgencies in Iraq judged:

“Of key concern is the possible state sponsorship of insurgent groups in Iraq. Highly lethal Improvised Explosive Devices of Lebanese Hizballah origin, probably migrating from Iran to Iraq, continue to pose a significant challenge to coalition forces and in particular the UK forces in MND(SE).”<sup>212</sup>

**417.** The DIS report continued:

“The development of the IED capability in Iraq has been rapid. By way of comparison, the level of IED expertise reached by the IRA over some 30 years of conflict in Northern Ireland has been far exceeded by Iraqi insurgents in less than three years. This rapid progress is largely attributable to the technical influence of foreign fighters, many of whom view Iraq as the centre of a global jihad.”

**418.** Following a visit to Iraq from 10 to 13 October, Gen Jackson reported:

“Much of MND(SE)’s tactical focus has been on countering the EFP/PIR threat. TTPs have been amended and Project M\* is delivering an effective interim technical countermeasure. But the enemy will adapt too, so we remain alive to the threat for some time yet. It is clear that the Scientific Advisor and his team in HQ MND(SE) have been instrumental in developing these countermeasures so rapidly and efficiently ...”<sup>213</sup>

**419.** It was agreed on 14 October that 14 Warrior vehicles that were due to be returned to the UK should remain in Iraq.<sup>214</sup> An additional Merlin helicopter would also be provided.

**420.** On 18 October, Sergeant Chris Hickey, who had disembarked from his vehicle, was killed in Basra when his patrol was hit by an IED.<sup>215</sup>

**421.** At the end of October, Dr Reid reported to Cabinet that UK forces had, since May, been attacked by “a new type of bomb which had previously been associated mainly with Hizballah”.<sup>216</sup>

**422.** On 31 October, Dr Reid wrote to Mr Des Browne, Chief Secretary to the Treasury, to request an increase in the UOR funding, predominantly to cover £30m funding for the initial roll-out of the M\* capability.<sup>217</sup>

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<sup>212</sup> Report DIS, 13 October 2005, ‘The Technical Influence of Foreign Fighters on the Iraqi Insurgency’.

<sup>213</sup> Report CGS to CDS, 18 October 2005, ‘CGS Visit to Iraq: 10-13 Oct 05’.

<sup>214</sup> [Minute ACDS\(Ops\) to PJHQ – DCJO\(Ops\), 14 October 2005, ‘Iraq: Additional Resources to Counter Increased IED Threat in MND\(SE\)’.](#)

<sup>215</sup> GOV.UK, 20 October 2005, *Sergeant Chris Hickey of 1st Battalion the Coldstream Guards killed in Iraq.*

<sup>216</sup> Cabinet Conclusions, 27 October 2005.

<sup>217</sup> Letter Browne to Reid, 11 November 2005, ‘Iraq – Urgent Operational Requirements (UORs)’.

**423.** Mr Browne agreed to the request on 11 November.<sup>218</sup>

## THE IMPACT ON WIDER CIVILIAN OPERATIONS

**424.** The IED threat constrained the UK's ability to deliver Security Sector Reform (SSR) and Civil Military Co-operation (CIMIC) as military officers, police officers and civilian personnel were unable to move safely around MND(SE).

**425.** Lt Gen Dutton told the Inquiry that he had an "optimistic" briefing from the MOD before he started as GOC MND(SE) – that his role was to keep SSR "ticking over" – but that was skewed "massively" by the increased EFP threat when he arrived in Basra.<sup>219</sup>

**426.** On 11 November, Chief Constable Paul Kernaghan, the lead on international affairs for the Association of Chief Police Officers, contacted the Home Office to express concern about a report that Maj Gen Dutton had stated that he wanted to see civilian police personnel travel in Snatch vehicles, and that Maj Gen Dutton had suggested he would review – or even terminate – the relevant contracts of employment to ensure that was possible.<sup>220</sup>

**427.** On 20 November, Sergeant John Jones was killed whilst on patrol in Basra when his vehicle hit a roadside IED.<sup>221</sup> Four others sustained injuries in the attack, one seriously.

**428.** Gen Walker visited Iraq from 22 to 24 November.<sup>222</sup> His visit report stated that there was no "sole technical answer" to IEDs and "defensive tactics, techniques and procedures, and disruption of the terrorists, were essential parts of an overall solution".

**429.** On 29 November, Major General William Rollo, ACGS from January 2005, reported to Gen Jackson on his recent trip to Iraq:

"The PIR IED threat is of real concern, and we are now more fixed by force protection than ever before. The effect of these weapons is constraining activity across all lines of operation, including SSR. Whilst overall numbers of attacks across the division has reduced, the effectiveness of each attack has risen sharply and the opposition now achieves a coalition casualty rate exceeding one killed for every PIR attack conducted ..."<sup>223</sup>

**430.** The report was forwarded to Gen Walker.<sup>224</sup>

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<sup>218</sup> Letter Browne to Reid, 11 November 2005, 'Iraq – Urgent Operational Requirements (UORs)'.

<sup>219</sup> Public hearing, 12 July 2010, page 17.

<sup>220</sup> Email Kernaghan to Home Office [junior official], 11 November 2005, 'UK civil police assistance effort in Iraq – command & control issues – request for clarity'.

<sup>221</sup> GOV.UK, 21 November 2005, *Sergeant John Jones killed in Iraq*; BBC News, 22 November 2005, *Tributes to Iraq blast sergeant*.

<sup>222</sup> Minute PSO/CDS to PS/SofS [MOD], 25 November 2005, 'CDS Visit to Iraq – 22-24 Nov 05'.

<sup>223</sup> Minute ACGS to CGS, 29 November 2005, 'ACGS Visit Report from Operation TELIC'.

<sup>224</sup> Minute MA1/CGS to PSO/CDS, 12 December 2005, 'ACGS Visit to Iraq: 18-20 NOV 05'.

**431.** The FCO Senior Overseas Security Adviser visited Kirkuk, Baghdad and Basra between 10 and 21 November.<sup>225</sup> He reported:

“The Security Managers and CRG [Control Risks Group] are to be congratulated on their professional control of road movement ... It is clear that all road moves are subject to risk ... The use of helicopters is vital in order to change the pattern of movements.

“We recommend that all staff in Basra can move in Warrior armoured vehicles.”

**432.** Dr Reid visited Basra in early December.<sup>226</sup> The report of his visit stated that he had had “an opportunity to examine vehicles fitted with upgraded armour kits”.

**433.** On 7 December, AM Torpy briefed the Chiefs of Staff that the discovery of a large EFP suggested that rogue JAM elements “had intended to attack heavily armoured Coalition vehicles, including Warrior”.<sup>227</sup>

**434.** In his ‘Hauldown Report’ to AM Torpy of 12 December, Maj Gen Dutton wrote:

“... the dominant feature of the last four months of my ... tour has been the victim initiated passive infrared explosively formed projectile. This weapon, which has now proliferated through Iraq has radically affected our freedom of manoeuvre and consequently inhibited our Security Sector Reform and CIMIC effort. There is a straight trade-off here: if troops are doing force protection, they cannot be doing SSR. We are taking direct action against perpetrators ... constantly amending our TTPs and there is a huge scientific effort to produce counter measures. We will never entirely defeat this threat, but it is manageable and I do not believe it has a significantly deleterious effect on morale in this AO [Area of Operations].”<sup>228</sup>

**435.** On 16 December, officials from the Department for International Development (DFID) recommended to Mr Hilary Benn, the International Development Secretary, a number of changes to transport arrangements in Basra, including the use of Warrior vehicles by DFID staff for mission critical visits to certain sites in southern Iraq.<sup>229</sup> Until then, DFID staff had travelled in civilian rather than military vehicles because of their lower profile, consistent with the nature of DFID’s work.

**436.** Officials advised Mr Benn:

“... the continuing threat from EFPs in southern Iraq fundamentally compromises our ability to complete important projects, particularly in the power and water sectors at acceptable levels of risk.”

<sup>225</sup> Minute FCO [junior official] to Patey, 1 December 2005, ‘Security Visit to Baghdad and Basra’.

<sup>226</sup> Minute Beadle to CJO, 7 December 2005, ‘The Secretary of State’s visit to Basrah – 2 December 2005’.

<sup>227</sup> Minutes, 7 December 2005, Chiefs of Staff meeting.

<sup>228</sup> [Letter Dutton to Torpy, 12 December 2005, ‘June to December 2005 – Hauldown Report’.](#)

<sup>229</sup> Minute DFID [junior official] to PS/Secretary of State [DFID], 16 December 2005, ‘Iraq: Iraq Security Update’.

**437.** Three days later, FCO officials recommended to Mr Jack Straw, the Foreign Secretary, “a safe and measured return to road moves” for civilian staff in the South “in order to fully promote HMG objectives”.<sup>230</sup> They proposed that, subject to regular review:

- all civilian staff be allowed to travel in Warrior vehicles within Basra, where there was a significant risk from armour piercing roadside bombs;
- UK civilian police officers be able to travel with contracted British Iraqi Police Advisers in their FCO armoured vehicles, escorted by UK military Snatch Land Rovers; and
- road moves in FCO armoured vehicles should restart along the main road from Basra Airport to Nasiriyah and Basra Airport to Kuwait.

**438.** Mr Straw approved the recommendations on 9 January 2006, provided the rules were subject to regular review.<sup>231</sup>

**439.** In his post-tour report on 18 January, Maj Gen Dutton recorded:

“The most significant threat in MND(SE) derives from Passive Infra-red (PIR) initiated EFP IED attacks on MNF patrols and civilian convoys ... RCIEDs and CWIEDs remain an extant threat ... EFP IEDs [...] were responsible for 18 fatalities between Sept and Dec 05 ...”<sup>232</sup>

**440.** Maj Gen Dutton reported that the “new and more complex IEDs allowed Shia militants to conduct increasingly lethal attacks and effectively fix MNF by an extended low intensity terrorist operation. This achieves the intent ... by separating MNF from the Shia community and allowing local JAM to fill the security vacuum.”

**441.** In explaining the lessons from his tour, Maj Gen Dutton wrote: “The over-riding operational imperative during this period has been the requirement to mitigate the development and proliferation of PIR initiated IEDs.”

**442.** Maj Gen Dutton stated that in some circumstances their effect had been “particularly tangible” upon freedom of operation and had “resulted in significant rebalancing of force structures” and “a rapid evolution and re-examination” of TTPs. That had led to decisions to prohibit any ground movements, other than by Warrior or Challenger vehicles, inside the towns of al-Amara and al-Majir al-Kabir in Maysan; and subsequently, “stringent” Warrior-led convoys into Basra City and “the satellite bases”. SSR had been “significantly curtailed”.

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<sup>230</sup> [Minute Iraq Directorate \[junior official\] to Foreign Secretary, 19 December 2005, ‘Iraq: Proposed Changes to Travel in Southern Iraq for HMG Civilian Staff’.](#)

<sup>231</sup> [Minute Siddiq to Iraq Directorate, 9 January 2006, ‘Iraq: Proposed Changes to Travel in Southern Iraq for HMG Civilian Staff’.](#)

<sup>232</sup> Report HQ MND(SE), 18 January 2006, ‘Progress Report Operation TELIC’.

**443.** Lt Gen Dutton told the Inquiry that less time was devoted to SSR because of the need for greater force protection. Describing how the threat restricted movements in the second half of his tour, he said:

“... my vehicles never left the compound, we did all movement by air, or if the vehicles did move, they were in convoys protected by armoured vehicles.”<sup>233</sup>

**444.** Lieutenant General John Cooper, GOC MND(SE) from December 2005 to June 2006, told the Inquiry that, when he arrived in MND(SE), “on the security side, everything was containable but there was this sense of increasing military activity, particularly from [JAM]”.<sup>234</sup> The introduction of PIR EFPs “had an impact on lower level tactical issues”. That was an “issue with which we could deal, but it was sometimes unpleasant”.

**445.** Lt Gen Cooper stated that the response from the UK’s “scientific and defence community was very good, both in terms of personal equipment and vehicles”.

**446.** In a statement to the Inquiry, Assistant Chief Constable Colin Smith, Chief Police Adviser Iraq from May 2005 to April 2006, wrote:

“The ‘deteriorating’ security situation had a major influence on ability to progress development plans. As attacks increased in MND(SE) movement became difficult ... Movement of CivPol [civilian police] became a further issue. As security deteriorated CivPol officers needed increasingly to be escorted by substantial military resources (Warrior Armoured Vehicles and helicopters). Their priority however was increasingly lowered by the military ... This caused serious difficulties in moving between sites to attend meetings with staff often stranded overnight in various locations without transport. It was not uncommon for officers to spend 2 or 3 days at the Basra APOD [aerial point of departure] awaiting movement. Similar problems existed in Baghdad with an FCO ‘fly only’ policy supported by insufficient helicopter resources.

“I do not criticise the military for this situation. As security and ‘war-fighting’ became a greater priority, movement of civilians became a lesser priority.”<sup>235</sup>

**447.** Speaking to the Inquiry about his duty of care to UK police officers in Iraq, CC Kernaghan said that he had not wanted his officers to travel in Snatch Land Rovers.<sup>236</sup> He said he “was quite clear that Snatch Land Rovers posed an unacceptable risk”. CC Kernaghan added that this was not meant as a criticism of general officers who deployed the military in Snatch vehicles because: “They had no alternative. You do what you do with what you have got.”

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<sup>233</sup> Public hearing, 12 July 2010, page 18.

<sup>234</sup> Public hearing, 15 December 2009, pages 17-18.

<sup>235</sup> Statement, 25 June 2010, pages 7-8.

<sup>236</sup> Public hearing, 23 July 2010, page 50.

**448.** The DOC published its third report of Op TELIC lessons on 4 April 2006.<sup>237</sup>

**449.** The report contained a section on “National Issues” described as “issues that warrant MOD’s attention due to the impact on operational capability”. Such issues affected “not only Iraq but may have a wider significance for other operations, including Afghanistan”. One of those issues was the UK’s counter-IED capability.

**450.** The report highlighted how PIR IED and EFP attacks had restricted the SSR and CIMIC effort, citing Maj Gen Dutton’s Hauldown Report. It stated: “The technology is developing quickly and it is highly likely that it will migrate between theatres.” Countering the IED threat had become a “tactical focus” and, while the MOD continued “to strive to counter the long term threat”, it anticipated that the M\* capability “should deliver an effective interim countermeasure to the *current* threat”.

**451.** The report stated that the “system” to counter IEDs was “made up of four elements: threat awareness; operating in an IED threat environment; disposal of IEDs; and development of CIED [counter-IED] capability”. For CIED capability to evolve into “a coherent expeditionary capability”, integral components of that system needed to migrate because “much of the capability currently deployed in Iraq is dependent upon personnel and equipment on attachment from Northern Ireland”. If that did not happen, there was a risk that CIED expertise would be lost when operations were drawn down from Northern Ireland as part of the Peace Process.

**452.** Lieutenant General Sir Richard Shirreff told the Inquiry that, when he arrived as GOC MND(SE) in July 2006, there was “effectively no security at all”: “Any movement required deliberate operation to ... get around the city. There was a significant lack of troops on the ground.”<sup>238</sup> He said that troops that could have been used on the ground were perhaps “tied up guarding, securing convoys”.

## **Decisions on the wider protected mobility capability for the Army**

**453.** Over the same period, in mid-2005, the Army was continuing to voice concerns about delays in the FRES programme.

**454.** The origin of the FRES programme and the DMB’s decision in July 2004 to defer its ISD were addressed earlier in this Section.

**455.** Brig Moore and Brig Inshaw produced a paper on 18 May 2005 to inform ECAB members on the progress of the FRES programme, prior to their meeting on 26 May.<sup>239</sup> The paper set out the “potential conflict” between capability decisions: a vehicle that could be rapidly deployed by air could not also be the solution to a whole range of medium weight ground vehicles that needed replacing.

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<sup>237</sup> Report DOC, 4 April 2006, ‘Operation TELIC Lessons Study Volume 3’.

<sup>238</sup> Public hearing, 11 January 2010, pages 3-6.

<sup>239</sup> Paper DEC(GM)/DCI(A), 18 May 2005, ‘Future Rapid Effects System (FRES)’.

**456.** While the requirement to deploy quickly must be included, ECAB was asked to endorse the FRES Steering Committee’s view,<sup>240</sup> that it “should not overly distort” the need to provide “an effective family” of vehicles across “the full spectrum of operations”.

**457.** ECAB agreed Brig Moore and Brig Inshaw’s recommendations on 26 May.<sup>241</sup> The FRES Steering Committee “had identified a potential conflict of priorities between FRES as an element of the medium weight capability, and FRES as the Army’s light and medium Armoured Vehicle replacement programme”.

**458.** Gen Jackson “said that ECAB agreed that the purpose of FRES was to equip the balanced force and that within this, both the development of a medium weight capability and the replacement of increasingly obsolete CVR(T), Saxon and FV430 fleets were equally important”.

**459.** On 8 June, Maj Gen Rollo set out the Army’s equipment priorities for the 2007 Equipment Programme (EP07) in a paper that would go to ECAB later that month.<sup>242</sup> Following the 2005 Programme, the challenge to identify savings while funding necessary equipment enhancements to support current operations (including an investment in light protected mobility) had meant that “a number of very painful savings measures and slippages had to be absorbed”. FRES had been protected “apart from a slip to 3 variants at the back end of the programme”.

**460.** Maj Gen Rollo wrote that the slip in the FRES ISD suggested the Army “should invest further in the transitional medium force” but any additional purchase “should not threaten the FRES ISD”. Maj Gen Applegate’s team was “examining this issue in detail, looking at innovative ways of finding the necessary resources and assessing the STP and EP impacts”. It would report in July.

**461.** It is not clear what the details and results of this work were as the minutes of the next three ECAB meetings do not record that Maj Gen Applegate’s team reported back to the Board in July.<sup>243</sup> The MOD has been unable to find any supporting documents.

**462.** Addressing the various programmes under way, Maj Gen Rollo wrote that there was “a need in this planning cycle to determine the protected mobility requirements for light forces across the Army”.<sup>244</sup> He cited DUCKBOARD and Vector as examples of “disparate programmes” that might need to be “rationalised” in the future programme to “provide a coherent solution” for force protection.

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<sup>240</sup> The Inquiry requested all meeting minutes from the FRES Steering Committee between 1 January 2005 and 1 January 2008. The MOD has been unable to locate any such records.

<sup>241</sup> Minutes, 26 May 2005, Executive Committee of the Army Board meeting.

<sup>242</sup> Paper ACGS, 8 June 2005, ‘Army Equipment Priorities for EP 07’.

<sup>243</sup> Paper ACGS, ‘Army Equipment Priorities for EP 07’; Minutes, 20 June 2005, Executive Committee of the Army Board meeting; Minutes, 6 July 2005, Executive Committee of the Army Board meeting; Minutes, 22 September 2005, Executive Committee of the Army Board meeting.

<sup>244</sup> Paper ACGS, 8 June 2005, ‘Army Equipment Priorities for EP 07’.

**463.** In introducing his paper to ECAB on 20 June, Maj Gen Rollo said it “was a realistic approach which recognised that requests for extra investment might require the identification of compensating reductions”.<sup>245</sup>

**464.** Gen Jackson said that ECAB was content with the priorities listed and “emphasised that war-fighting must continue to determine the Army’s equipment priorities”. He said that there should be “a sharper focus on FRES, emphasising the delivery of the programme”.

**465.** At the ECAB meeting on 22 September, Gen Jackson explained that, whilst progress on the FRES programme continued, “he feared a slip in the ISD”.<sup>246</sup> That “would be very damaging to the Army”. The minutes record that Gen Dannatt “reinforced this point”. ECAB would “need to make strong representations” to the Chief of Defence Procurement and DCDS(EC).

**466.** On 14 November, ECAB discussed a report of the Army’s performance between 1 July and 30 September.<sup>247</sup>

**467.** Maj Gen Rollo had produced a paper on the areas of under-performance, which reported that Gen Dannatt had emphasised “an equipment issue of immediate concern”.<sup>248</sup> Gen Dannatt was quoted as saying:

“Our patrol vehicles routinely deployed on current operations ... are vulnerable and we are suffering casualties. Snatch has poor mobility, inadequate protection and is unreliable due largely to its hard use. We are working with PJHQ to address vehicle and ECM issues and to develop TTPs, but there is a need to bring a clarity to the requirement for protected patrol vehicles. In addition, I am concerned at the lack of [Type] B vehicle protection more generally. I recognise that it may take time to deliver a solution, but we face the prospect of continuing operations in Iraq into 2008 as well as in Afghanistan.”

**468.** Maj Gen Rollo’s asked ECAB to note Gen Dannatt’s concern and “consider whether any additional measures can bring greater clarity to vehicle protection requirements”.

**469.** The minutes of the ECAB meeting on 14 November do not record any specific discussion of Gen Dannatt’s concerns at the meeting but the subject of protected mobility was discussed more broadly.<sup>249</sup>

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<sup>245</sup> Minutes, 20 June 2005, Executive Committee of the Army Board meeting.

<sup>246</sup> Minutes, 22 September 2005, Executive Committee of the Army Board meeting.

<sup>247</sup> Minutes, 14 November 2005, Executive Committee of the Army Board meeting.

<sup>248</sup> Paper ACGS, 10 November 2005, ‘The Army Second Quarter Performance Report AP 05/Army Risk Register Discussion Paper’.

<sup>249</sup> Minutes, 14 November 2005, Executive Committee of the Army Board meeting.

**470.** In considering the “failure to provide appropriate protected mobility on operations”, ECAB noted that the mitigating action to cover the risk included:

- “Improve ECM: two sets of the new equipment had been delivered to Iraq in a trial to meet the threat from IEDs.”
- “Replace Snatch 1 with Snatch 2/Vector: Snatch 2 was more reliable than Snatch 1 but still had the same protection and mobility characteristics. Although money had been allocated towards the Vector project, a vehicle solution had yet to be identified.”
- “Examine early replacement of Saxon with Warrior/improved FV430: Warrior is the only vehicle currently available to the Army which provided significant protection against EFP IEDs. Any additional battalions equipped with Warrior to fill the AV [Armoured Vehicle] gap on operations need only be trained on its use for mobility requirements and not full manoeuvre capability.”
- “Maintain FRES ISD of 2012.”

**471.** At its meeting on 19 January 2006, ECAB was given a presentation on the progress of the Assessment Phase for FRES in the light of the critical decisions required for the programme to maintain momentum, including the extent to which “the Army was prepared to compromise on capability ... to achieve an early ISD” for FRES.<sup>250</sup> Final decisions would be taken by Ministers on the advice of the IAB.

**472.** In a paper for ECAB about the FRES Fleet Review, Brig Moore concluded that further work was necessary and the earliest that an initial operating capability (which would meet the requirements for survivability and future growth) could be achieved was 2015 to 2018.<sup>251</sup>

**473.** The paper stated that full operating capability would not be delivered until beyond 2023. That meant that some elements of the current fleet would be over 60 years old before they were taken out of service, and additional funding would be required.

**474.** The paper stated that, although the US Stryker vehicle could be procured to fulfil the Utility FRES variant “around 2013”, that option had been discounted because it would only be available in its current configuration. For the “FRES era”, this model offered insufficient protection, lacked growth potential and the UK was unlikely to be able to make any necessary modifications to it.

**475.** A second paper by Brig Moore, on the implications of the Fleet Review on the Army’s AV capability, detailed how the FRES delays had “exacerbated” the Armoured Personnel Carrier (APC) vehicle gap; Saxon’s limitations made it unsafe for use on operations but there was currently no alternative vehicle available.<sup>252</sup> Gen Dannatt had

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<sup>250</sup> Minutes, 19 January 2006, Executive Committee of the Army Board meeting.

<sup>251</sup> Paper DEC(GM), 12 January 2006, ‘Future Rapid Effect System (FRES) Fleet Review Outcome’.

<sup>252</sup> Paper DEC(GM), 13 January 2006, ‘The Implications of the Outcome of the Future Rapid Effect System Fleet Review on the Armoured Vehicle Fleet’.

asked Brig Moore to identify the options to fill this gap until FRES was able to enter service.

**476.** In considering whether PPVs could offer a solution, Brig Moore outlined the differences between the FRES APC requirement and PPV capabilities:

“... PPV [sic] has a limited degree of protection and mobility, and is designed around a patrol mission of up to 8 hours. These vehicles are not organic to units, but are issued in theatre as required. Originally designed as a specialist NI capability, the requirement for PPV in all theatres is becoming enduring ...”

**477.** Brig Moore wrote that the in service PPV capability was provided by Snatch vehicles, which were being upgraded and completion was expected by August 2006. The Vector programme would deliver “about 80” vehicles. The original requirement had been for 153 but “further risk” had been taken “for reasons of affordability”. Vector would not replace Snatch and its protection levels would be “less than Saxon”.

**478.** Brig Moore stated:

“Whilst new PPVs cannot fill the APC gap, they may help to mitigate its impact, especially on operations in the short term. The longer term plan for PPVs is currently being scoped by DCI(A) [Brig Inshaw].”

**479.** Brig Moore concluded that the “most effective way” to address the issue was by “a combination of upgrading and managing in-service AVs”. That would have an impact on the AV fleet, but further work was necessary to “confirm the most operationally appropriate and cost effective mix” and to assess how much risk could be carried.

**480.** Gen Jackson stated at the meeting that the Army was “disappointed by the conclusions” of the review, “but it was vital that ECAB understood how such conclusions had been reached and the implications for the in-service armoured vehicle fleet”.<sup>253</sup>

**481.** ECAB agreed:

- “FRES was the Army’s highest priority and that, given the future threat, the requirement was fully justified. It would be important to get the DMB engaged in the whole Armoured Vehicle Fleet issue so that it was seen as a priority in terms of resources.”
- The FRES Fleet Review Outcome Paper with some amendments, including that:
  - The programme should “aim to achieve the earliest possible” ISD and full operating capability by “challenging traditional acquisition models and seeking an incremental introduction of capability”.
  - It would be necessary to update and upgrade FV430 and CVR(T) and replace Saxon.

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<sup>253</sup> Minutes, 19 January 2006, Executive Committee of the Army Board meeting.

- Purchasing new MOTS [modified-off-the-shelf] vehicles such as to meet the Mechanised Infantry APC gap, such as Stryker, “should not be considered further”.
- It endorsed the “aspiration” to withdraw Saxon from mechanised brigades and take it out of service “as soon as was practicable”.
- “The requirement to improve our PPV capability should be addressed as a related but separate piece of work.”

**482.** Reflecting ECAB’s discussion, Gen Jackson wrote to Lord Drayson, on 23 January, inviting him to note the delay in the forecast FRES ISD and that ECAB had commissioned further work on maintaining adequate military capability.<sup>254</sup>

**483.** Gen Jackson set out how the FRES programme had failed to keep up with planned timescales, with the earliest ISD being delayed from 2012 to “2015-2018” as a result of the requirement to meet the threats it would likely face. He described that conclusion as “extremely unpalatable”.

**484.** Gen Jackson wrote that ECAB had concluded that there was “an urgent non-discretionary requirement to maintain adequate military capability and protected mobility” until FRES came into service, and that there was “a clear moral responsibility to do the best we can to safeguard soldiers’ lives in the interim”. That would include plans “to run on – and upgrade” FV430 and CVR(T) vehicles to fill the gap.

**485.** Lord Drayson’s Private Office recorded that he had discussed the advice with Gen Jackson on 24 January and was not content to note the delay.<sup>255</sup> Lord Drayson viewed:

“... the suggested slip in (FRES) In Service Date as entirely unacceptable and, as agreed, intends to work with CGS [Chief of the General Staff] and IAB [Investment Approval Board] members over the next months to ensure a way ahead is found that meets the Army’s requirements.”

**486.** Lord Drayson spoke to Mr Bill Jeffrey, MOD Permanent Under Secretary, on 30 January, about armoured vehicle capability including those in use on current operations and FRES.<sup>256</sup>

**487.** Lord Drayson told the Inquiry that he had asked Mr Jeffrey:

“... to grip the FRES situation because I was not content with the proposal to further delay the project and because I was concerned that the MOD was not giving the issue of armoured vehicles sufficient priority.”<sup>257</sup>

<sup>254</sup> Minute CGS to PS/Min(DP), 23 January 2006, ‘Future Rapid Effects System (FRES) Fleet Review’.

<sup>255</sup> Minute APS/Minister(DP) to MA/CGS, 24 January 2006, ‘Future Rapid Effects System (FRES) Fleet Review’.

<sup>256</sup> [Minute DCDS\(EC\) to PUS \[MOD\], 3 February 2006, ‘Armoured Vehicle Capability’.](#)

<sup>257</sup> Statement, 15 December 2010, page 5.

**488.** On 3 February, Lt Gen Fulton advised Mr Jeffrey how the MOD intended “to deliver a coherent armoured vehicle capability which meets current and future needs, against the background of the wish to make an early announcement to reassure the public, industry and the Army that the MOD is on top of the issue”.<sup>258</sup>

**489.** Lt Gen Fulton recommended that Mr Jeffrey should note that:

- a. Urgent work is under way to identify and cost options to meet Defence’s short term need for armoured vehicles which meet the increased demand of current operations and to consider whether timescales and capability can be advanced by making an early commitment.
- b. The armoured vehicle work builds on the Defence Industrial strategy ... and the more general armoured fighting vehicle work with industry.
- c. Concurrent work is considering how the Future Rapid Effect System (FRES) project can be accelerated to meet Defence’s longer term need for armoured capability.”

**490.** Lt Gen Fulton advised that work “during the FRES Assessment Phase” had “indicated” that it was “very unlikely” that an initial operating capability could be achieved before 2015; and that was “principally driven by the need to ensure” that it was “capable of future weight growth (in order to achieve protection requirements over a long life) and technology insertion”.

**491.** Addressing the implications of that delay, including the need to retain existing armoured vehicles with recognised deficiencies, Lt Gen Fulton wrote: “Work has been under way since July 2005 to identify the full implications for the armoured vehicle fleet of these deficiencies, and to consider how to address them.” The FV430 and CVR(T) fleets were facing obsolescence but that could be managed to a degree. They would need up-armouring to meet the threat level faced in Iraq. Saxon was described as “insufficiently effective”. The funding provided for FRES in the Equipment Programme would be examined “to identify opportunities to fund enhancements to the existing AV fleet”.

**492.** Mr Jeffrey forwarded Lt Gen Fulton’s advice to Lord Drayson, agreeing that the issue should be looked at urgently for a number of reasons, including that “the increased demands of current operations” had “exposed weaknesses in what was already a fleet facing obsolescence”.<sup>259</sup>

**493.** Mr Jeffrey stated that the DMB would discuss the deficiencies of the existing armoured vehicle fleet on 9 March and it “may be that there will be opportunities to deploy funds previously earmarked for FRES”. FRES would be discussed by the IAB on 9 February.

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<sup>258</sup> Minute DCDS(EC) to PUS [MOD], 3 February 2006, ‘Armoured Vehicle Capability’.

<sup>259</sup> [Minute PUS \[MOD\] to Minister \(DP\), 3 February 2006, ‘Armoured Vehicle Capability’.](#)

**494.** Mr Jeffrey promised a progress report after the DMB in March, stating:

“My aim is to put the Secretary of State and you in a position to make a clear early public statement on FRES and plans for armoured vehicle capability in the intervening period before FRES comes into service, to give confidence that we are addressing the issue responsibly.”

**495.** The MOD has not been able to provide a complete record of the DMB meeting held on 9 March, but the summary of conclusions makes no specific reference to FRES.<sup>260</sup>

**496.** The summary of the record did state that the DMB had concluded “that there was a stronger continuing operational requirement for FV430 overhaul and upgrade than had been assumed in STP05”. It was decided that sufficient additional resources should be provided to cover this cost in 2006-2007 and the longer-term requirement would be reviewed in STP/EP07.

**497.** ECAB met on 16 March.<sup>261</sup>

**498.** The minutes of the meeting stated that Lord Drayson’s:

“... visit to Land had gone well, and the Minister understood the importance of FRES; the implications of the new ISD [In Service Date]; the need for an interim solution to plug the gap ... and the requirement to improve Protected Patrol Vehicles (PPVs).”

**499.** On 17 March, Mr Jeffrey wrote to Lord Drayson with an update on armoured vehicle capability following the DMB’s discussion of the subject on 9 March.<sup>262</sup>

**500.** Mr Jeffrey stated that the discussion was “set in the context of the wider financial position in 2006/07 and the other demands on our resources; including the desire to bring forward the buy of the 5th C17, higher fuel prices ... and a range of other matters”.

**501.** The DMB view was that “the majority of issues should be resolved in the wider EP/STP planning round, but that there were grounds for taking some decisions early”. That included replacing Saxon and the overhaul of the FV430 series of vehicles “to provide a better capability for mechanised infantry”. The resources for the conversion of vehicles for use on Op TELIC would be sought through a UOR.

**502.** Mr Jeffrey said that the DMB had discussed the “high priority” of ensuring FRES was delivered “as early as possible”. Lt Gen Fulton was tasked to prioritise the requirement for FRES funding in 2006/07 in the context of “other capability requirements, and any other cost pressures on the Equipment Programme” in 2006/07.

**503.** Other issues relating to armoured vehicle capability were to be taken forward within STP/EP07.

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<sup>260</sup> Minutes, 9 March 2006, Defence Management Board meeting.

<sup>261</sup> Minutes, 16 March 2006, Executive Committee of the Army Board meeting.

<sup>262</sup> Minute PS/PUS [MOD] to Min(DP), 17 March 2006, ‘Armoured Vehicle Capability – DMB Decisions’.

**504.** Mr Jeffrey's minute stated that the requirement for PPVs was "distinct from the armoured vehicle capability, but PPV may help to mitigate shortfalls over the next few years". The Vector contract "for at least 62 vehicles" was imminent and "options to deliver more" would be considered in the planning round.

**505.** On 24 April, Maj Gen Rollo told ECAB that co-ordinated work on "the FRES/AV Gap" was "in hand for STP/EP07 and STP/EP08".<sup>263</sup> Two programme reviews were ongoing, including an Armoured Vehicle strategy and "Armoured Vehicle Through Life Management Plan". Lord Drayson "was fully engaged in this issue and the Army should capitalise on this".

**506.** Mr Des Browne replaced Dr Reid as Defence Secretary in May 2006.

**507.** On 25 May, Mr Browne was advised by a junior MOD official to write to Mr Stephen Timms, Chief Secretary to the Treasury, to seek an uplift in UOR funding to begin up-armouring the FV430 fleet for Iraq "as soon as possible".<sup>264</sup> A business case for £6m to procure the "long-lead items" for this project had been approved in April 2006.

**508.** The FV430 fleet had not previously operated outside MNF bases as they fell short of the force protection levels required, but Mr Browne stated:

"It is anticipated that there will be an increasing requirement for the FV430 fleet to deploy in a more overt capacity over the coming months, necessitating appropriate protection against the associated exposure to prevalent threats."

**509.** Mr Timms approved the proposal on 15 June.<sup>265</sup>

**510.** On 21 June, the DMB received two presentations; one about medium weight capability, and one about FRES.<sup>266</sup> The minutes do not make clear what constituted medium weight capability for the purposes of the meeting but stated that it was a valuable "over the horizon" capability that was much broader than FRES, although FRES "formed an important part of it". It was a joint capability to which all three Services contributed. It did not appear from the minutes that either presentation related to PPVs.

**511.** The DMB concluded that FRES was the Army's highest priority equipment programme after support to operations. FRES would be in service for many decades and it would be essential that there was growth potential and realism about timelines. The Board noted "with concern" that the programme was taking longer than originally anticipated. That was attributed to the time it had taken to understand the requirement properly, to plan, research and de-risk the programme. The delays were operationally

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<sup>263</sup> Minutes, 24 April 2006, Executive Committee of the Army Board meeting.

<sup>264</sup> Note MOD [junior official] to PS/SoS [MOD] 25 May 2006, 'Iraq – Additional Funding for Urgent Operational Requirements (UORs)' attaching Letter [draft] SoS [MOD] to Chief Secretary [Treasury], undated, 'Iraq – Additional Funding for Urgent Operational Requirements'.

<sup>265</sup> Letter Timms to Browne, 15 June 2006, 'Iraq – Urgent Operational Requirements (UORs)'.

<sup>266</sup> Minutes, 21 June 2006, Defence Management Board meeting.

damaging and had led directly to the need for force protection enhancements to FV430 vehicles deployed in Iraq. The DMB stressed that it expected lessons to be learned.

**512.** The up-armoured FV430 vehicles, known as Bulldog, began to deploy to Iraq in December 2006.<sup>267</sup>

**513.** Following his trip to Iraq in late 2006, General Sir Timothy Granville-Chapman, Vice Chief of the Defence Staff, recorded:

“Bulldog (up-armoured and engined 430) received rave reviews for its protection (not yet fully tested), mobility in tight streets and reduction in road/kerb damage. The battlegroup’s hierarchy saw it as a sound medium capability for up to 10 years.”<sup>268</sup>

## PROJECT VECTOR

**514.** As the preceding text in this Section shows, the MOD had been considering the potential requirement to deploy PPVs concurrently in Iraq and Afghanistan since 2004. In February 2005, it had been decided that, alongside the Snatch conversion programme, 100 Vector vehicles should be procured.

**515.** A business case for Project Vector, requesting approval to purchase 62 Vector vehicles at a cost of £18.8m was submitted to the IAB on 13 March 2006.<sup>269</sup> Those vehicles were intended for Afghanistan. PJHQ accepted that the vehicles would not be available before March 2007.

**516.** The business case stated that “initial scoping studies” for a Vector vehicle solution had considered “an increased capacity Snatch” but that had not been successful and would not be considered any further as a suitable platform for Vector. That was due to a “complete inability” to meet the Key User Requirement concerning the weight it was expected to carry.

**517.** Snatch 2 vehicles had been deployed to Afghanistan but had been “restricted to urban patrols” because of their mobility issues and the extreme terrain. Vector would offer a “substantial increase in the performance to that of Snatch 2 in terms of protection, mobility and capacity”. On protection it stated:

“It can be seen that Vector can be used in a more hostile environment than Snatch as is anticipated on Op HERRICK once full operations are undertaken.”

**518.** The operational analysis had been conducted by DSTL.

**519.** The business case stated: “Vector is currently CinC (LAND) [Gen Dannatt]’s highest priority.”

<sup>267</sup> House of Commons Standard Note, SN/IA/5128, 14 July 2009, *Afghanistan: Equipment Issues*.

<sup>268</sup> Minute VCDS to CDS, 4 December 2006, ‘VCDS’s visit to Afghanistan and Iraq 27 Nov – 2 Dec 06’.

<sup>269</sup> [Paper DEC\(SP\), 13 March 2006, ‘Business Case – Project Vector’](#).

**520.** There was a reference to the SOR produced on 21 February 2005 stating that the requirement for PPVs on a global and enduring basis was 1,030 vehicles: 877 Snatch 2 and 153 Vector vehicles. The business case stated that financial limitations currently constrained the numbers to 624 Snatch 2 and 62 Vector vehicles. The risk arising from the shortfall in vehicles would be managed by “the PPV management committee” but:

“Initially all of the procured vehicles will be deployed on Op HERRICK due to the improved mobility that Vector offers over Snatch 2A.”<sup>270</sup>

**521.** A requirement for 166 PPVs had been endorsed for Op HERRICK. That would initially be met through the deployment of Snatch 2A but 62 would be withdrawn and replaced with Vector during roll-out. The 62 withdrawn vehicles would be “redeployed to reduce risk taken on expeditionary operations” which was “expected to be Op TELIC”.

**522.** A commercial off-the-shelf option was recommended as the means to deliver the capability as there were “a number of manufacturers who produce armoured vehicles which would fulfil the requirements of Project Vector” and some of those vehicles were in service with “other armed forces”. There was “insufficient time” to develop a bespoke option.

**523.** Lord Drayson’s copy of the business case was annotated by his Assistant Private Secretary on 7 March.<sup>271</sup> It stated:

“For info only and low priority. Worth a skim solely because it deals with armoured vehicles (albeit light ones), is described CinC Land’s ‘highest priority’ and you will see him on Friday!”

**524.** On 9 March, Lord Drayson noted: “Following visit let’s get focused on this project.”<sup>272</sup>

**525.** On 14 March, Lord Drayson’s Assistant Private Secretary wrote to the Directorate of Capability, Resources and Scrutiny (Battlespace Manoeuvre) (DCRS(BM)), noting the 3 March business case and Lord Drayson’s visit to Land Command.<sup>273</sup> Lord Drayson understood “that the vehicles are required for the March 2007 Afghanistan roulement”, and it would be important that work was completed “on schedule by September”.

**526.** The “Project Vector” business case was approved on 21 March.<sup>274</sup>

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<sup>270</sup> Snatch 2A was the latest variant of the Snatch Land Rover.

<sup>271</sup> Manuscript comment APS/Min(DP) on Paper DEC(SP), 3 March 2006, ‘Business Case – Project Vector’.

<sup>272</sup> Manuscript comment Drayson on Paper DEC(SP), 3 March 2006, ‘Business Case – Project Vector’.

<sup>273</sup> Minute APS/Min(DP) to DCRS BM, 14 March 2006, ‘Project Vector – Protected Patrol Vehicles’.

<sup>274</sup> Minute DCRS [junior official] to APS/Min(DP), 22 March 2006, ‘Project VECTOR – Protected Patrol Vehicles’.

**527.** On 22 March, Lord Drayson's Private Office recorded that:

"Given the present tempo of operations, and the threat the Army are typically facing during deployments, Lord Drayson believes it is imperative that we ensure we are providing them (in both the near and long term) with appropriately protected vehicles. This will clearly involve both addressing the present operational requirement, and ensuring that FRES is brought into service no later than 2012."<sup>275</sup>

**528.** On 22 March, an MOD official from DCRS(BM) advised Lord Drayson on how the remaining 104 Vector vehicles (from the 166 total) might be procured with Treasury funding.<sup>276</sup> The manufacturer would be working "flat out" to produce the initial purchase and there was "no scope to produce either more vehicles [between March and May 2007], or bring forward the delivery timeline".

**529.** Approval had been given to buy as many vehicles as the available funding would allow but, due to the late inclusion of an additional protection measure against EFPs, it was "possible" that fewer than 62 would be purchased.

**530.** The official added that there were "anticipated requirements for future PPV capabilities in the short and long terms". Lord Drayson was advised that a follow-on purchase could be made in the short term either through UOR or Equipment Programme action to meet the "full Defence wide requirement".

**531.** Considering the UOR route, the official wrote that the requirement for additional Vector vehicles had not been included in the financial estimate for Afghanistan approved by Cabinet. It was therefore not advised to approach Treasury until the operational requirement was "sufficiently mature", coupled with some operational experience of Snatch's performance in Afghanistan. Delaying a UOR until September would not have an impact on the delivery schedule, given that the manufacturer was working at maximum capacity to deliver the first tranche of vehicles. "Initial informal soundings" from the Treasury were that:

"... not only would the requirement need to be robust (ie a clear explanation of why Snatch, for which they have already provided UOR funding is not appropriate at all for Op HERRICK, and that no other in-service vehicle ... would not fill the gap), but also that the costs would need to fall within our currently negotiated funding envelope."

**532.** Raising an Equipment Programme enhancement option was an alternative route to secure the vehicles which again would not have an impact on the delivery schedule. The official advised that, whilst it was "likely" that procuring additional Vector vehicles would be seen as "a high priority across Defence", it was noted that "other competing priorities

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<sup>275</sup> Minute Pfeffer to CM(BM) and DCRS, 22 March 2006, 'Armoured Vehicles'.

<sup>276</sup> Minute DCRS (BM) [junior official] to APS/Min(DP), 22 March 2006, 'Project Vector – Protected Patrol Vehicles'.

in EP07” meant that there was no guarantee that funding would be found. The official gave three examples of those priorities, one of which was additional FRES funding.

**533.** The official did not recommend which option Lord Drayson should approve. It was also stated that longer-term consideration was needed to understand “how this enduring capability might be met, to replace the Snatch/Vector mix”.

**534.** Lord Drayson was also informed that, of the £74.5m the DMB had allocated to the PPV programme in FY 2005/06, £11m would not be spent.

**535.** Gen Dannatt told the Inquiry that, from the time of the announcement in June 2004 that the Headquarters ARRC would be deployed to Afghanistan in 2006, “whatever was happening in Iraq and however Iraq was going to develop, there was going to be another operation in Afghanistan in the middle of 2006”; and that:

“... everything as far as I was concerned to do with Iraq from the time that I became Commander in Chief in March 2005 was not just in the context uniquely of Iraq, but in the wider context of ‘... and we are going to be involved in Afghanistan as well’.”<sup>277</sup>

**536.** Gen Dannatt told the Inquiry that, in his view:

- Afghanistan was “perhaps much more important to get right”;
- “resourcing the operation in Afghanistan was particularly important”; and
- “Afghanistan would always develop as being the main effort”.

**537.** Referring to the decision to procure Vector vehicles, Gen Dannatt told the Inquiry that one of the brigades going into Afghanistan “had no vehicles at all” and the Army “knew that by spring 2007 we had to have something for them”.<sup>278</sup> Gen Dannatt said that the Vector programme was decided “in something of a hurry”.

**538.** The procurement of the remaining 104 Vector vehicles, to bring the total to 166, was progressed as part of Maj Gen Applegate’s response to the armoured vehicle review in June 2006. That is addressed later in this Section.

## THE DECISION TO PROCURE ADDITIONAL VEHICLES FOR IRAQ

**539.** Further fatalities in Iraq prompted questions about what more could be done to provide better protection for British troops.

**540.** On 31 January 2006, Corporal Gordon Pritchard was killed whilst on patrol in Umm Qasr when the Land Rover in which he was travelling was hit by a roadside IED.<sup>279</sup> Three other soldiers were injured, one seriously, in the same incident.

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<sup>277</sup> Public hearing, 28 July 2010, pages 14-15.

<sup>278</sup> Public hearing, 28 July 2010, pages 52-53.

<sup>279</sup> GOV.UK, 31 January 2006, *Corporal Gordon Alexander Pritchard killed in Iraq*; BBC, 31 January 2006, *British forces suffer 100th Iraq death*.

**541.** On 28 February, Captain Richard John Holmes and Private Lee Ellis were killed in an IED attack in a joint Snatch and Warrior vehicle convoy in al-Amara.<sup>280</sup>

**542.** On 15 April, Lieutenant Richard Palmer was killed when his patrol vehicle hit a roadside IED north-west of Basra.<sup>281</sup>

**543.** On 13 May, Private Joseva Lewaicei and Private Adam Morris were killed while on patrol when their Snatch vehicle hit a roadside IED just outside of Basra.<sup>282</sup>

**544.** On 28 May, Lieutenant Tom Mildinhall and Lance Corporal Paul Farrelly were killed by a PIR EFP IED whilst on patrol in Snatch vehicles.<sup>283</sup>

**545.** Brigadier James Everard, Commander 20 Armoured Brigade, wrote in his post-operation tour report that a policy had been put in place from 29 May whereby all vehicles travelling around Basra City were led by Warriors.<sup>284</sup> He wrote:

“This measure proved its worth as SAF [small arms fire] and RPG contacts also increased from July and Warrior a magnet for enemy fires frequently drawing attention away from other less well protected vehicles ...”

**546.** In a debate in the House of Lords on 12 June, Lord Astor of Haver raised the question of when the Government intended to bring into service further patrol vehicles armoured to provide protection against IEDs.<sup>285</sup>

**547.** Lord Drayson responded that PPVs were:

“... only one of a range of vehicles available to commanders to allow them to balance mobility, protection, and profile based on the threat, the terrain and the task. PPVs offer a level of protection commensurate with their weight, size and role, together with good mobility and a low profile.”

**548.** Following a supplementary question from Lord Astor, stating that the Snatch “was not remotely adequate for patrolling areas where insurgents used land mines” and asking whether an assessment had been made of the RG31,<sup>286</sup> “which the Americans had bought in large numbers”, Lord Drayson responded:

“... I do not accept that Snatch Land Rovers are not appropriate for the role. We must recognise the difference between protection and survivability. It is important

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<sup>280</sup> GOV.UK, 1 March 2006, *Captain Richard Holmes and Private Lee Ellis killed in Iraq*; BBC News, 1 March 2006, *Troops in Iraq blast named*.

<sup>281</sup> GOV.UK, 16 April 2006, *Lt Richard Palmer of the Royal Scots Dragoon Guards killed in Iraq*.

<sup>282</sup> GOV.UK, 15 May 2006, *Private Joseva Lewaicei and Private Adam Morris killed in Iraq*; BBC News, 15 May 2006, *Dead British soldiers are named*.

<sup>283</sup> BBC News, 30 May 2006, *MoD names troops killed in Iraq*.

<sup>284</sup> Report, 15 December 2006, ‘HQ 20 Armd Bde Op TELIC 8 Post Operational Tour Report’.

<sup>285</sup> House of Lords, *Official Report*, 12 June 2006, columns 1-2.

<sup>286</sup> An RG31 is a 4x4 vehicle manufactured in South Africa.

that we have the trade-offs that we need for mobility. The Snatch ... provides us with the mobility and level of protection that we need.

“We had RG31s in Bosnia, which we took out of service some time ago due to the difficulties with maintenance. We have looked at the RG31 ... and concluded that the size and profile did not meet our needs. Size is important in the urban environment. The RG31 cannot access areas that Snatch Land Rovers can get to.”

**549.** Lieutenant General Nicholas Houghton, who succeeded AM Torpy as CJO in March 2006, visited Iraq from 13 to 15 June.<sup>287</sup> He reported:

“... I do have some concerns as I look ahead over the balance of the year ... If we are to match the wider campaign desire for a decisive six months we need to balance ourselves accordingly.”

**550.** On reducing troops and equipment in Iraq, he stated:

“Do not look for too big a dividend this year. Particularly we need to retain as much Warrior ... as LAND can afford. The reality is that Warrior gives us confidence and a protective edge over EFPs. The boys can manage Snatch – just; but they have no inherent confidence in it.”

**551.** Mr Ingram gave evidence about Snatch Land Rovers to the Defence Select Committee on 20 June.<sup>288</sup> He said that there was no “off-the-shelf” solution that would offer the “all-round protection we would seek with the same utility and manoeuvrability”.

**552.** Mr Ingram told the Committee that there was “a balance of risk” that needed to be taken. While the MOD was “very conscious of where the threats were coming from”, they did “not necessarily have every capacity to deal with those threats”.

**553.** On 26 June, Mr Browne announced a review of armoured vehicles in Parliament.<sup>289</sup> He stated:

“As I have already said to the House, it is open for commanders to deploy vehicles that have heavier protection than the Snatch Land Rover ... Other vehicles are available to them; there is a choice. However, commanders must be free to make decisions in relation to the operations for which they deploy soldiers. I have already said to the House that I am aware of the issue: I could not but be aware of it following my visit last week and, indeed, my earlier visit. I have asked for a review of what we can do in the long term and immediately. I shall see what we can do immediately to respond to the changing situation, although significant measures other than those in relation to the vehicle’s armour must be taken. We are at the leading edge of some of them, and electronic counter-measures, in particular.”

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<sup>287</sup> Minute Houghton to PSO/CDS, 16 June 2006, ‘Visit to Iraq 13 – 15 Jun 06’.

<sup>288</sup> Thirteenth Report from the House of Commons Defence Committee, Session 2005-06, *UK Operations in Iraq*, HC 1241.

<sup>289</sup> House of Commons, *Official Report*, 26 June 2006, column 7.

**554.** Mr Browne met Mr Ingram and Lord Drayson to discuss the review on 27 June.<sup>290</sup> He asked Lord Drayson to:

“... set the necessary work in hand to provide Ministers with urgent, realistic, costed advice on whether there is anything more we can do to protect troops ... and to enable them to achieve their mission(s). In particular, the review should examine whether there are any vehicles with a higher level of protection than Snatch Land Rovers which could be procured quickly (and if so, at what cost).”

**555.** Maj Gen Applegate provided a paper to Lord Drayson on “the capability that might be achieved with the investment of about £50m for the protection of soldiers in PPVs” on 28 June.<sup>291</sup> He recommended that Lord Drayson approve:

- a commitment of £2m for an “urgent study on options for an enhanced PPV”;
- the procurement of all 166 Vector vehicles for Afghanistan; and
- the purchase of additional armoured kits for FV430 for use in Iraq. The existing UOR would begin to deliver up-armoured FV430s in October 2006 and deliveries would be completed by January 2007.

**556.** Maj Gen Applegate advised Lord Drayson:

“PJHQ and LAND regard a broad systems approach to force protection as essential, linking ISTAR, situational awareness, tactic techniques and procedures, ECM and platform survivability. This systems approach seeks to defeat the system; if this fails defeat [sic] the device, and finally defeat the attack.”

**557.** Maj Gen Applegate highlighted that the UK had been criticised for not adopting the RG31, variants of which were in service with US and Canadian forces and which had been used by UK forces in the past. He wrote that RG31 had previously been discounted as a suitable alternative to Snatch. Brig Moore would be briefed on its development and growth potential when he visited South Africa on 29 June.

**558.** In relation to the study into future PPV capability, Maj Gen Applegate wrote:

“The threat continues to develop and there is a requirement to assess urgently how to sustain the PPV capability. The US is conducting a similar assessment. New developments designed to meet this threat are currently at the demonstrator stage and it would be prudent to examine these urgently to understand what capabilities they might offer. In general if we are to combat the developing threat we will require a heavier vehicle capable of carrying a higher payload in order to mount additional armour. The ability of such a vehicle to operate effectively in the urban environment will be part of the assessment.”

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<sup>290</sup> [Minute PS/SofS \[MOD\] to PS/Minister\(DP\), 27 June 2006, ‘Protected Patrol Vehicles: Review’.](#)

<sup>291</sup> Minute Applegate to APS/Min(DP), 28 June 2006, ‘Protected Patrol Vehicles (PPV)’.

**559.** Maj Gen Applegate recommended that additional funding be provided “to develop concurrently an enhanced PPV capability to match the emerging threat, with an anticipated fielding in the latter half of 2007”. In the interim, “and to provide the commander with sufficient flexibility to mitigate the weakness of Snatch, additional armour packs should be procured for FV430”. The possibility of accelerating the modification of FV430 and Vector was also being explored.

**560.** Lord Drayson approved the request the same day.<sup>292</sup> He asked Maj Gen Applegate to “engage with coalition partner to identify whether they may have excess PPV capacity which would provide a greater level of protection which could be made available to the UK”; and for further advice by 13 July.

**561.** Following his visit to South Africa, Brig Moore advised on 3 July that, should the Army decide that “a better protected PPV” was required, then the RG31 had “the potential to meet that requirement”.<sup>293</sup> In considering the requirement, Brig Moore wrote that there was a “conundrum” between a heavier vehicle that was able to protect soldiers against the mine or IED threat, and ensuring the vehicle was agile enough to access built-up areas. He added that “if the UK wants to provide its soldiers with the protection necessary to do their job, it will need a heavier PPV”.

**562.** On RG31, Brig Moore stated:

“It is now apparent that RG31 ... has sufficient stretch potential to take the additional weight associated with protection against [...]. In addition, LSSA [Land Systems South Africa] has a rigorous testing regime ... and this is fully compliant with DSTL thinking. LSSA is innovative, front running and is at the leading edge of their trade. Should the Army want a heavier and better protected PPV, RG31 would be a strong contender.”

**563.** In his summary, Brig Moore said that “the South Africans were open, engaging and ready to help in any way possible. Notwithstanding the considerable attributes of RG31, UK should exploit this opportunity.”

**564.** In response to a question from the Inquiry, about whether he had asked about potential alternatives to Snatch on the global market before June 2006, Lord Drayson wrote in his statement:

“Yes ... I was advised that there was no vehicle identified that could provide the mobility and small footprint offered by Snatch and that the vehicles used by the US such as Stryker and Humvee did not offer a better solution. The larger protected patrol vehicles (such as the RG31 ...) were regarded by the Army as unsuitable for Iraq ...

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<sup>292</sup> [Minute PS/Min\(DP\) to Applegate, 28 June 2006, ‘Protected Patrol Vehicles \(PPV\)’.](#)

<sup>293</sup> Minute Moore to APS/Minister (DP), 3 July 2006, ‘Protected Patrol Vehicles (PPV) – Exploratory Visit to South Africa: 30 Jun – 2 Jul 2006’.

“Following a visit to South Africa in July 2006, it was concluded by Brigadier Moore that the RG31 would be a strong contender should the Army want a heavier and better protected PPV. Getting the Army to want such a vehicle to the point where it was prepared to allocate funding to it was the key point. I pushed to try to make this happen.

“I asked Des Browne to direct me to look into this issue.”<sup>294</sup>

**565.** While discussions about the medium weight PPV were ongoing, Gen Dannatt wrote to Gen Jackson in July about the level of operational risk on current operations.<sup>295</sup> Gen Dannatt was to take over as Chief of the General Staff in August. He wrote:

“The pace and changing dynamics in theatre have brought into sharp relief the concerns that you and I have about support to current operations. In addition, Ministers have recently faced difficult questions in the House. Given that there are some important discussions in ECAB, Programme and Planning Strategy Group, and DMB in the next few days, I thought I should set out now very clearly my view of the unacceptable areas of risk.”

**566.** Gen Dannatt described four “major concerns as the Force provider”, protected mobility and protected patrol vehicles being his “first and overriding concern”.

**567.** Gen Dannatt wrote that the use of Vector, up-armoured FV430 and Warrior would “provide a balanced capability” in the short term which could be “tailored to met the different demands” of operations in Iraq and Afghanistan. It was “accepted” that Vector would not provide “full protection against all threats” but it would “increase survivability compared with Snatch improved protection, greater mobility and larger capacity)” and he believed that there was “no immediate or practicable alternative”.

**568.** Gen Dannatt stated that there was therefore “an urgent need to complete the buy of Vector now”. While plans in place meant that that “should achieve the immediate goal” for Afghanistan, it would leave forces in Iraq with Snatch “for the foreseeable future”. He wrote:

“How the remainder of the PPV capability shortfall should best be addressed will require further consideration. If a better PPV than Vector can be developed, and delivered in the right timeframe, then clearly we should pursue this line. However, I reiterate the need for a balanced capability ...”

**569.** “In parallel”, Gen Dannatt thought that there was “an urgent need to complete the upgrade of FV430s”.

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<sup>294</sup> Statement, 18 January 2011, pages 5-6.

<sup>295</sup> Letter Dannatt to Jackson, July 2006, ‘The Level of Operational Risk on Current Operations’.

**570.** On 4 July, Mr Browne sent Lord Drayson a note summarising a meeting they had earlier that day to discuss PPVs.<sup>296</sup> They agreed that Lord Drayson would pursue:

- clear confirmation from military commanders that there was a requirement for a medium weight armoured patrol vehicle as an alternative to Snatch or Tracked Armoured Vehicles;
- subject to that confirmation, a rapid investigation of options to deliver such a capability as an interim solution (around 50-100 vehicles, although that would need to be refined) whilst work continued on longer term solutions; and
- subject to both points, deploying the vehicles alongside the forces due to be deployed to Iraq in November 2006.

**571.** Mr Browne reported that he had discussed funding with Mr Gordon Brown, Chancellor of the Exchequer, following his meeting with Lord Drayson where it was concluded that the MOD could initially use the UOR contingency of £30m to fund the project; and that additional funds could be sought as required.

**572.** On 5 July, Lord Drayson asked Lt Gen Houghton for clear confirmation, “in consultation with Front Line Commands”, as to whether there was a requirement for a medium weight armoured patrol vehicle “as an alternative to use of Snatch or Tracked Armoured Vehicles on current operations”.<sup>297</sup>

**573.** Lt Gen Houghton provided that confirmation on 7 July, stating:

“I am clear that, in light of the increasingly sophisticated and potent asymmetric threat that we now face, a requirement for a medium weight PPV, in addition to the current and planned enhancements to light weight PPV and tracked armoured vehicles exists ...

“We need a medium weight PPV ... to provide a significantly enhanced physical protection against EFP IEDs and RPGs ... to prosecute our missions successfully without unnecessary casualties. Only a balanced force will give the operational commander the optimum flexibility to meet the range of tasks based on an assessment of threat and risk. The Frontline Commands share this assessment.”<sup>298</sup>

**574.** Lt Gen Houghton added that, as Lord Drayson was aware, physical protection was “only part of a balanced systems approach to delivering a Force Protection capability”; and that improvements to the ISTAR capability were “a key element in achieving the overall protection that we need”.

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<sup>296</sup> [Minute APS/SofS \[MOD\] to PS/Minister\(DP\), 4 July 2006, ‘Protected Patrol Vehicles \(PPV\)’.](#)

<sup>297</sup> [Minute APS/Minister\(DP\) to MA/CJO, 5 July 2006, ‘Protected Patrol Vehicles \(PPV\)’.](#)

<sup>298</sup> [Minute CJO to PS/Min\(DP\), 7 July 2006, ‘Protected Patrol Vehicle \(PPV\)’.](#)

**575.** On the same day, Lord Drayson asked Maj Gen Applegate:

“... for advice ... in consultation with CJO and Land by 1600 14 July setting out the number of vehicles required to meet present operational commitments ... [and] project plans for delivering the requisite number of vehicles in time to deploy on the next Iraq roulement in November 2006.”<sup>299</sup>

**576.** On 11 July, Mr Browne told the House of Commons Defence Committee that the increased IED threat had “generated a set of circumstances” where, in his view, the MOD needed “to look at whether there is a need for something between Snatch Land Rovers as a form of land transport and the Warrior”.<sup>300</sup> In ordering a review of the use of the Snatch, he had “accepted in principle” the need “to see if we can identify resources that can be procured and deployed in the timescale that would provide that [the required] level of protection while we wait for other armoured options becoming available”.

**577.** On 12 July, Brig Inshaw recommended that Maj Gen Applegate agree:

“Despite recent casualties, the requirement to operate PPVs on current operations endures and may increase as Defence is likely to be required to conduct concurrent ... campaigns over the next 3-4 years.”<sup>301</sup>

**578.** Brig Inshaw advised that there was a requirement for a “balanced PPV capability”. It should include a medium weight PPV, for which there was “an urgent requirement”, and light, agile PPVs “such as Vector”, although “commanders recognise that such a vehicle will never be protected against the most demanding threats”.

**579.** Brig Inshaw advised that Brig Moore had examined “a number of options” that were “either in development or in service elsewhere in the world”. Brig Inshaw wrote that commanders accepted all of these could produce solutions that were “significantly larger” or have “a more aggressive profile” than Snatch and Vector. It was accepted that this was “a penalty” commanders would “have to pay for the improved levels of protection”. Brig Inshaw added:

“To avoid confusion, it should be noted that PPVs will not deliver the capability or overall protection levels we would expect of an in-service APC [Armoured Personnel Carrier] (such as FV430 Mk 3) or of FRES, which will be designed to operate in a less permissive environment (where issues surrounding size and posture are far less important) and to defeat a significantly more demanding threat. A mixed fleet of light and medium PPVs would allow commanders to force package appropriately to the terrain and task.”

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<sup>299</sup> [Minute APS/Minister\(DP\) to CM\(BM\), 7 July 2006, ‘Protected Patrol Vehicles \(PPV\)’](#).

<sup>300</sup> Defence Committee, Session 2005-06, *Defence – Minutes of Evidence*, 11 July 2006, Q44.

<sup>301</sup> Minute DCI(A) to MA/CM BM, 12 July 2006, ‘Requirement for a More Capable Protected Patrol Vehicle (PPV)’.

**580.** In addition, Brig Inshaw wrote that there was “an urgent requirement for armoured vehicles to provide protected transport to move personnel for administrative purposes” because PPVs had “been used to fulfil this role” in the past. That would be addressed by the deployment of FV430s in November 2006 and LAND was “deploying additional up-armoured Warrior” vehicles to meet the requirement in “the very short term”.

**581.** Brig Inshaw advised that improved physical protection was only part of the solution; work was also under way to address battlefield helicopter and ISTAR shortfalls, and TTPs would continue to be adapted. He noted that fielding a larger PPV would “require some change to current operational practices”.

**582.** Initial calculations highlighted a shortage of PPVs in Iraq, Afghanistan and the training pool. Brig Inshaw wrote that the MOD was taking “some 30% risk in numbers against the requirement” and that could worsen between 2007 and 2008 when Snatch 1.5 was removed from service. He suggested that 808 medium PPVs were needed to meet the operational requirement, 510 of which would be for Iraq. He also advised that all PPVs in Iraq should be medium weight (as opposed to a combination of light and medium weight vehicles, which was the suggestion for Afghanistan). The planned procurement of Vector and up-armouring of the FV430s should continue.

**583.** On 13 July, Lord Drayson’s Assistant Private Secretary summarised a meeting that had been held between Lord Drayson and Maj Gen Applegate that evening.<sup>302</sup> Maj Gen Applegate had informed Lord Drayson that the requirement for 166 Vector and additional armour packs for FV430 had been confirmed. Lord Drayson had confirmed that the resources for those requirements “would not count against the new resources being provided by the Treasury to meet the medium weight PPV requirement”.

**584.** Maj Gen Applegate had advised Lord Drayson that 15 vehicles had been examined and “the only option to borrow vehicles was 25-50 Bushmasters that Australia could release” but there was no way of acquiring additional vehicles beyond this because “there was no manufacturing line”. Two options were “worthy of further consideration”: the Protector (a new variant of the RG31) and the Iraq Light Armoured Vehicle (ILAV) (derived from the Cougar which was already being used by the US Marine Corps and had survived around 1,000 IED attacks in Iraq). Both vehicles would meet the required protection capabilities; the key for the MOD was which vehicle could be delivered more quickly. The US was “willing to provide a couple of ILAV vehicles to the UK early for testing”.

**585.** Lord Drayson had suggested acquiring a number of both vehicles to reduce the delivery time and Maj Gen Applegate undertook to investigate it further. There was a discussion about “the difficulties posed” by Force Protection Inc being a new MOD supplier. Two possible options had been identified for expediting matters: either acquiring

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<sup>302</sup> [Minute APS/Minister\(DP\) to CM\(BM\), 13 July 2006, ‘Protected Patrol Vehicles \(PPV\)’.](#)

ILAV vehicles from the US under Foreign Military Sales with configuration for the UK's communications equipment, or acquiring the vehicles through a "call off contract".

**586.** Lord Drayson was grateful for the efforts which had been made and had stated that the "pace of work must now be maintained". He requested an update by 20 July, including advice on how "to achieve the necessary commercial arrangement".

**587.** Gen Granville-Chapman visited Iraq from 9 to 13 July.<sup>303</sup> He reported:

"On equipment, ISTAR and helicopters remain the key focus. Whilst clearly all acknowledge the limitations of Snatch, feeling was not as strong ... as I had expected. Very striking was great confidence in ECM equipment ... All I spoke to had faith that this, coupled with rigorous execution of the now highly developed TTPs, gave them confidence and a good level of protection. But they would welcome a new PPV, though were clear that any vehicle would need to be able to access the tight urban sprawl that characterises much of Basra – Vector, they felt, would take the trick in this respect, but their point about utility in tight urban areas will need to be taken into account in the Medium PPV work."

**588.** On 19 July, in the House of Commons, Mr Owen Paterson asked Mr Browne what the performance specifications of the new Vector vehicle were and how its protection levels compared to Snatch and the RG31.<sup>304</sup> Mr Browne replied:

"The key performance requirements for Vector are improved mobility, payload and capacity compared to Snatch. We do not comment on levels of armour protection ..."

**589.** The USUR for a medium weight PPV, for use in Iraq and Afghanistan, was articulated by Lt Gen Houghton on 19 July 2006.<sup>305</sup> He reported that, between July 2004 and July 2006, almost half of the UK's fatalities from hostile action, 20 of the 44 deaths, were personnel travelling in Snatch Land Rovers.

**590.** The USUR stated: "The IED and RPG threats" in Iraq and Afghanistan "are here and now; Snatch is both obsolete as a light weight PPV and the heightened EFP IED threat" in Iraq demanded that it "should be replaced by a Medium Weight PPV (MPPV)". It should "have as much protection as possible without compromising its function (capacity and mobility) providing as balanced an answer to the range of threats as is feasible".

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<sup>303</sup> Minute Granville-Chapman to Stirrup, 14 July 2006, 'VCDS Visit to Iraq and Afghanistan 9-13 Jul 06'.

<sup>304</sup> House of Commons, *Official Report*, 19 July 2006, column 505W.

<sup>305</sup> [Minute CJO to DEC GM – SO1 PLANS, 19 July 2006, 'Op TELIC and Op HERRICK – Urgent Statement of User Requirement for Medium Weight PPV'](#).

**591.** In explaining the justification for the requirement and the inadequacies of existing equipment, the points made by Lt Gen Houghton included that:

- “EC advice suggests that we have reached the engineering and technological limits of the physical protection that can be provided by Snatch and other light weight PPVs.”
- “ ... Defence has a moral responsibility towards our servicemen to ensure we have done everything that is reasonable to minimise loss to life and ensure operational success; there is still some way to go before that assurance can be offered.”
- “ ... [T]he public, political and media expectation is that military operations can now be conducted without significant casualties”.
- “A MPPV is needed in order to provide significantly enhanced physical protection against IEDs (incl EFP) and RPGs ... to prosecute the mission successfully without unnecessary casualties.”
- “Every effort should be made to enhance force protection measures – perversely this may mean that as troop numbers go down, PPV numbers remain broadly similar, thereby affording greater levels of protection to a larger part of the deployed TELIC force.”
- “ ... [O]nly a balanced force will give the operational commander the optimum flexibility to meet the range of tasks based on an assessment of threat and risk.”
- “ ... [H]elicopters are already in short supply and it is highly unlikely that additional aircraft will be available to meet the increased demand without severe impact on JHC [Joint Helicopter Command] ability to sustain the current and emerging operational requirements.”
- “Snatch is no longer fit for purpose as a light weight PPV and the increased threat requires a MPPV.”

**592.** When the Inquiry asked Lord Drayson why he had found it necessary to ask Lt Gen Houghton for confirmation that there was a requirement for a medium weight PPV, Lord Drayson wrote in his statement:

“It was necessary because I had become concerned about the growing casualties to personnel travelling in Snatch from IEDs in Iraq. The military had identified a requirement for a new light PPV for HERRICK (Afghanistan) which had been approved via the core equipment programme by PJHQ in March 2006 (the Vector vehicle) but no requirement had been identified for Iraq. I wrote to CJO to force the issue. The push to procure a medium weight PPV in time for the Nov 06 roulement of forces came from Ministers.”<sup>306</sup>

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<sup>306</sup> Statement, 18 January 2011, page 6.

**593.** The Inquiry asked Lt Gen Fulton why he thought the push for a medium weight PPV had to come from Lord Drayson instead of from the Defence Board or Chiefs of Staff:

“... I think there’s a sort of relationship there between the commander on the ground at whatever level, the commander in theatre, the Permanent Joint Headquarters, the chiefs, the equipment customer and a series of examinations of what was needed against what was ... available in the sense of, you know, did it exist?”

“I don’t think people were sitting on their hands saying, ‘It is all fine’. I think people were saying, ‘this IED problem is a whole theatre problem ...’”<sup>307</sup>

**594.** Lieutenant General Andrew Figgures, who succeeded Lt Gen Fulton as DCDS(EC) in June 2006, told the Inquiry that the procurement of a medium weight PPV was not possible before 2006 because there was not a vehicle that could meet the requirement:

“... my judgement would be that every waking hour people had they were attempting to solve the problem in this area, but if there is no technical solution to it, however much effort you put into it, you can’t solve it.”<sup>308</sup>

**595.** The Inquiry asked Lord Drayson why the military chain of command had not identified the requirement earlier. He replied:

“I found it hard to understand why the military chain of command had not raised a requirement for a medium weight PPV when it was clear that it was not technically possible to procure a light weight PPV at that time with enough armour protection to overmatch the IED then being used against our troops. The thinking of the military throughout this period was that a small light weight vehicle of the size and weight of Snatch was needed to patrol in the way the British Army operated in Iraq. I accepted that buying a much bigger and better protected medium weight vehicle would not be suitable for this type of patrolling in narrow streets but I believed that providing commanders in theatre with the option of a bigger vehicle would allow them to choose when and where to use it.”<sup>309</sup>

## THE INTRODUCTION OF MASTIFF

**596.** A variant of the US Cougar vehicle was selected as the solution to the medium weight PPV gap. It was already in service with the US Army in Iraq.

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<sup>307</sup> Public hearing, 27 July 2010, pages 75-76.

<sup>308</sup> Public hearing, 27 July 2010, pages 77-82.

<sup>309</sup> Statement, 15 December 2010, page 6.

**597.** A business case for the procurement of 108 Cougar vehicles at an estimated cost of £73.1m was submitted to the IAB on 20 July.<sup>310</sup> It was a joint case from the DEC(GM) and SUV IPT teams. One company of vehicles would be delivered by November 2006 and the remaining vehicles by April 2007. The total requirement was for 510 vehicles for Iraq and 150 for Afghanistan.

**598.** The business case stated that a “significant proportion of IEDs are EFPs, which have constantly changing initiation methods and are difficult to detect”.

**599.** There were currently 380 Snatch vehicles in Iraq, against a theatre establishment of 420:

“The Snatch PPV provide the deployed force with a level of manoeuvrability and survivability in order to conduct operations, however, the rapidly evolving asymmetric threat faced on Ops TELIC and HERRICK have overmatched the capability envelope of the Snatch PPV. Moreover, the majority of Snatch deployed on Op TELIC are the 1.5 variant which is due to go out of service from January 2007. With a host of obsolescence issues, Snatch is no longer capable of matching the high level of threat faced in Iraq and Afghanistan.”

**600.** The business case stated that there was “no specific operational analysis to support the requirement” for a medium weight PPV but that it had been driven by the “rapidly evolving threat”, namely EFPs. Work had been initiated by Brig Inshaw “to define the longer term requirement to fulfil the future PPV capability”.

**601.** The business case considered four options:

- To do the minimum: deploy additional assets “and/or” reallocate assets to Op TELIC and Op HERRICK. In Iraq that was likely to mean more Warrior vehicles were deployed but “the current high usage rates” were already having a detrimental effect on the ability to sustain the Warrior fleet in the longer term. That option had “been discounted”.
- RG31: That solution was considered “immature” and had “been discounted”.
- Cougar 6x6: The preferred solution with “proven mine protection (in-service US Army data)” and sufficient payload to mount armour necessary for better protection.
- Bushmaster: An Australian vehicle with mine protection that was in service with Australian forces in Iraq. Up to 25 vehicles had been offered by the Australian Government which could meet the “challenging timelines” but it would need further investigation.

**602.** The business case proposed procuring the Cougar 6x6 through a Foreign Military Sales case with the US (see Box, ‘The Cougar vehicle’). In assessing the commercial

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<sup>310</sup> [Report AD CC DEC\(GM\) to IAB Sec. 20 July 2006, ‘UOR IO4165/AO1082 Business Case for Medium Protected Patrol Vehicles’.](#)

risk, the attached risk register said that there was “high level US military support for the planned acquisition”. The business case proposed to adopt “a single source acquisition strategy” that was based on “a world-wide market survey, paper technical assessment and industrial visits to ascertain the most suitable and cost effective solution”.

**603.** The business case stated that, although Cougar would provide a “significant enhancement in survivability” over Snatch and Vector, it would still be defeated by the most effective EFP and very large blast IEDs. It also highlighted that Cougar was “a large platform with good cross country mobility but less agility and terrain accessibility in the urban environment than Snatch and Vector”. It was reiterated that the chain of command should understand and explain the strengths and limitations of the platform to all potential users.

**604.** On 20 July, Lord Drayson wrote to Mr Timms seeking his agreement for an additional £89.2m of UOR funding to be found from the Reserve for Cougar vehicles and FV430 vehicles.<sup>311</sup> The £47.8m required for additional Vector vehicles for Afghanistan could be found from within the Defence budget.

**605.** Lord Drayson wrote that the review of protected vehicles announced by Mr Browne on 26 June had “confirmed” there was a capability gap in Iraq and Afghanistan’s protected vehicles. The “key threat in Iraq” was “now” the EFP IED. Warrior vehicles had been up-armoured to help meet this threat but that had led to an “over-reliance” upon it in theatre which meant that personnel in Warrior units were “significantly exceeding” guidelines for operational tour intervals.<sup>312</sup>

**606.** Lord Drayson stated that Snatch vehicles could not “be armoured sufficiently to defeat the EFP IED or RPG threats”: “As the media and a number of politicians have highlighted recently, there have been a significant number of deaths in Iraq from EFP IED attacks on Snatch.”

**607.** Lord Drayson said that, after “a very rapid evaluation” of “possible vehicles available worldwide”, the Cougar variant was best placed to meet “both the time and performance criteria”. He added:

“The fact that an early version is already in the UK service with Explosive Ordnance Disposal troops and it is also in service with both the US Army and Marine Corps gives us considerable confidence in it. We will be relying on the assistance of the US Government and military to deliver it as rapidly as possible and this is an excellent example of where the Special Relationship will have a direct impact on our capability on operations.”

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<sup>311</sup> [Letter Drayson to Timms, 20 July 2006, ‘Iraq and Afghanistan – Request for Additional Funding for FV430 Uparmouring and Medium Protected Patrol Vehicle Urgent Operational Requirements’.](#)

<sup>312</sup> The guidelines for operational tour intervals are detailed in Section 16.1.

**608.** Lord Drayson wrote that, given Mr Browne’s commitment to report back to Parliament “as soon as possible” and the start of recess on 26 July, he would be grateful for confirmation of the funding by the following day.

**609.** Mr Timms replied to Lord Drayson on Sunday 23 July, saying he realised that Mr Browne was “under pressure to make an announcement in the House on Monday” and the “considerable work” undertaken by officials “in scoping the requirement” within the tight deadline.<sup>313</sup> Mr Timms wrote that he fully recognised the need to provide “adequate protected mobility in these challenging environments” and that he supported the proposals.

**610.** While Mr Timms agreed that the MOD could enter into commercial arrangements to up-armour the FV430s and procure Cougar vehicles, he was “not comfortable” that the “commercial terms” had been reached for the requirements to be “properly costed”. He asked for an update once the full costs were finalised, at which point he would “formally uplift” the UOR funding.

### The Cougar vehicle

The Cougar is described by the US Department of Defense as “a hardened engineering vehicle that provides protection against armor-piercing rounds and high-explosive devices”.<sup>314</sup> It is used for “ordnance disposal, communications, command and control, and leading convoy missions”. It is available in two configurations: 4x4 and 6x6.

Both of these configurations have been integrated with UK systems to enable their use on UK operations: the 4x4 became the Ridgback, and the 6x6 became the Mastiff.

The main distinction between the two is their size. The British Army refer to Mastiff as Ridgback’s “bigger brother”.<sup>315</sup>

The US Marine Corps contracted Force Protection Inc to provide 28 Cougar vehicles in April 2004.<sup>316</sup> Three further orders were placed by the US Army for Cougar vehicles between May and June 2005, but for a Joint EOD Rapid Response Vehicle (JERRV) variant. Those were in both configurations (4x4 and 6x6) and were delivered in 2005.

The JERRV variant was a type of vehicle also known as a Mine Protected Vehicle, or more commonly a Mine Resistant Ambush Protected vehicle (MRAP) which is specifically designed to protect against landmine and IED attacks, making them suitable for Explosive Ordnance Disposal tasks.

The MOD has told the Inquiry that it cannot confirm details about US vehicles and their deployment to Iraq.<sup>317</sup>

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<sup>313</sup> [Letter Timms to Lord Drayson, 23 July 2006, ‘Protected Vehicles’](#).

<sup>314</sup> Report US Department of Defense, 27 June 2007, ‘Procurement Policy for Armored Vehicles’.

<sup>315</sup> British Army website, *Ridgback*. Website content correct as of date of publication.

<sup>316</sup> Report US Department of Defense, 27 June 2007, ‘Procurement Policy for Armored Vehicles’, pages 6-7; *USA Today*, 10 February 2007, *The truck the Pentagon wants and the firm that makes it*.

<sup>317</sup> Letter Duke-Evans to Hammond, 2 February 2016, [untitled].

The UK's EOD teams were using early versions of the MRAP Cougar, the 4x4 variant, from "2003-04" in Iraq and also deployed them to Bosnia (in 2004) and Afghanistan.<sup>318</sup>

To procure equipment from the US, the MOD is required to follow a Foreign Military Sales programme. That is where, under the US Arms Export Control Act, the two Governments enter into a government-to-government sales agreement.<sup>319</sup> It can be done where the President formally finds that to do so would strengthen the security of the US and promote world peace.

**611.** In anticipation of his written statement on the armoured vehicle review, Mr Browne was offered presentational advice on 21 July.<sup>320</sup>

**612.** The advice stated that one of the key messages to convey was:

"With current vehicles, including Snatch (which will remain appropriate for some tasks) this provides a coherent package of vehicles, offering a range of protection, mobility and profile. Commanders will have a significantly increased choice of vehicles to be used as they see fit to best meet the mission and counter the threat. No one vehicle is appropriate for every task.

"It will be important to make clear that while we are confident that the Med[ium] PPV being procured offers significantly greater protection against the key threats in both Iraq and Afghanistan than the Snatch, as with any other vehicle, it cannot be guaranteed to offer absolute protection ..."

**613.** According to the advice, the short timescales in which the medium PPV programme had been developed meant that the usual "full testing" of the vehicle had not been possible but the MOD was confident of its capability based on US use of the same base vehicle in Iraq.

**614.** The range of different vehicles would allow commanders "to balance protection against the requirements of the mission". Snatch was "still an appropriate vehicle for some tasks" and the additional vehicles did not mean Snatch was "not used at all".

**615.** The advice recognised that the announcement marked a significant change of direction. Answers to Parliamentary Questions in June had stated that the "requirement was for small, light, highly mobile vehicle that could operate in urban areas and vehicles such as RG31 and Cougar would not meet this requirement". It added:

"At that time the ECC [Equipment Capability Customer] was considering whether there was a long term answer to the need for a small, mobile but better protected

<sup>318</sup> [Minute DCRS \[junior officer\] to APS2/SofS \[MOD\], 21 July 2006, 'Enhanced Protected Patrol Vehicle: Presentational Advice'](#).

<sup>319</sup> Letter Duke-Evans to Aldred, 26 June 2015, 'Procuring Military Equipment'.

<sup>320</sup> [Minute DCRS \[junior officer\] to APS2/SofS \[MOD\], 21 July 2006, 'Enhanced Protected Patrol Vehicle: Presentational Advice'](#).

patrol vehicle ... The review [announced on 26 June] established that there was no small but better protected vehicle available now and the only immediate options for better protection were vehicles such as Cougar.”

**616.** The advice stated that the MOD “might be open to criticism” that it had only taken action “when forced to by the media”. Draft briefing for Press Office included:

**“Q. Why have you done this now, not a year ago?”**

“A. As recent events have shown, the situation in Iraq and Afghanistan changes rapidly and the threat is constantly evolving. In response, work was ongoing within the department to examine options for the procurement of a medium protected patrol vehicle. The review announced by the Secretary of State for Defence on 26 June enabled the acceleration of this work including by securing additional funding.”

**617.** The advice also considered the potential question of why Cougar had not been procured sooner, given that the US had been using it for “some time”. The suggested response was that that was because the situation in the UK’s Area of Responsibility was different to that of the US.

**618.** The advice acknowledged that the UK had “some very early versions” of the Cougar, such as the Mine Resistant Ambush Protected (MRAP) variant, which was used for Explosive Ordnance Disposal tasks and deployed to Iraq in “2003-4”. It had been bought in 2002 from Supacat Technical Solutions Group, a subsidiary of Force Protection Inc. The advice said the MRAP vehicles were “very different” to the Cougar vehicles being procured because the MRAP vehicle was not a patrol vehicle and would not meet the UK’s requirements. It did not elaborate on any of those points.

**619.** Mr Browne’s Written Ministerial Statement on 24 July said:

“It [the Armoured Vehicles Review] has confirmed that there is a growing requirement for a protected vehicle with capabilities between our heavy armour, such as Warrior, and lighter patrol vehicles, such as Snatch. The review has also identified feasible options to address the gap in the short term. We have now completed a very rapid assessment of those options and have identified three complementary ways forward ...”<sup>321</sup>

**620.** Mr Browne announced:

- the purchase of an additional 100 Vector vehicles for Afghanistan;
- the up-armouring of a further 70 FV430s for Iraq by spring 2007, in addition to the 54 already ordered; and
- the purchase of 100 Cougar vehicles for Iraq and Afghanistan.

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<sup>321</sup> House of Commons, *Official Report*, 24 July 2006, column 74WS.

**621.** Mr Browne concluded:

“The up-armoured FV430, the Cougar medium PPV, and Vector fill the requirements for varying degrees of protection, mobility and profile ... But I am confident that together these vehicles provide commanders with the right range of options to deal with the situations and threats they face.”

**622.** The MOD IAB approved the Cougar business case on 25 July.<sup>322</sup> It warned:

“There is clear risk of cost and time growth given the focus on satisfying the survivability requirement and the speed with which the case has been put together ... Due to the exceptional way in which this programme has been funded, it is important that it is understood that there is no scope for cost growth. The Treasury have indicated that they will pay no more than the stated cost of the vehicles ... Contrary to ... the Business case it is not correct to assume that additional funding will be available from the Department. Any cost growth must be contained within the approved cost, if necessary by reducing numbers.”

**623.** The IAB asked for a further note to be submitted following the examination of Bushmaster vehicles “as soon as possible, and by Sep 06”. It should report the results and, if necessary, seek the appropriate approval.

**624.** On 5 August, the DIS produced a report on the EFP threat in MND(SE).<sup>323</sup> It stated:

“Since May 2005 the use of Explosively Formed Projectiles (EFPs) has become increasingly common in MND(SE); 83 incidents have been reported with the monthly number peaking at 12 in April 2006 ...

“MND(SE) has a disproportionate number of EFP attacks in comparison to the rest of Iraq ... and they have accounted for [...] IED related fatality in the region since the end of May 2005.”

**625.** The DIS concluded:

“The supply of EFPs in Iraq has recently increased with a four to five fold increase in the number of EFPs in circulation for Apr to Jun 06 compared with the previous three months ... Recent incidents in MND(SE) have involved increasingly more EFPs and are becoming more complex, involving additional munitions and targeting entire convoys. It is likely that we will continue to see a widening of the charges and munitions used ...”

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<sup>322</sup> Minute IAB Secretariat 1d to DEC(GM) and SUV IPTL, 25 July 2006, ‘Medium Protected Patrol Vehicle (Med PPV) UOR Business Case: Approval (IAB Sec 1864)’.

<sup>323</sup> Report DIS, 5 August 2006, ‘EFPs in MND-SE Update’.

**626.** In its report on UK operations in Iraq published on 10 August, the House of Commons Defence Committee referred to its visit to Basra Palace in June:

“We heard that Snatch were very good vehicles, but they were old and could often break down. Many had previously been used in Northern Ireland. They were fast and manoeuvrable but not well armoured and were particularly vulnerable to IED attack. Similar concerns were voiced by UK troops at the Shaibah Logistics Base.”<sup>324</sup>

**627.** The Committee stated:

“We are concerned at the increasingly sophisticated nature of the threat and the consequent vulnerability of UK Forces travelling in Snatch Land Rovers. We welcome the Secretary of State’s review of the use of Snatch vehicles in Iraq and believe it is essential that this review be completed as quickly as possible. In the long-term, FRES may offer a solution to the difficulties associated with the Snatch, but its introduction is too far off to offer an answer to current operational needs in Iraq. The MOD should consider an ‘off-the-shelf’ purchase as an immediate and interim replacement for Snatch, even if it does not fulfil the long term capability requirement. It is unsatisfactory that the lack of capability was not addressed with greater urgency much earlier.”

**628.** Gen Dannatt wrote to Mr Browne on 31 August:

“I wrote to my predecessor [Gen Jackson] in July expressing my concerns about the levels of protection for our patrol vehicles, the shortage of intelligence and surveillance capability, the pressure on helicopters ... That said I am most appreciative of Lord Drayson’s recent efforts on the vehicle issue, but we have a deficit to make up and the threat/response cycle is very dynamic ...”<sup>325</sup>

**629.** The Inquiry asked Mr Gordon Brown, the Prime Minister, whether there were any requests for funding for armoured vehicles between 1997 and 2006, and if any concerns were raised with him about Snatch Land Rovers.<sup>326</sup> Mr Brown said that the question of expenditure in Iraq had to start from the “one fundamental truth” that “every request that the military commanders made to us for equipment was answered. No request was ever turned down.”

**630.** With regards to Snatch vehicles, Mr Brown told the Inquiry that:

“... the point at which the Ministry of Defence decided that, as a result of the change in tactics by insurgents against them, that they wanted additional and other vehicles to deal with the problems they faced in the Basra area, we immediately agreed with the Ministry of Defence that they should have the money ...

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<sup>324</sup> Thirteenth Report from the House of Commons Defence Committee, Session 2005-06, *UK Operations in Iraq*, HC 1241.

<sup>325</sup> Letter Dannatt to Browne, 31 August 2006, [untitled].

<sup>326</sup> Public hearing, 5 March 2010, pages 115-118.

“So the first time the request was made, we met it immediately with £90 million, and that was a decision that military commanders could make only themselves as to when and where they needed these new vehicles ...”

**631.** Sir Peter Spencer, the Chief of Defence Procurement from May 2003 to March 2007, told the Inquiry that he used to call regularly on the three single Service Chiefs of Staff, the Chief of the Defence Staff and the three Commanders in Chief and that: “If there had been concerns about UORs, they would have been raised.”<sup>327</sup>

**632.** Sir Peter later observed:

“... if it had been a problem somebody would have come to me and said ... Chiefs of Staff aren’t backwards in coming forward. If they think something is not right they let you know.”<sup>328</sup>

**633.** Several witnesses, in their evidence to the Inquiry, explained that hardening vehicles was just one way of protecting troops and emphasised the importance of tactics, techniques and procedures.

**634.** Asked whether he had been concerned about the vulnerability of Snatch in Iraq, ACM Stirrup replied:

“Very concerned. We wanted to get rid of Snatch outside the wire as quickly as possible but you can’t get rid of it by using just a big, heavy vehicle ... it is a mistake to believe that simply by increasing the armour on a vehicle, you can defeat an improvised explosive device. You have to take a broad spectrum approach. You have to improve your detection of the devices ... You have to provide as much physical protection in terms of armour as is consistent with the mission ... but, crucially, you have ... to attack the people who are doing this.”<sup>329</sup>

**635.** When asked specifically for his reflections on “the growth of the IED threat or Iranian influence”, in the context of a wider question on the development of particular trends or any notable events during his tenure, ACM Torpy wrote:

“During my time as CJO we saw a gradual, although not dramatic rise in the number of IED/EFP attacks against UK troops. Considerable effort was directed at developing tactics, techniques and procedures to mitigate the threat ... whilst at the same time seeking improvements to equipment, particularly the introduction of new electronic warfare equipment, additional vehicle armour and better body armour for personnel. Additional intelligence effort was also directed against IED/EFP networks to enable disruption operations to be undertaken.”<sup>330</sup>

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<sup>327</sup> Public hearing, 26 July 2010, page 27.

<sup>328</sup> Public hearing, 26 July 2010, page 31.

<sup>329</sup> Public hearing, 1 February 2010, page 71.

<sup>330</sup> Statement, 14 June 2010, page 7.

**636.** Major General Jonathan Shaw, GOC MND(SE) from January 2007 to August 2007, told the Inquiry:

“There is no such thing as a safe vehicle because if you look at ... what protection means, only a part of that ... is actually the hardening of the vehicle itself. Most protection is achieved by not being located or identified or targeted in the first place ...

“... more heavy armoured vehicles were hit than Snatch ... Snatch has come in for a lot of criticism, but actually it was an extremely effective weapon, and the soldiers really liked using it because, although it was risky, it avoided the damage [to roads and streets].”<sup>331</sup>

**637.** For the PPV programme, Sir Peter Spencer told the Inquiry that Lord Drayson had become “the catalyst” for moving it forward.<sup>332</sup> When asked if that was unusual, Sir Peter replied that it was “a leadership issue for the top of the shop in defence”.

**638.** The Inquiry asked ACM Torpy what direction he had provided about the appropriate levels of risk. He responded:

“I honestly do not believe it is CJO’s role to be giving direction to the in theatre commander as to the levels of risk he should be taking with his people ... Clearly we wanted to minimise risk to people, but recognising that we had a job to deliver as well ... So we would do the utmost we could possibly do in terms of providing improvements in terms of capability ... tactics and procedures, I have to say I left very firmly to the GOC ...”<sup>333</sup>

**639.** The Inquiry asked ACM Torpy whether he was reliant on or had challenged the GOC’s judgments. ACM Torpy replied:

“... that goes back to ... regular visits by senior officers.... not just me going out to theatre but CinC LAND ... General Jackson ... very experienced army officers. So I would have hoped if there was concern about what they were seeing on the ground that they would have put that in a visit report or come and tapped me on the shoulder and said, ‘Torpy, why hasn’t this been addressed?’ and that never happened.”<sup>334</sup>

**640.** When asked whether commanders on the ground were telling him that they had confidence in Snatch, ACM Torpy told the Inquiry that they:

“... saw it as a capability that they needed to fulfil the task ... they clearly would have liked a vehicle which offered better degrees of protection and extra armour was put on to Snatch vehicles. They had alternatives ... Warrior or, if necessary, a Challenger, but that ... has perception problems ... So ... there is a balance to

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<sup>331</sup> Private hearing, 21 June 2010, page 41.

<sup>332</sup> Public hearing, 26 July 2010, page 45.

<sup>333</sup> Public hearing, 18 January 2011, page 64.

<sup>334</sup> Public hearing, 18 January 2011, page 67.

be struck ... and the only person I believe who could take that is the commander on the ground.”<sup>335</sup>

**641.** Asked if he had discussed with Generals Jackson or Dannatt whether something else was needed for Snatch or if he had ordered any review of Snatch, ACM Torpy said:

“There was work going on ... Snatch had always been identified as a problem and I was very aware of the work ... going on in the equipment capability area and in the Front Line Command to look at what alternatives there were.

“The message ... of the equipment capability areas is that there is not another vehicle on the market which can provide that sort of mobility which we could go out and procure tomorrow ... The Americans didn’t have anything. They were still using Humvees ... they were having similar problems ...

“... from a PJHQ perspective ... we rely on the expertise which is in the equipment capability area and the Frontline Commands to deliver the requirements of the in theatre force ...”<sup>336</sup>

**642.** The Inquiry asked ACM Torpy if he had received any requests for the provision of a replacement for Snatch. He replied:

“No, not that I recall.”

**643.** Lt Gen Dutton told the Inquiry:

“Snatch served a really useful purpose in built-up areas where it was not easy – in some cases not even possible – to get more heavily armoured vehicles, so ... Snatch was not necessarily an unpopular vehicle ... depending on what was happening. But ... I recall ... there was a particularly nasty incident in Maysan, where ... soldiers ... were killed and they were in Snatch Land Rovers and that was IEDs, so it became obvious at that point that this vehicle was not optimised in any way to counter that.”<sup>337</sup>

**644.** The Inquiry asked Lt Gen Dutton whether it was difficult for commanders to decide when it was appropriate to use heavier armoured vehicles in Iraq.<sup>338</sup> He told the Inquiry:

“Yes, but there was an element of ‘You have got what you have got.’ So you might have to use them, even if you know they are not the vehicle optimised for that particular – and then you ask for different ones, and over time, they appear.”

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<sup>335</sup> Public hearing, 18 January 2011, pages 68-69.

<sup>336</sup> Public hearing, 18 January 2011, pages 69-70.

<sup>337</sup> Public hearing, 12 July 2010, pages 26-27.

<sup>338</sup> Public hearing, 12 July 2010, pages 28-29.

**645.** When asked by the Inquiry whether the need and subsequent requests for different levels of armouring was a feature of his time as GOC, Lt Gen Dutton replied:

“It must have been, but I don’t actually sort of recall it now ... we were certainly aware that, once the EFP arrived – we either needed to move people more by air or we needed different tactics, techniques and procedures or we needed more heavily armoured vehicles.”

**646.** The Inquiry asked Lord Drayson whether action to improve the effectiveness of electronic countermeasures or the level of protection afforded by Snatch was suggested to him when he took office in May 2005.<sup>339</sup> In a statement to the Inquiry Lord Drayson wrote:

“The briefings at that time did not indicate that action was required on the effectiveness of countermeasures against IEDs or the protection afforded by the Snatch Land Rover ... I was informed by the military advice that the Snatch was essential to the UK’s style of operations in Iraq that required a small, light and highly manoeuvrable vehicle to enable our troops to patrol in the narrow streets of Iraqi towns. The view expressed by the military at that time was that a heavily armoured tank like vehicle would not have been practical or consistent with the UK’s style of patrolling ‘amongst the people’.”

**647.** The Inquiry asked ACM Torpy whether the problem was that there was no agreement on what an alternative vehicle should be able to do.<sup>340</sup> He told the Inquiry that different commanders had different views, but that was not the problem. The problem was that “genuinely there was a lack of a product on the market” which could replace Snatch.

**648.** When asked if it was “ultimately pressure from Ministers” on the military chain of command which had led to the acquisition of heavier patrol vehicles, ACM Torpy replied that Lord Drayson had “created momentum for Mastiff to be introduced”, and “provided leadership in the MOD to make sure something was delivered”. That provided the in theatre commander with “another medium weight vehicle with a higher level of protection”. There was “no doubt that Mastiff was welcomed by the people on the ground” and that they “could undertake certain tasks”, but they “could not do what they were doing with Snatch previously”.

**649.** Asked why the pressure for a heavier vehicle had not come through the chain of command, ACM Torpy added:

“I think there was always pressure from the ... theatre ... to the MOD. I think the problem actually arises where you have an equipment programme which is under-funded and a desire ... on the one hand to make sure that the capabilities

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<sup>339</sup> Statement, 15 December 2010, page 1.

<sup>340</sup> Public hearing, 18 January 2011, pages 72-73.

we have to sustain our long-term defence capability against Defence Planning Assumptions, you have that conflict against today's problem in an operational theatre, and how do you balance the money? It took the Minister to say, 'We are going to do this'.<sup>341</sup>

**650.** Asked whether he had been pushing for an alternative vehicle to Snatch for deployment in Iraq, Gen Jackson told the Inquiry:

"This is one of those areas where it can be very frustrating as a single service chief, because you don't have the chequebook and you don't place the orders. At that time we were somewhat – what is the word I seek – quaintly known as Customer Two in the procurement construct, which says something about how the user was regarded ..."<sup>342</sup>

**651.** Gen Jackson added:

"... it leaves the single Services somewhat at arm's length from the process of acquiring equipment ... we need something better to use than Snatch – you may need something bigger ... That's the requirement from the user but it gets rather tortuous: it's a very arm's length relationship and therefore a very frustrating one."

**652.** Gen Jackson stated that the Defence Procurement Agency wrote the specifications; they were not handled by the service board and only in broad parameters by the Equipment Capability staff.

**653.** Responding to a comment from the Inquiry that General Kevin O'Donoghue, Chief of Defence Logistics 2005 to 2007 and Chief of Defence Materiel 2007 to 2009, had said Gen O'Donoghue only bought what the customer had requested, Gen Jackson replied:

"Yes, but who says 'it must withstand an explosion of this size'? Who says 'its ground pressure must not be more than that'? Who says 'it must not be more than this weight'? That's not the function of the Army Board. The Army Board says 'we want a vehicle that will do this' without going into that sort of detailed specification."<sup>343</sup>

**654.** Asked specifically whether he had tried to push back against the processes he was describing in relation to Snatch, Gen Jackson told the Inquiry:

"Yes, very much so. I have a recollection of what to me was a very important meeting with the then Procurement Minister, Lord Drayson, because I just felt we were not getting anywhere within the normal processes of the MOD, you know, and actually reflecting upon moral duty here."<sup>344</sup>

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<sup>341</sup> Public hearing, 18 January 2011, page 74.

<sup>342</sup> Public hearing, 28 July 2010, pages 76-77.

<sup>343</sup> Public hearing, 28 July 2010, page 81.

<sup>344</sup> Public hearing, 28 July 2010, pages 84-85.

**655.** In Gen Jackson's view, Lord Drayson:

"... was able, using his ministerial authority, and to be fair his commercial experience, to cut through some of the Gordian knots which seemed to surround what otherwise was this complex process."

**656.** The Inquiry asked Gen Dannatt about Sir Peter Spencer's comment that if the Commanders in Chief had concerns about UORs they would have been raised, and asked whether he was satisfied that the Army had had the equipment it needed to fight in Iraq coming through the UOR process.<sup>345</sup> Gen Dannatt replied:

"In general terms the answer is yes. There was a problem, though, which was ... that the process whereby the troops deployed on the front line saw a requirement and reported it back to PJHQ, the action in the PJHQ and the staff there, which were relatively small in number, were able to turn the opinion and the requirement of soldiers on the ground into a rapidly staffed requirement for new and changed equipment that could then be fired at the Defence Procurement Agency or whatever it was at the time.

"I felt that there was a greater role that ... Land Command, could have played to help out at least the horse power of those on the equipment staff of PJHQ, and also play our wider understanding of army requirements from our frequent involvements informally with the troops on the front line. I thought we could actually get a greater understanding, get it more quickly. I made several offers, and they were taken up eventually, to have my own equipment staff help the PJHQ equipment staff to try to convert the needs of the front line into identified requirements that the procurement system could then get on and act upon."

**657.** Gen Dannatt added that he "was never convinced" that "we were actually doing all we could be doing to make sure that we had the right equipment, in the right quantity in ... front line hands, as quickly as possible"; and that "there was a bit of deficiency in leadership and energy at times".

**658.** When asked specifically about why it had taken so long to find a replacement vehicle for Snatch, Gen Dannatt told the Inquiry:

"All commanders have accepted there is the need to have a light patrol vehicle. Narrow streets, small roadways and so on, that you have got a vehicle that can get down these places.

"That has been used as a justification to keep the existing Snatch in small numbers still in theatre for the present moment.

"Another line is ... and I was strongly of this view, let's get all the Snatch out as quickly as we can, but if you accept there is a need for a light patrol vehicle, it was

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<sup>345</sup> Public hearing, 28 July 2010, pages 43-45.

said by all those involved with industry and the procurement process that there was nothing available on the market to replace the sort of Snatch-type dimension very quickly.

“I think we have already ... mentioned the fact that even now the Ministry of Defence I understand is deliberating between two contenders for effectively a Snatch replacement. This is 2010. That was 2003/4.”<sup>346</sup>

**659.** Gen Dannatt continued:

“... it was said by the people whose advice one had to take, ‘There is nothing else out there’. I am not a scientist myself. If that’s what they say, one had to accept that.

“Therefore the next strand of argument was to really go for the work-arounds as to how do we protect our people with other vehicles? That’s where we get into the Mastiffs, the Bulldogs ... Many of these have been very successful. Mastiff very successful ... In the context of Iraq something that I found counterintuitive and had to agree to while I was Commander in Chief was the Bulldog. The old 430 lightly armoured personnel carrier that I grew up as a platoon commander in the early 1970s and I thought had had its day in the battlefield. When I said, ‘We must have a better vehicle’, eventually they came to me in middle 2005 and said, ‘Commander in Chief, the best option that we can get into the field quickly with good protection is to slap modern armour around a re-engined 430 series vehicle. That’s the best we can do’.

“I took a very deep breath and said, ‘If that’s the best we can do, then that’s what we are going to do’. For Iraq I think it played a significant role.”

**660.** When asked about the Ministerial review into PPVs in 2006, why it had taken so long and why it was a political rather than a military initiative, Gen Dannatt told the Inquiry:

“... it wasn’t money and was not industry capacity ... I think it was a deficiency in leadership and energy in solving this problem ... but really frustrating not to be able to get on with this, and the fact we have still not closed with the issue in 2010.”<sup>347</sup>

**661.** The Inquiry asked Gen Dannatt about where that lack of leadership and energy resided. He replied:

“... if you were going to identify a requirement that needed resources thrown at it, which couldn’t be funded immediately from the UOR process, it has to come from somewhere else in the core MOD Equipment Programme. That meant something else had to go and other people perhaps did not want to see other things they thought were very important going.

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<sup>346</sup> Public hearing, 28 July 2010, pages 49-51.

<sup>347</sup> Public hearing, 28 July 2010, pages 54-55.

“It would be wrong to say this was kicked into the long grass, but other solutions, work-arounds were preferred than tackling this one head-on ... I am not a technical person, I am not a scientist ...”

**662.** The Inquiry asked why the Mastiff programme had been initiated by Ministers rather than the Defence Board providing the answers to what, by then, was recognised every day in Iraq to be a serious problem.<sup>348</sup> Gen Dannatt replied:

“I was purely a member of the Defence Board, and there were many people around the table and many conflicting points of view. You can articulate your point of view as clearly as you can. Others might be persuaded by your argument or choose not to be persuaded by your argument. ... In many cases they chose not to be persuaded by my argument. So one had to accept the decisions that were taken, albeit with a degree of frustration.”

## CHANGES TO THE ARRANGEMENTS FOR IDENTIFYING AND FUNDING UORS

**663.** The earlier part of this Section, considering improvements in the MOD's procurement processes during Op TELIC, looks in more detail at the advice given by Lt Gen Houghton in 2006 on how to improve the way in which capability gaps were identified.

**664.** At the same time, concern was growing about the MOD's failure to control expenditure on UORs for Iraq and Afghanistan, leading the Treasury to seek a new arrangement for funding UORs.

**665.** When ECAB discussed a review of the Equipment Programme on 5 July 2006, it was pointed out “that considerable work had been undertaken (including the engagement of Ministers) on the PPV issue and protected mobility”, but there were remaining concerns about:

“... the ability of the routine procurement process to react quickly enough to match changing threats. The UOR process worked well at the start of a campaign, but was not designed to support enduring operations.”<sup>349</sup>

**666.** On 24 November, Mr Browne wrote to Mr Timms to request an increase of £460m in the combined UOR funding.<sup>350</sup> Despite tight controls, the requirements for UORs continued “at a rate higher than anticipated, and considerably above historical norms”, because of:

- the intensity of operations in Afghanistan;
- the slow drawdown of forces from Iraq;

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<sup>348</sup> Public hearing, 28 July 2010, pages 67-68.

<sup>349</sup> Minutes, 5 July 2006, Executive Committee of the Army Board meeting.

<sup>350</sup> [Minute MOD \[junior official\] to PS/Secretary of State \[MOD\], 24 November 2006, 'Additional Funding for Urgent Operational Requirements \(UORs\)'](#).

- the constantly evolving threat in both theatres; and
- “a decreased willingness, at all levels, to ‘make do’ with sub-optimal solutions and uncomfortable living and working conditions now that both operations [Afghanistan and Iraq] have become enduring”.

**667.** The size of the request prompted Mr Browne’s Assistant Private Secretary to do “a little digging” into the MOD’s UOR system.<sup>351</sup> He reported to Mr Browne:

“The UOR system – the people who make bids on it and those who sanction bids within it – are changing their attitude. There is greater willingness to ask for technical solutions to reduce risk and discomfort and less inclination to block such bids. Partly this is because there is a perception (rightly or wrongly) that the political environment has changed, and money is no longer the constraint it was. Whilst it never was for UORs/operations, many in the MOD became used to it as a constraint in restructuring and that attitude bled across to other things ...”

**668.** Mr Browne’s Assistant Private Secretary suggested a discussion of the UOR culture that was forming, and “whether we need to re-steer a little or accept that this is the new price of doing business”.

**669.** The request on 24 November prompted a series of discussions between the Treasury and the MOD about the adequacies of the UOR system.

**670.** Mr Timms was advised by a Treasury official on 9 January 2007 that:

“At official level, MOD have indicated that the underlying reason for the sustained high level of UORs is linked to a Ministerial judgement that soldiers must be provided with the optimum equipment, especially where force protection is at stake.

“HMT [the Treasury] have never refused a request to fund a UOR. Once forces are deployed and commanders are generating requirements it is difficult to deny the resources ... It follows that the mechanism for limiting the total cost of operations is to resist any expansion of troops committed to operations, rather than UORs to supply the troops already deployed in theatre.”<sup>352</sup>

**671.** Mr Timms was advised by a Treasury official on 20 April that the “step-change” in the level of UOR funding made the current UOR arrangement “unsustainable”.<sup>353</sup> The Treasury had provided £2.1bn to fund UORs relating to Iraq and Afghanistan since 2001, of which over half had been provided in the last two years:

“We [the Treasury] do not question the military judgment that there is a current operational need – but we believe that many of these items seek to provide

<sup>351</sup> Minute MOD [junior official] to Browne, undated, ‘UOR Funding – Iraq and Afghanistan’.

<sup>352</sup> Minute Treasury [junior official] to Chief Secretary, 9 January 2007, ‘Increase in the Urgent Operational Requirements Envelope’.

<sup>353</sup> Minute Treasury [junior official] to Timms, 20 April 2007, ‘Increase in the Urgent Operational Requirements Envelope’.

a general capability that could have been provided through the Equipment Programme. Many items appear to be kitting out the Army while the Equipment Programme has invested in ships and aircraft ... As such we think the UOR scheme is becoming a straightforward supplement to the EP [Equipment Programme] in a way that it was never intended to be, bailing out MOD of the need to prioritise in the kit they purchase and compensating for bad decisions in the past.”

**672.** The official advised that the UOR regime was not ideal for the UK military either, as:

- despite accelerated procurement, UORs were frequently not available until several months after a need had been identified. It would be better to plan to have the capability in advance;
- that would also enable soldiers to be trained on new equipment before their deployment to theatre, and for new equipment to be properly incorporated into military doctrine; and
- after one year, the ongoing costs of UORs reverted to the core defence budget. Those unplanned costs could be difficult to accommodate.

**673.** From June 2007, the process changed so that the Treasury cleared every UOR individually (rather than only those above £10m).<sup>354</sup>

**674.** The outline of a new UOR regime was agreed in late July, as part of the MOD’s settlement in the 2007 Comprehensive Spending Review:

- the Reserve would pay for the “first element” of total UOR costs each year;
- MOD and Treasury would share equally any costs in excess of this amount (with the Treasury meeting those excess cost up front, and then reclaiming them from MOD on a rolling three-year basis);
- MOD would receive £200m to assist with its first payments under this new arrangement, and;
- MOD would review its Equipment Programme with the intention of “rebalancing spend towards ... the current operating environment”.<sup>355</sup>

**675.** The changes to the UOR process, and discussions leading up to them, are considered in more detail in Section 13.1.

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<sup>354</sup> Minute Lester to Woolley, 30 October 2007, ‘Approach to UOR Funding Following the CSR07 Settlement’.

<sup>355</sup> Letter Burnham to Browne, 24 July 2007, ‘Comprehensive Spending Review 2007: Ministry of Defence Settlement’.

## Protected mobility between late 2006 and mid-2009

**676.** The security situation in MND(SE) continued to deteriorate into late 2006.

**677.** On 4 September 2006, Gunners Stephen Robert Wright and Samuela Vanua died as a result of injuries sustained when their Land Rover hit a roadside IED on patrol north of Basra.<sup>356</sup>

**678.** By the end of October, the security situation in Basra had deteriorated to the point where Mrs Margaret Beckett, the Foreign Secretary, decided that it would be necessary to withdraw the majority of civilian staff from Basra Palace.<sup>357</sup> That is addressed in Section 9.5.

**679.** A note from Brig Inshaw on 3 January 2007 advised Gen Dannatt that the first four Mastiff vehicles had been delivered to Iraq on 30 December 2006.<sup>358</sup> A further 11 vehicles were expected by the end of January.

**680.** Brig Inshaw acknowledged that those deliveries would miss by one month the “hard target” set by Lord Drayson for a company’s worth of vehicles to arrive in Iraq by 31 December, but that Gen Dannatt “may feel” that the work undertaken since July to get the Mastiff vehicles ready for theatre so quickly was “very impressive”.

**681.** Maj Gen Shirreff wrote in his post-operation tour report on 19 January 2007:

“Bulldog is proving itself in battle and has the confidence of the soldiers who fight from it. Mastiff has arrived and although it will take some time to prepare it for operations, it is an impressive beast and will significantly enhance our capability.”<sup>359</sup>

**682.** Mr Jeffrey visited Iraq from 12 to 13 March where he met Brigadier Paul Jacques, Chief of Force Support.<sup>360</sup> Mr Jeffrey was shown one of the new Mastiff vehicles and Snatch ECM equipment. Brig Jacques reported that 12 out of 54 Mastiff vehicles “had arrived and were proving highly capable, but even when the full complement was delivered there would be a continuing requirement for Snatch because of their manoeuvrability and speed”.

**683.** Brig Jacques praised the work that had enabled Mastiff’s arrival into service and “said they would welcome follow-up visits to discuss problems and potential improvements based on operational experience”. He thought in general that it would be helpful to have more frequent visits from IPT members, and for closer contact between theatre and the DECs on the progress of UORs.

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<sup>356</sup> GOV.UK, 5 September 2006, *Gunners Stephen Robert Wright and Samuela Vanua killed in Iraq*; BBC News, 6 September 2006, *MOD names soldier killed in Iraq*.

<sup>357</sup> Minute Cabinet Office [junior official] to Sheinwald, 30 October 2006, ‘Iraq Strategy Group, 27 October’.

<sup>358</sup> Minute DCI(A) to MA/CGS, 3 January 2007, ‘Mastiff’.

<sup>359</sup> Report Shirreff to PSO/CDS, 19 January 2007, ‘Post Operational Report – Operation TELIC’.

<sup>360</sup> Minute PS/PUS [MOD] to PS/SofS [MOD], 16 March 2007, ‘PUS Visit to Multinational Division South-East, 12 March 2007’.

**684.** IED attacks in MND(SE) continued to cause casualties, with an increase in the targeting of Warrior vehicles.

**685.** On 28 December 2006, Sergeant Graham Hesketh was killed when the Warrior vehicle in which he was patrolling hit a roadside IED in Basra City.<sup>361</sup>

**686.** On 5 January 2007, PJHQ informed Mr Browne that a Warrior vehicle had been penetrated by an IED attack on 27 December, resulting in seven minor casualties.<sup>362</sup>

**687.** PJHQ said there had been an increasing number of larger EFPs used against MNF vehicles over the last two months and, as a result, two further UORs to enhance the Warrior's armour had been submitted. A reserve pool of Warrior vehicles was maintained to replace those damaged beyond repair in theatre.

**688.** On 10 January, Mr Browne requested further advice on the nature of the advanced armour, when it was likely to be fitted and any intelligence held on the increased threat.<sup>363</sup>

**689.** Private Michael Tench was killed on 21 January when his Warrior vehicle suffered an IED attack while patrolling with three other Warrior vehicles.<sup>364</sup> Four other soldiers sustained injuries, one of which was very serious.

**690.** PJHQ submitted further advice to Mr Browne on 26 January.<sup>365</sup> It said that the recent attacks were the first to penetrate the Warrior vehicles but, while the number of EFP attacks had increased, "these large EFPs are not a new threat, as they were first seen in MND(SE) in Jul 05". Six Warriors had sustained serious damage since 1 November 2006.

**691.** PJHQ assessed that the increased targeting of Warrior was likely to be a result of their increased use in road convoys (due to the reduction in the use of Snatch Land Rovers). The two UORs for enhanced armour were predicted to be in service by the end of April.

**692.** On 5 February, Second Lieutenant Jonathan Carlos Bracho-Cooke died as a result of injuries sustained when his Warrior vehicle suffered an IED attack on patrol in Basra City.<sup>366</sup>

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<sup>361</sup> GOV.UK. 29 December 2006, *Sergeant Graham Hesketh killed in Iraq*.

<sup>362</sup> Minute PJHQ [junior official] to APS2/SofS [MOD], 5 January 2007, 'Op TELIC: Improvised Explosive Device (IED) Attack on Warrior'.

<sup>363</sup> Minute APS/SofS [MOD] to PJHQ [junior officer], 10 January 2007, 'Op TELIC: Improvised Explosive Device (IED) Attack on Warrior'.

<sup>364</sup> Minute PJHQ [junior officer] to PS/SofS [MOD], 21 January 2007, 'Iraq: Op TELIC: Death of British Soldier Basra City'.

<sup>365</sup> Minute PJHQ [junior officer] to APS/SofS [MOD], 26 January 2007, 'Op TELIC: Improvised Explosive Device (IED) Attacks on Warrior'.

<sup>366</sup> GOV.UK, 6 February 2007, *Second Lieutenant Jonathan Carlos Bracho-Cooke killed in Iraq*.

**693.** On 9 February, Private Luke Daniel Simpson was killed when his patrol vehicle hit a roadside IED.<sup>367</sup> Private Simpson had been driving the lead vehicle in a convoy of three Snatch Land Rovers in Basra.

**694.** Lord Drayson visited Iraq on 8 March and discussed various equipment issues in theatre, including force protection.<sup>368</sup> The report of his visit stated that “the overall opinion” on Mastiff and Bulldog “seemed to be positive” although there were some performance issues and suggestions for improvement. With Mastiff, there were “a number of minor issues” that “could be easily solved” with a visit from IPT. Those included: a lack of servicing schedule or handbook; radio batteries not generating sufficient power for good communications; and air conditioning units not adequately cooling the ECM, creating a risk of overheating. The “most significant concern” was that “the vehicle would be a victim of its own success”; there had been cases of visitors “insisting on travelling in Mastiff, relegating them to VIP taxis rather than the patrol tasks they were bought to fulfil”. Lord Drayson “made it clear that they should not be abused in this way”.

**695.** Lord Drayson was told that there were “many problems” with the Snatch 2 platform. The Snatch 2A was “a lot more reliable than the Snatch 2” but needed modifications to improve night vision and communications equipment.

**696.** The visit report highlighted that Mastiff was too large for use inside Basra City. There were some areas where Bulldog was also too large to go and Snatch was deployed because the threat of IED attacks in those areas was “minimal”. The US was using less protected vehicles, Humvees, for that role but “protected them through aircover”. The report stated:

“Given the scientific limits on the amount of armour that could be applied to a vehicle the size of Snatch, any vehicle used to carry out tasks in confined urban areas was inevitably going to be at risk – but it was safer than carrying out the tasks by foot, or by helicopter.”

**697.** Lord Drayson was told:

“Overall there was a clear perception in theatre that UK MOD was not taking account of the rate of change. UORs too often sought to deliver a perfect capability, but in doing so delivered so late the requirement had changed or theatre were without any capability for too long. It was suggested that if there were greater dialogue between theatre and the ECC/ABW [Equipment Capability Customer/Abbey Wood<sup>369</sup>] on individual UORs then trades ... could be made.”

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<sup>367</sup> GOV.UK, 10 February 2007, *Private Luke Daniel Simpson killed in Iraq*; BBC News, 26 September 2007, *Iraq soldier ‘unlawfully killed’*.

<sup>368</sup> Minute APS/MIN(DES) to PSSC/SofS [MOD], 26 March 2007, ‘Minister(DES) Visit to Iraq’.

<sup>369</sup> Abbey Wood is the location of the Defence Procurement and Support Agency (DE&S).

**698.** The report concluded by saying that “the lack of faith in the UOR process” and the suggestion of a “fundamental mismatch” between theatre’s requirements and the “ECC/IPTs endeavours to deliver the perfect capability in a more extended timeframe was concerning”. Lord Drayson asked for advice, by 10 April, from Maj Gen Figgures on how to address that and for him and the Chief of Defence Materiel “to reinforce the urgency that everyone should attach to delivering UORs”.

**699.** In his evidence to the House of Commons Defence Committee on 20 March about UK operations in Afghanistan, Lt Gen Houghton said that the deployment of Mastiff and Vector was expected to be complete by the end of autumn.<sup>370</sup> He said that, by that time, all Snatch vehicles would have been removed from theatre.

**700.** On 18 May, Lord Drayson was advised that a total of 49 operational Mastiff vehicles out of 108 had been delivered so far: 14 in Iraq, 16 in Afghanistan and 19 in the UK.<sup>371</sup>

### Capacity to improve the UOR system

Following Lord Drayson’s request for advice on how to address the “fundamental mismatch” between theatre’s requirements and the delivery of capability, Lt Gen Figgures advised on 4 April that the UOR process continued to be “agile and reactive, with an average of just seven months between the PJHQ endorsement of a requirement and the in-service date of the UOR-ed equipment”.<sup>372</sup> Those seven months included:

- identification of a solution;
- the drafting and approval of a business case;
- the placing of a contract;
- the manufacture and/or integration of the equipment; and
- the delivery of that equipment to theatre.

Lt Gen Figgures acknowledged the rise in USURs during FY 2006/07 and stated that “the more heavily loaded” teams, the Departments of Equipment Capability (DECs) and Directorate of Capabilities Resources and Scrutiny (DCRS), had augmented their staff “so as to be able to continue to react rapidly to the increase in volume and not slow the process down”.

Time was “the key driver for UORs” and it was “universally accepted” that UORs only had to meet “an 80+ percent solution”, on the basis that it was “preferable to rapidly fill the capability gap that exists in theatre rather than achieve a technically perfect outcome”.

Considering potential reasons for delay, Lt Gen Figgures wrote that there had been “a gradual evolution” in the type of UORs being submitted over recent months from “traditional” UORs that sought to modify or enhance existing equipment to UORs “asking for entirely new systems” which inevitably would take longer to deliver.

<sup>370</sup> Thirteenth Report of the House of Commons Defence Committee, Session 2006-07, *UK operations in Afghanistan*, HC 408.

<sup>371</sup> Minute SO1 DCC [DEC(GM)], 18 May 2007, ‘Medium Protected Patrol Vehicle Mastiff’.

<sup>372</sup> Minute DCDS(EC) to PS/Min(DES), 4 April 2007, Minister(DES) Visit to Iraq – Equipment Issues’.

Lt Gen Figgures added that perceived delays could also potentially be attributed to optimism bias and the six-month duration of rotations, the latter meaning that some personnel might not stay in theatre long enough to see equipment enhancements arrive during their tour.

On communications between the UK and theatre, Lt Gen Figgures advised that PJHQ remained “in constant *daily* contact” with Equipment Capability (EC) cells in theatre. The DECs were also “in frequent dialogue” with the EC cells. There had been various visits from teams engaged in the procurement chain and those would continue in balance with theatre’s priorities.

Recognising that some improvements could be made, Air Commodore Brian Bates, Director Directorate of Joint Capability, and Mr Guy Lester, Director DCRS, were going to join PJHQ’s monthly video conference calls with theatre as of that month.

Lt Gen Figgures concluded:

“Indeed, this already regular dialogue with theatre made the concerns expressed to the Minister all the more surprising as reports from theatre on UORs tend to be very positive.”

On 23 April, Lord Drayson met Lt Gen Houghton and Lt Gen Figgures “to discuss the apparent discrepancy between the view of troops in theatre and PJHQ/MOD on equipment and UORs”.<sup>373</sup> VAdm Style sent a note of the meeting to Lord Drayson on 21 May after consulting with PJHQ and EC cells.

VAdm Style reported that the average length of UOR delivery time had fallen over the last three years from an average of 9.3 months to 7.5 months. A “longer term analysis” indicated delivery times at the start of Op TELIC were shorter, taking 5 months in 2002 and 3.1 months in 2003, but it was felt that “reflected the simpler nature of the UORs processed”.

VAdm Style wrote that the overall feedback on UORs remained “very positive” with “94 percent/100 percent” of Op TELIC and Op HERRICK UORs being rated as effective or highly effective.

The recent comments about perceived failures in the UOR process were “a source of concern”. VAdm Style suggested several ways to address the “causal factors” for those comments:

- a review of pre-deployment UOR training;
- better communication of what had been done and what was being done;
- a clearer flow of information from theatre because direct communication between theatre and the Equipment Capability Customer (ECC) was “still the exception rather than the rule”;
- assessing staff shortfalls in “key” Integrated Project Team (IPT) posts; and
- finding ways to “aggressively and imaginatively bear down upon UOR timelines”.

<sup>373</sup> Minute DCDS(C) to Min(AF), 21 May 2007, ‘Meeting with CJO and DCDS(EC) – Equipment Requirements in Theatre’.

On 28 June, VAdm Style reported that progress had been made against all actions, “but it would be premature to state that they may have been met or that the underlying issues have been resolved”.<sup>374</sup>

To improve the communication flow with theatre, DEC desk officers had been encouraged to engage directly with theatre EC cells instead of through PJHQ. There was greater sharing of information such as sending copies of the UOR database and all approved business cases to EC cells.

**701.** The threat in Iraq continued to increase and further improvements to force protection were agreed.

**702.** On 29 March 2007, Mr Browne wrote to Mr Timms to outline UOR funding requirements for financial year 2007/08.<sup>375</sup> That included:

- An additional £15m plus for ECM: “Anti-coalition forces in both Iraq and Afghanistan are developing the methods they employ in the use of Improvised Explosive Devices; we are in a stronger position as a result of additional better-protected vehicles procured last year (by summer 2007 there will be over 50 Mastiff and Bulldog in theatre), but the best way to protect against attack remains to stop the IEDs before impact ...”
- £50m for a Counter Rocket, Artillery and Mortar (C-RAM) system capable of detecting, providing warning of and intercepting indirect fire (IDF).
- £87m plus for intelligence and surveillance capabilities for both Iraq and Afghanistan, including ISTAR enhancements.

**703.** On 5 April, Second Lieutenant Joanna Dyer, Corporal Kris O’Neill, Private Eleanor Dlugosz and Kingsman Adam James Smith were killed when an IED exploded underneath the Warrior vehicle in which they were travelling.<sup>376</sup> A local civilian interpreter was also killed in the attack.

**704.** On 17 April, the Chiefs of Staff were briefed that the security situation in MND(SE) “had been dominated by the two under belly IED attacks against a Warrior and a Challenger 2”.<sup>377</sup> That type of attack had been seen elsewhere in Iraq but was unusual for MND(SE). The implications were still being assessed but “appeared not to represent a migration of this type of attack to the South, rather a response by a resourceful and adaptive enemy responding to MNF operations – operating procedures continued to be reviewed and refined in theatre”.

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<sup>374</sup> Minute DCDS(C) to Min(AF), 28 June 2007, ‘Equipment Requirements in Theatre – Update of Actions’.

<sup>375</sup> Letter Browne to Timms, 29 March 2007, [untitled].

<sup>376</sup> GOV.UK, 6 April 2007, *Second Lieutenant Joanna Yorke Dyer, Corporal Kris O’Neill, Private Eleanor Dlugosz and Kingsman Adam James Smith killed in Iraq*.

<sup>377</sup> Minutes, 17 April 2007, Chiefs of Staff meeting.

**705.** On 19 April, Corporal Ben Leaning and Trooper Kristen Turton were killed when their Scimitar vehicle was struck and badly damaged by an IED attack in Maysan province.<sup>378</sup> Three other soldiers were injured in the attack. The vehicle had been providing protection for a convoy.

**706.** On 6 May, Private Kevin Thompson died as a result of injuries sustained when the vehicle in which he was travelling hit an IED in the early hours of 3 May.<sup>379</sup> He had been taking part in a routine convoy to re-supply the Contingency Operating Base at Basra Air Station.

**707.** Maj Gen Shaw sent an update to CJO on 7 June, stating:

“Our vehicles are protecting us but at an unsustainable rate. On average we are losing an armoured vehicle due to damage beyond local repair at a rate of a vehicle every nine days; faster than the UK can resupply them.”<sup>380</sup>

**708.** Maj Gen Shaw told the Inquiry that the vehicle he was referring to in his update of 7 June was Warrior.<sup>381</sup> When asked what he had in mind in making that statement, Major Gen Shaw said:

“It was the unsustainability of what we were doing ... alerting people that what we were doing was unsustainable.”

**709.** When asked by the Inquiry what was being done to deal with that problem, Maj Gen Shaw said: “I can’t recall.”

**710.** On 22 June, Corporal John Rigby died from injuries sustained by a roadside bomb attack in Basra.<sup>382</sup>

**711.** On 28 June, Corporal Paul Jozsko, Private Scott Kennedy and Private James Kerr were killed by a roadside IED in Basra.<sup>383</sup> The soldiers had dismounted the Warrior vehicle in which they had been patrolling when the device detonated.

**712.** On 7 July, Lance Corporal Ryan Francis was killed when an IED hit the Warrior vehicle in which he was travelling north of Basra.<sup>384</sup> LCpl Francis was taking part in a large scale operation to detain insurgents in Basra City. Corporal Christopher Read was

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<sup>378</sup> GOV.UK, 20 April 2007, *Corporal Ben Leaning and Trooper Kristen Turton killed in Iraq*.

<sup>379</sup> GOV.UK, 7 May 2007, *Private Kevin Thompson dies in UK from injuries sustained in Iraq*.

<sup>380</sup> Private hearing, 21 June 2010 pages 40-42. This evidence was quoted to Maj Gen Shaw during his hearing.

<sup>381</sup> Private hearing, 21 June 2010 pages 40-42.

<sup>382</sup> GOV.UK, 24 June 2007, *Corporal John Rigby killed in Iraq on Friday 22 June 2007*.

<sup>383</sup> GOV.UK, 29 June 2007, *Corporal Paul Jozsko and Privates Scott Kennedy and James Kerr killed in Basra roadside bomb attack on 28 June 2007*.

<sup>384</sup> GOV.UK, 7 July 2007, *Lance Corporal Ryan Francis 2nd Battalion The Royal Welsh killed in Iraq 7 July 2007*.

also killed as a result of the operation, through injuries sustained from small arms fire attack, and a third soldier was injured.<sup>385</sup>

**713.** On 31 July, Corporal Steve Edwards was killed when the Warrior vehicle in which he was patrolling was struck by an IED in Basra City.<sup>386</sup>

**714.** On 9 August, Lance Sergeant Chris Casey and Lance Corporal Kirk Redpath were killed when their Snatch Land Rover was hit by an IED during an operation to the west of Basra City.<sup>387</sup>

**715.** On 3 September, UK forces withdrew from Basra Palace and moved to Basra Air Station. The move and the arrangements surrounding it are addressed in Section 9.6.

**716.** In its review of UK land operations in Iraq, published on 3 December 2007, the House of Commons Defence Committee acknowledged the introduction of Mastiff and Bulldog.<sup>388</sup> It stated that that had “significantly improved the force protection available to our Forces in Iraq”.

**717.** Major General Graham Binns became GOC MND(SE) in August 2007. He told the Inquiry that when he arrived in Basra, the security situation was “difficult”:

“Every move outside our bases required detailed planning and was high risk. I thought that we were having a limited effect on improving the security situation in Basra. 90 percent of the ... violence was directed against us ...”<sup>389</sup>

**718.** Maj Gen Binns told the Inquiry that the move to Basra Air Station in September 2007 coincided with other changes that helped to reduce the threat to forces.<sup>390</sup> He said that protected mobility of vehicles “improved significantly” with the upgrade of Warrior vehicles and introduction of Mastiff, the latter being “a very good vehicle for the role on roads”.

**719.** On 13 September 2007, the Defence Board endorsed a request to use MOD funding to pay for additional Mastiff vehicles as a UOR.<sup>391</sup> In discussion, it was said that procuring more Mastiff vehicles “was the right thing to do. They had already proved their worth in theatre in Iraq and Afghanistan and there was a clear operational requirement.”

**720.** On 2 October, a DCRS official advised Lord Drayson that the MOD had initiated the procurement of an additional 147 Mastiff vehicles.<sup>392</sup> Force Protection Inc, the

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<sup>385</sup> GOV.UK, 7 July 2007, *Corporal Christopher Read 3rd Regiment Royal Military Police killed in Iraq*.

<sup>386</sup> GOV.UK, 2 August 2007, *Corporal Steve Edwards 2nd Royal Tank Regiment killed in Iraq*.

<sup>387</sup> GOV.UK, 10 August 2007, *Lance Sergeant Chris Casey and Lance Corporal Kirk Redpath killed in Iraq*.

<sup>388</sup> First Report of the House of Commons Defence Committee, Session 2007-08, *UK land operations in Iraq 2007*, HC 110.

<sup>389</sup> Public hearing, 15 January 2010, page 3.

<sup>390</sup> Public hearing, 15 January 2010, page 35.

<sup>391</sup> Minutes, 13 September 2007, Defence Management Board meeting.

<sup>392</sup> Minute DCRS [junior officer] to APS/Minister(DES), 2 October 2007, ‘Announcement of Additional Mastiff’.

manufacturer, was “not yet on contract” to provide the vehicles but IPT was “maturing the Business Case” and “negotiating with both the United States Marine Corps (USMC) and the manufacturer”. The USMC held “considerable influence” over Force Protection Inc’s production “as it accounts for a significant proportion of the manufacturer’s order book”.

**721.** DCRS advised that the MOD’s request for additional Mastiff vehicles would be considered at the next US Joint Chiefs of Staff on 11 October. Without its approval, Force Protection Inc was unable to make any commitment to the MOD.

**722.** On presentational advice, DCRS stated that “any attempt to directly influence the US Congressional process would be unhelpful and so an announcement” should be “considered carefully”. It added that an announcement would, “however”, offer “significant advantages” because it “would illustrate the Department’s intent to procure additional protected mobility vehicles, in order to improve force protection and operational effectiveness”.

**723.** The UOR for an additional 147 Mastiff vehicles for Afghanistan was submitted to the IAB by DEC(GM) and the Specialist Utility Vehicle IPT on 4 October.<sup>393</sup> That would increase the total Mastiff fleet to 280: 76 for Iraq and 204 for Afghanistan. Of Iraq’s 76 vehicle allocation, 54 would be deployed (including eight ambulances) and there would be 22 vehicles in the training fleet (including two ambulances).

**724.** The UOR stated that an additional 26 vehicles were to be deployed “to the user” by 31 April 2008. That would meet Iraq’s requirement but would leave Afghanistan with insufficient vehicles “to meet the operational, training and maintenance requirements”. There were currently 49 Mastiff vehicles available in Iraq, with 18 vehicles in the UK in a training pool shared with operations in Afghanistan.

**725.** While it had been “originally envisaged that Vector would be suitable to provide the bulk of the protected mobility” in Afghanistan, it was “now clear that the situation, threat, mission and nature of operations demand[ed] a different capability”. A “comprehensive review of protected mobility” in Afghanistan had shown that “the capabilities required for the bulk of the combat troops are best met by a combination of ATV(P) Viking and Mastiff”.

**726.** The UOR stated that Mastiff was “now essential to operations on Op TELIC”. It was “the most appropriate vehicle for long distance convoy escort operations where movement is canalised on the main supply routes” between the Contingent Operating Base and Kuwait, where logistic elements were based. It was “not possible” to draw down Iraq’s Mastiff fleet to support Afghanistan without an impact on operations. It added: “The shortfall in ambulances with commensurate protection and mobility is constraining commanders (or forcing them to take risk).”

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<sup>393</sup> Minute DEC(GM) to IAB Sec, 4 October 2007, ‘MASTIFF Urgent Operational Requirement (UOR) Uplift IQ4165/AO1082 Review Note’.

**727.** On 8 October, Mr Brown announced that the MOD was placing an order for an additional 140 Mastiff vehicles.<sup>394</sup>

## INTRODUCTION OF A NEW PROCESS TO DETERMINE THE ACCEPTABLE LEVEL OF RISK IN OPERATIONS

**728.** In September 2007, the DOC reported on its “extensive review and analysis of the UK’s current Force Protection (FP) capability in order to expose risk, provide assurance and present strategic recommendations to COS [Chiefs of Staff]”.<sup>395</sup>

**729.** The review was not specific to Iraq or Afghanistan but drew heavily on the UK’s experience there. The review focused on:

- risk and governance;
- the application of theatre entry standards;
- training;
- lines of communication;
- protection in the land, air and maritime environments;
- operational level protection; and
- UOR procured equipment.

**730.** The review stated:

“Before undertaking an operation, COS should collectively reach a judgement on sensitivities, likely benefits and consequences as well as the appetite – amongst public, politicians and ministers – for sustaining casualties and prosecuting operations that carried a certain degree of risk. This risk/benefit analysis would be articulated and reviewed through the Strategic Estimate process. Any guidance would have to be balanced to ensure that it was not overly prescriptive ... or, conversely, too generic ...”

“... The management of FP risk must be based on a thorough identification of strategic and operational threats to ensure that a balance of research, investment and training is achieved commensurate with the threat ...

“In deriving an assessment of cumulative risk, PJHQ should have a clear understanding of the totality of known risk in the forces declared to it. This should include all the equipment and other limitations which were accepted in the procurement of force elements; all the subsequent limitations evident in practice together with manpower, training or logistic support issues. If this risk capture process works efficiently, CJO will be able to form an accurate judgment of the risk to the protection of UK forces, which in turn would allow him to engage on palliative measures required early in the operational planning process.”

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<sup>394</sup> House of Commons, *Official Report*, 8 October 2007, column 24.

<sup>395</sup> Report DOC, September 2007, ‘Protection of the Deployed Force Operational Audit Report 1/07’.

**731.** One of the points the Chiefs of Staff were asked to note was that, while the UK had “a first class capability to neutralise and mitigate the IED threat”, “significant continued investment” was necessary “to keep pace” with its rapid development. The review stated: “Physical protection levels against the more capable anti-armour IEDs are, however, probably approaching engineering and material limits.”

**732.** On protected mobility, the review stated:

“The commander needs a range of protected vehicles to provide different levels of protection and mobility depending on the specific operation. This includes the need to operate in urban areas where larger, tracked vehicles may not be able to enter.”

**733.** The review stated that, while the Snatch Land Rovers had been upgraded, they were “still very vulnerable to roadside bombs and RPG”.

**734.** The review stated that “the need for a replacement wheeled protected vehicle was previously identified and Vector ... PPV was procured with money being pulled forward from the programme that already sat within the EP. Vector delivers increased protection and greater capacity in comparison to Snatch and a total of 166 vehicles have been procured.” There were 34 vehicles in Afghanistan and 22 in the training fleet; the remaining 110 were due to be delivered by 31 October 2007.

**735.** The review also referred to Mastiff’s rapid procurement and said that early reports suggested it was “performing well”.

**736.** There was “still no clearly defined Theatre Entry Standard for minimum levels of protection and equipment that must be fitted to all vehicles” and that “an overall assessment of the protection levels” would be “appropriate”.

**737.** The Chiefs of Staff endorsed the recommendations on 26 September, including the need to understand and articulate the level of risk that was acceptable on any operation.<sup>396</sup>

**738.** As a result of the DOC audit, the MOD produced a force protection policy in November 2007.<sup>397</sup> It stated:

“The central tenet of this Force Protection (FP) policy is that the application of FP measures to achieve a tolerable level of risk ... enables, rather than constrains, our freedom of manoeuvre.”

**739.** In the policy document, the MOD mandated “the employment of a standard risk methodology across all activities to ensure a common approach to the implementation of FP [Force Protection] measures”. Oversight across the department would be achieved through an FP Co-ordinating Committee (FPCC) chaired by Air Commodore Brian Bates,

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<sup>396</sup> Minutes, 26 September 2007, Chiefs of Staff meeting.

<sup>397</sup> Paper MOD, November 2007, ‘Policy for the Protection of UK Forces’.

Director Directorate of Joint Capability. The committee, with the DECs, would ensure that FP development was “coherent across the DLODs [Defence Lines of Developments] and prioritised in accordance with current and future vulnerabilities”.

**740.** The risk management process was laid out as:

- “**Identify.** The key to efficient risk management is the identification of adversary, natural and human threats to the Force, which, if not tempered, would otherwise impact upon mission success. That includes the anticipation of increasing and emergent threats, particularly where it may take time to develop countermeasures.”
- “**Assess**” – assessing the probability and impact of the identified threats on mission success.
- “**Address.** Resource constraints inevitably mean that Defence cannot protect against all threats at all times in all circumstances.” That meant that investment in capabilities had to be prioritised. It added: “Where a lack of resources or mitigation activity could impact adversely on mission success, commanders must communicate, through the chain of command, the need to review the risk level.”
- “**Review.** Staff and commanders must manage risk proactively by monitoring the risk profile, assessing the effectiveness of risk mitigation measures and reporting upwards FP shortfalls or unavoidable risk issues.”

**741.** Although the policy did not refer specifically to Theatre Entry Standards for minimum levels of protection, it did identify the leads for a comprehensive range of force protection elements, and what their considerations should be.

**742.** The policy lead for platform protection was the Directorate of Joint Capability but responsibility for its capabilities was spread across the relevant DECs and was co-ordinated on behalf of DCDS(EC) through the Joint Capabilities Board. It said:

“Procurement staffs must balance key user requirements and forecast operational exigencies against current and future threats to deliver the appropriate degree of platform protection ... Operational staffs must risk manage the employment of platforms according to the threat and the level of tolerable risk.”

**743.** The policy said that the Joint Commander<sup>398</sup> owned the operational risk for forces under his command. The CDS was responsible for articulating the risk for specific operations and the Defence Secretary owned the risk inherent in the activities of the Armed Forces on behalf of the Government.

**744.** The MOD told the Inquiry that the latest iteration of the force protection policy, dated 21 May 2015, “defines risk ownership and governance more clearly than

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<sup>398</sup> Confirmed by the MOD as CJO for Operation TELIC; Letter Duke-Evans to Aldred, 26 June 2015, ‘Procuring Military Equipment’.

its predecessors”.<sup>399</sup> The MOD said this had been integrated into wider MOD risk management processes which had also been revised.

**745.** The MOD said that the Operational Commander (which for Iraq was the CJO), is accountable to CDS for understanding, quantifying and reducing risk to the force and mission respectively. This risk response may require changes to activities or capabilities.

#### THE REQUIREMENT FOR AN “URBAN” PPV

**746.** Fatalities in Afghanistan meant the continued use of Snatch Land Rovers remained the subject of media and political debate.

**747.** Baroness Taylor of Bolton became the Minister of State for Defence Equipment and Support in November 2007.

**748.** On 22 April 2008, a junior officer from DCRS advised Mr Browne that the requirement for light PPVs was likely to continue in Afghanistan, albeit at a reduced level, and with the introduction of more heavy and medium PPV variants.<sup>400</sup> The advice had been prompted by a series of fatalities on Op HERRICK where personnel had been travelling in General Service Land Rovers; vehicles that offered less protection than Snatch Land Rovers.

**749.** While operations in Iraq were not addressed in the note, the junior officer did cover broader protected mobility issues and “the constant need to balance protection against mobility”: “A range of vehicles, with different protection and mobility capabilities is required.” The choice of vehicles available to commanders had been increased significantly, and the delivery of more Mastiff, combined with the introduction of Ridgback, would “harden” the Op HERRICK force considerably.

**750.** A summary of the UK’s current and planned PPV range was provided in an annex, where the Mastiff was described as a “heavy” PPV as opposed to the “medium” Ridgback, and “light” Vector and Snatch vehicles. It stated that the Force Protection Inc’s Cougar vehicle, the 4x4 variant, had been selected as the model for the Ridgback in December 2007. Its expected interim operating capability date was October 2008.

**751.** On Baroness Taylor’s copy of the minute, her Assistant Private Secretary had written: “This useful note ... has been triggered by Matt Cavanagh [Special Adviser to Mr Brown] who wants to see zero use/casualties of Snatch ...”<sup>401</sup>

**752.** In April 2008, the UK began to deploy Military Training Teams (MiTTs) alongside the Iraqi Security Forces (ISF). The roles of those teams and the rationale behind them are explained in Section 12.1.

<sup>399</sup> Letter Duke-Evans to Aldred, 26 June 2015, ‘Procuring Military Equipment’.

<sup>400</sup> Minute EC DCRS [junior officer] to PS/SofS [MOD], 22 April 2008, ‘The Use of Light Vehicles on Operations’.

<sup>401</sup> Manuscript comment MOD [junior officer] on Minute EC DCRS [junior officer] to PS/SofS [MOD], 22 April 2008, ‘The Use of Light Vehicles on Operations’.

**753.** In his weekly report on 17 April, Major General Barney White-Spunner, GOC MND(SE) from February 2008 to August 2008, wrote that one of the lessons learned about “MiTTing” was that the MiTT teams “must have the same mobility as their Iraqi partners”.<sup>402</sup> Maj Gen White-Spunner said that AFVs were perceived as “too aggressive (by both the Iraqi leadership and by Basrawis)” and whilst the Mastiff had a reduced profile, it was “still too large” to manoeuvre around “a complex urban environment”. He described it as “an elephant compared to the Humvees of the US and Iraqis”.

**754.** Maj Gen White-Spunner wrote that “the mobility challenges presented by Mastiff” also increased the risk of it being “vulnerable to attack”. He concluded: “There is an urgent requirement to consider if there are protected mobility vehicles that might best suit this task, although we are now clear that the solution is not Humvees.”

**755.** On 20 April, the EC Branch in MND(SE) submitted a USUR for an “urban” PPV that provided better manoeuvrability around Basra City than what was possible with the existing, larger PPVs.<sup>403</sup>

**756.** The USUR stated that both Warrior and Bulldog were considered to be unsuitable because tracked vehicles were unable to operate in urban areas. There was a concern that Bulldog would “be considered as a tank” and affect the local perception about the nature of the tasks being undertaken.

**757.** The USUR described Mastiff as being used “through necessity, not choice” because of restrictions on Warrior and Snatch. Mastiff’s size, kerb weight and manoeuvrability made it unsafe in urban areas. Snatch was assessed as providing insufficient force protection.

**758.** On Snatch the USUR said:

“There would be political concern associated with the use of SN2A [Snatch 2A] in the city. SN2A was withdrawn from use in the city in 2006 due to the high rate of fatalities when vehicles were attacked. The equipment is not suitable for the task in its current form and is not considered further.”

**759.** The EC Branch identified the Cougar Ridgback as its preferred solution; US MiTTs were using the US version of the Ridgback, the Cougar 4x4, and “generally” did not have any problems accessing Iraqi Army units within the city. It also had good levels of protection and some commonality with the Mastiff.

**760.** In reviewing the potential vehicle solutions, the EC Branch said that the Australian Bushmaster had good protection and mobility comparable with the Ridgback but required “another Foreign Sales agreement”, had no commonality with the Mastiff and the Australian fleet was being withdrawn in June 2008.

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<sup>402</sup> Minute White-Spunner to CJO, 17 April 2008, ‘GOC MND(SE) Weekly Letter – 17 April 2008’.

<sup>403</sup> Minute ECB MND(SE), 20 April 2008, ‘Op TELIC – Urgent Statement of User Requirement for a Urban Protected Patrol Vehicle (UPPV)’.

**761.** On 29 April, Lieutenant General Peter Wall, DCDS(C), briefed the Chiefs of Staff that the protected mobility options for the MiTTs in Basra “had been investigated and Bulldog had been determined as the most applicable solution”.<sup>404</sup>

**762.** The minutes do not record that that was said to be the best option in the interim, but the documents that follow suggest that Bulldog was only ever intended to be a short-term solution until Ridgback came into service at the end of 2008.

**763.** In his weekly report, on 2 May 2008, Maj Gen White-Spunner stated:

“The provision of suitable vehicles for the remaining MiTTs is going to be a tricky one and we are grateful for all the hard work being done in the UK to find a solution. We have accepted ... that we will have to manage with Mastiff and Bulldog in the short term, and at least until Ridgback becomes available later in the year. This is not ideal, as you know; Mastiff, as well as being in short supply, are having considerable difficulty keeping pace with IA [Iraqi Army] Humvees through narrow obstructed streets and Bulldog, being tracked, will be unpopular with both the Iraqi chain of command and ... with the Baswaris.

“I understand that Ridgback simply cannot be delivered in the required timeframe even if diverted from their original target in Afghanistan, and my point is simply to emphasise the urgency of procuring them as fast as possible. In the meantime, we can make up some of our Mastiff shortfall for MiTTs if we are prepared to replace some of those Mastiff on less vulnerable tasks (such as in Umm Qasr) with Vector, which we understand are readily available in the UK.”<sup>405</sup>

**764.** Ministers continued to take a close interest in the provision of protected mobility for deployed forces.

**765.** On 6 May, the Chiefs of Staff were told that Vector would be used from the UK training fleet to backfill vehicles used in lower threat areas to release Mastiff for use by the MiTTs.<sup>406</sup> Options for the use of Ridgback in the longer term were being investigated.

**766.** On 22 May, a junior official advised Mr Browne that:

- The UK’s PPV requirement for “comprehensive MiTTing” was 60 vehicles. Mastiff was “the most appropriate vehicle” to fulfil the task, of which MND(SE) had 51 employed across a range of tasks and 43 could be re-allocated to MiTTing.
- The Chiefs of Staff had endorsed military advice that, in order to make the 43 vehicles available, Mastiff vehicles operating elsewhere in Iraq would be replaced with Vector, “at manageable risk to personnel on those tasks”.

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<sup>404</sup> Minutes, 29 April 2008, Chiefs of Staff meeting.

<sup>405</sup> Minute White-Spunner to CJO, 2 May 2008, ‘GOC MND(SE) Weekly Letter – 1 May 2008’.

<sup>406</sup> Minutes, 6 May 2008, Chiefs of Staff meeting.

- The shortfall of 17 vehicles would be met by Bulldog in the short term “to provide the best protection available”, although this could “have a negative effect on Baswaris and ISF consent”.<sup>407</sup>

**767.** The junior official’s advice recognised that re-allocating Mastiff vehicles to MiTTing would “inevitably incur greater risk elsewhere” but that PJHQ and GOC MND(SE) considered that “to be acceptable”. The use of Vector vehicles would be restricted to lower threat areas where the risk was “manageable” and would be subject to “a continuous MND(SE) intelligence-based threat assessment” based on Maj Gen White-Spunner’s recommendation.

**768.** The advice recognised that the decision to deploy Vector would reduce the number of vehicles in Afghanistan’s regeneration pool but that was seen as “manageable in the short term”.<sup>408</sup> If the consent for using Bulldog vehicles in the MiTT role deteriorated “to an unacceptable level”, Mastiff vehicles planned for Afghanistan could be diverted to Iraq, albeit creating a delay of one to two months for Mastiff vehicles to reach Afghanistan. The impact of using Bulldog vehicles in a MiTT role would be assessed at the end of July.

**769.** Mr Browne was advised that industry could not produce “an adequately protected vehicle” in less than six to nine months. Ridgback vehicles were being procured for Afghanistan but the earliest those could be deployed was “early 2009” and the provisional timeline for completing MiTTing in Iraq was May 2009 (see Section 12.1). DCRS had advised that the Treasury was “most unlikely to fund a new vehicle or modifications to existing vehicles” given the timelines.

**770.** On presentation, the junior official warned that as Vector was “originally procured to meet a lesser threat” in Afghanistan, it had “considerably lower levels of ballistic protection than either Mastiff or Bulldog”. That potentially meant that “accusations could be levelled” that Vector was “providing unacceptably low levels of protection to UK forces”. A handling plan was being developed to address that.

**771.** On the same day, Mr Browne’s Private Secretary replied to an MOD official, stating that Mr Browne had discussed the note with HQ MND(SE) and was “not clear” that Maj Gen White-Spunner’s intent on the use of Vector was “indeed as set out”.<sup>409</sup>

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<sup>407</sup> [Note DJC \[junior official\] to APS/SofS \[MOD\], 22 May 2008, ‘Iraq: MND\(SE\) Military Transition Team Concept – Provision of Protected Mobility’.](#)

<sup>408</sup> Email DJC-Sec-7 to SofS-PS, 22 May 2008, ‘FW: 20080521 – TELIC – MiTT PM plan MinSub v1 2 – SUKEO’. This email clarified that the number of Vector vehicles being damaged and destroyed in Op HERRICK had reduced and would continue to reduce as new PPVs were rolled out to Afghanistan and the “reliance on Vector in the higher threat areas” lessened.

<sup>409</sup> Email PS/SofS [MOD] to DJC-Sec7, 22 May 2008, ‘RE: 20080521 – TELIC – MiTT PM plan MinSub v1 2 – SUKEO’.

**772.** Mr Browne asked that PJHQ check that point with Maj Gen White-Spunner and that “a robust narrative” be developed “ASAP” to explain the discrepancy between the reason Vector was originally procured and its planned deployment in Iraq.

**773.** On 23 May, an MOD official submitted revised advice to Mr Browne, reducing the figure of Mastiff vehicles that should be re-allocated from 43 to 39 and stating that Maj Gen White-Spunner was content.<sup>410</sup>

**774.** Mr Browne agreed the advice, but reiterated the necessity to generate a narrative which explained the use of Vector in southern Iraq.<sup>411</sup>

**775.** Lt Gen White-Spunner explained to the Inquiry that the difficulty of using Mastiff vehicles for a MiTT role was:

“... for MiTT to really work well, it wants to always be slightly unobtrusive ... and we had large protective vehicles because of the dangers we had been facing ...”<sup>412</sup>

**776.** Lt Gen White-Spunner commented that a vehicle which balanced protection needs with the desired military profile was not possible: “Industry just can’t do this, they are not in the showroom.” He added:

“So we had to use the Mastiff vehicles, which ... is an excellent vehicle ... it is just slightly large for going down the more delicate bits of the Hanaya.”

**777.** On 17 June, Corporal Sarah Bryant, Corporal Sean Reeve, Lance Corporal Richard Larkin and Paul Stout were killed by an IED while patrolling in Lashkar Gar in Afghanistan.<sup>413</sup> Their deaths prompted further questions in the media and in Parliament about Snatch vehicles.

**778.** During a House of Commons debate about defence procurement on 19 June, Mr Patrick Mercer asked Mr Bob Ainsworth, Minister of State for the Armed Forces from June 2007 to May 2009, when Snatch vehicles would be taken out of service.<sup>414</sup>

**779.** Mr Ainsworth referred to the introduction of Ridgback but added:

“Whether we will be able to take away these small platforms without taking away a whole area of capability will need to be thought about very seriously. Snatch has suffered some considerable setbacks; we have lost lives in Snatch Land Rovers. However, I am being told by commanders on the ground that they still need Land

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<sup>410</sup> Email SofS-APS1 [MOD] to SofS-Private Office [MOD], 23 May 2008, ‘FW: 20080521 – TELIC – MiTT PM plan MinSub v1 2 – SUKEO (13)’ attaching Note DJC [junior official] to APS/SofS [MOD], 22 May 2008, ‘Iraq: MND(SE) Military Transition Team Concept – Provision of Protected Mobility’.

<sup>411</sup> Minute APS/SofS [MOD] to DJC SEC 7, 27 May 2008, ‘Iraq: MND(SE) Military Transition Team Concept – Provision of Protected Mobility’.

<sup>412</sup> Public hearing, 7 January 2010, pages 47-48.

<sup>413</sup> GOV.UK, 19 June 2008, *Corporal Sarah Bryant, Corporal Sean Reeve, Lance Corporal Richard Larkin and Paul Stout killed in Afghanistan*.

<sup>414</sup> House of Commons, *Official Report*, 19 June 2008, columns 1125-1128.

Rover-based platforms ... and will do for the foreseeable future. Ridgback will not entirely do that job, because it will not be able to get into the narrow, compounded urban areas in Helmand province, however much we would like it to.”

**780.** Mr Ainsworth said that he was “aware of some of the opinions about Snatch” but that he had received military advice that Snatch vehicles were still necessary. Mr Ainsworth was also challenged by Mr Mike Penning, who argued that commanders could only use what vehicles they have available.

**781.** Mr Ainsworth said that commanders were provided “with a range of vehicles” that allowed them “to select the platform most suited to the immediate task in hand”. Protected mobility requirements were kept “under review” and that was why Mr Brown had announced the procurement of Ridgback.

**782.** On 25 June, Mr Browne called a meeting with senior military figures and Baroness Taylor “at short notice” to “discuss future plans for the protected vehicle fleet, particularly in Afghanistan”.<sup>415</sup>

**783.** While the meeting had “in part been prompted” by the recent Snatch fatalities, Mr Browne “recognised that the issue ran wider” and there were vulnerabilities associated with other patrol vehicles such as Vector that “were stories waiting to happen”.

**784.** Mr Browne had:

“... made clear his intent: namely, to deliver as quickly as possible a balanced and sustainable protected vehicle capability in Afghanistan, with all patrol vehicles ... mine-protected, commensurate with their weight. This might infer [sic] the removal from theatre of Snatch, Vector, Pinzgauer and GS Land Rover.”

**785.** Air Chief Marshal Sir Jock Stirrup, who had become Chief of the Defence Staff in April 2006, said that they “needed to start” by understanding the operational requirement for lighter vehicles in Afghanistan and Iraq, and what the impact would be if PPVs with a lower weight and protection level than Ridgback were no longer used.

**786.** Sir Jock said that if a light PPV was “mission critical, whether to secure access, increase flexibility or avoid the corrosion of popular consent, then the second question was whether Snatch was the best vehicle available on the market to fulfil any of that requirement”. If it was, then they “could collectively stand behind its continued use; if not, it should be replaced”.

**787.** It was agreed at the meeting that “all vehicles had their vulnerabilities” but:

“ ... if we were able to demonstrate that we had replaced, or had clear plans to replace, all sub-optimal vehicles, then that would allow us to build a convincing

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<sup>415</sup> [Minute PS/SofS \[MOD\] to APS/Min\(DES\), 25 June 2008, ‘Protected Vehicles’.](#)

narrative around our intent, which should also give confidence to deployed service men and women that vehicle vulnerabilities are being addressed.”

**788.** A discussion followed about the options for replacing the current fleet of light armoured and unarmoured vehicles “in full” and it was agreed that those should be pursued. The deployment of Ridgback into theatre was “Ministers’ first priority”.

**789.** Mr Browne “emphasised the need for a clear and coherent public narrative” about what had been achieved and what was being done “to enhance the robustness” of the PPV fleet. He asked for a Written Ministerial Statement to be produced before Parliament rose for the recess on 22 July.

**790.** A Written Ministerial Statement on protected mobility was not made until 29 October 2008.<sup>416</sup>

**791.** Mr John Hutton, who had succeeded Mr Browne as Defence Secretary earlier in October, stated:

“We have already achieved a great deal in improving the protected mobility options available to commanders on operations. Mastiff is unquestionably a success story. For its role, Mastiff is delivering the very highest levels of protection available anywhere in the world. Where it can be used, and its size and weight mean it has its limitations, it is clearly the vehicle of choice. That is why the Prime Minister announced a further order of these vehicles last year ...

“It is not only through Mastiff that we are delivering a world class protected vehicle capability; we are also delivering Ridgback. Using the smaller Cougar 4x4 chassis, and innovative, cutting-edge UK armour technologies, we will be able to deliver protection levels close to that of Mastiff in a package that is able to better access urban areas, increasing the survivability of troops in these roles ...”

**792.** On Snatch Land Rovers, Mr Hutton said:

“Inevitably, any statement on protected mobility must address the role of the Snatch Land Rover, a vehicle which has received considerable criticism. First, to be absolutely clear, I can inform the House that – in addition to the regular reviews that are conducted into protected mobility – senior operational commanders were asked to specifically consider the requirement for the Snatch Land Rover and its importance to operations. The response was clear: commanders need a vehicle of the size, weight and profile of Snatch Land Rover, capable of transporting men, to fulfil their tasks in theatre. Further, the availability of such a vehicle is considered mission critical ...”

**793.** Mr Hutton said that that did not mean there was “no action” to be taken on Snatch. There was a programme in place to learn lessons from the development of Mastiff and

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<sup>416</sup> House of Commons, *Official Report*, columns 28WS-30WS.

Ridgback and the Snatch vehicle would continue to be modified, although, as with any vehicle, it could never be made “invulnerable”.

**794.** The latest variant, the Snatch Vixen,<sup>417</sup> had been especially configured for Afghanistan, and the MOD had “already fielded a small number of these vehicles”.

**795.** On 7 November, Lt Gen Houghton advised Sir Jock Stirrup on “an urgent review of the impact of limiting the use of all variants of Snatch Land Rover”.<sup>418</sup> The advice suggested that Lt Gen Houghton had issued separate, earlier advice in July to Sir Jock following the meeting with Mr Browne on 25 June and the 7 November advice was because he had been asked again to consider the impact of limiting the use of all variants of Snatch in Iraq and Afghanistan.

**796.** Lt Gen Houghton wrote that the justification for retaining Snatch had not changed since his previous advice in July; Snatch vehicles remained “mission critical” in both theatres due to their profile, manoeuvrability and carrying capacity.

**797.** Lt Gen Houghton said that limiting the use of Snatch outside secure bases in Iraq would have a “significant impact” on operations by reducing patrols’ situational awareness and restricting movements.

**798.** The “interim solution” of Snatch Vixen in Afghanistan had “started to deliver”. DEC(GM) was “working towards a final solution” but there was no light PPV “on the market that could be delivered within a year”. The Ridgback and Mastiff programmes for Afghanistan had been delayed and were not now likely to be delivered until the beginning of 2009.

**799.** Lt Gen Houghton added:

“Given the wider political and media sensitivity, however, we should maintain our intent to deliver the planned SN2A [Snatch 2A variant currently in use] replacement as quickly as possible, increase the numbers of PM [Protected Mobility] vehicles in UORs and conduct rapid work on operational solutions to remove SN2A from outside secure bases as quickly as possible. SN3-Vixen would appear to be the fastest way of achieving this.”

**800.** Major General Andrew Salmon, GOC MND(SE) from August 2008 to March 2009, told the Inquiry that, when he arrived in Iraq, “security was getting better”.<sup>419</sup> The number of rocket attacks “was down to about four or five a month”, compared with over 200 a month before the Charge of the Knights (see Section 12.1). There were still IEDs set on roads but “the level of violence had much reduced”.

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<sup>417</sup> Referred to in some MOD papers as Snatch 3-Vixen.

<sup>418</sup> Note CJO to PSO/CDS, 7 November 2008, ‘Limiting the Deployment of Snatch Outside Secure Bases’.

<sup>419</sup> Public hearing, 20 July 2010, page 6.

**801.** Maj Gen Salmon wrote in his post-tour report:

“The determination of the most appropriate mobility platform for any environment requires a delicate balance between speed, manoeuvrability, firepower and protection. Presentational constraints over the employment of Snatch were well understood and acknowledged. Nonetheless, while offering good protection, Mastiff generated other risks: heightened profile; regular collateral damage (with associated cost to local approval) while manoeuvring in tight confines; and an inability to keep up with ISF HMMVs [Iraqi Security Forces’ Humvees] in the City. This was set in the context of CG MNF-I’s (Gen Petraeus) determination that troops should ‘get out and walk’ – in order to influence the population directly. The solution was found in a command decision to strip MiTTs down to the bare minimum and travel with Iraqi counterparts in ISF in Iraqi vehicles. The ability to mentor improved immediately and markedly and the level of protection afforded by ISF paintwork arguably exceeds that of CF protective technology. It worked well.”<sup>420</sup>

**802.** Maj Gen Salmon said that that was a “defining decision” for building relationships but that “the UK political sensitivities over any trade off between protection and manoeuvre should not be underestimated”. He added: “Strategic risk aversion over casualties was a real planning consideration that routinely shaped tactical operations.”

#### FRES AS A DISTINCT REQUIREMENT

**803.** On 23 July, a note about FRES highlighted the capability gap that would remain until FRES was delivered:

“PPVs do have some utility ... but not in areas where they are likely to have to operate within the range of enemy medium or heavy forces. PPVs do not meet the protection, capacity, or tactical mobility requirements of FRES as a whole, although it is possible that they could meet part of the requirement in the FRES BCU [Basic Capability Utility] family ...”<sup>421</sup>

**804.** The note added:

“Current operations show that we need to use a combination of armoured vehicles ... and PPVs ... to operate in different roles, in different areas, to meet different circumstances. However, PPVs are particularly important at the moment because, in many cases, we have to use them where we would use FRES if it were available. Therefore if FRES was in service now we would need to deploy fewer PPVs.”

**805.** In its review of defence equipment for 2008, the House of Commons Defence Committee outlined a number of concerns about the ongoing delays to the FRES

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<sup>420</sup> Report Salmon, 15 May 2009, ‘COMUKAMPHIBFOR Op TELIC 12/13 (HQ MND(SE)) Post Operational Report (POR)’.

<sup>421</sup> [Minute DCI\(A\), 23 July 2007, ‘The Future Rapid Effect System \(FRES\) – Information Note’](#).

programme.<sup>422</sup> It asked the Government to set out how the acquisition of Mastiff vehicles for Iraq and Afghanistan had impacted on the FRES requirement.

**806.** In response, the MOD stated that there was “no impact on the FRES programme resulting from the procurement of Mastiff”.<sup>423</sup> The department had “a coherent two track approach” to AFVs which made “a clear distinction between the urgent, short term need for Protected Patrol Vehicles, such as Mastiff, designed for peace support operations” and AFVs needed to “provide an effective FRES capability across the full spectrum of future operations”. The MOD stated that Vector and Mastiff were designed to address the risks faced by service personnel in the short term; FRES was always seen as a longer-term requirement.

**807.** Sir Peter Spencer told the Inquiry that there had been a difficulty in specifying a requirement for PPVs as the threat developed; and that “one of the major problems the Army had had for over a decade was deciding what it wanted its new fleet of armoured fighting vehicles to be”.<sup>424</sup>

**808.** When asked about the procurement strategy for PPVs, Sir Peter referred to the FRES programme: “... a hugely ambitious programme which was never going to be delivered in this decade ... There were very difficult requirements stated for mobility and protection and weight.”<sup>425</sup>

**809.** The Inquiry asked Sir Peter whether the issues with FRES had made it harder to deal with PPVs. He replied:

“... the difficulty became in the amounts of money which were available and if you were going to use money from the capital equipment programme to deal with the short term ... then that had a fratricidal effect on your ability to move the FRES programme forward.”<sup>426</sup>

**810.** Lt Gen Fulton told the Inquiry that FRES and the replacement for Snatch were “two completely different questions”.<sup>427</sup> He said that “to put something in” to the Defence programme, “something ha[d] to come out”; the resources had to be balanced out. Lt Gen Fulton did not think that created a reluctance to give a Snatch replacement a high priority.

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<sup>422</sup> Tenth Report of the House of Commons Defence Committee, Session 2007-08, Defence Equipment 2008, HC 295.

<sup>423</sup> Seventh Special Report from the House of Commons Defence Committee, Session 2007-08, *Defence Equipment 2008: Government response to the Committee’s Tenth Report of Session 2007-08*, HC 555.

<sup>424</sup> Public hearing, 26 July 2010, pages 28-29.

<sup>425</sup> Public hearing, 26 July 2010, page 41.

<sup>426</sup> Public hearing, 26 July 2010, pages 49-50.

<sup>427</sup> Public hearing, 27 July 2010, pages 70-72.

**811.** Lt Gen Figures told the Inquiry that “FRES had been used as a regulator for the defence programme. Money had actually been taken out of the FRES programme in order to attempt to balance the programme.”<sup>428</sup>

**812.** Mr Hutton told the Inquiry that, if it had gone ahead on the original timescale, some of the equipment from FRES would have been available for deployment in Iraq.<sup>429</sup>

**813.** In Mr Hutton’s view, the problem had been:

“We couldn’t settle on the specification. We changed our mind about certain aspects of how we wanted to go ahead with the procurement. We started, we stopped.”

**814.** ACM Stirrup told the Inquiry that the FRES programme was “overcomplicated and overcomplex”.<sup>430</sup> He said that the “critical battleground” was the need to “interact with the population”. That required “smaller and lighter vehicles”; “commanders need a wide range of vehicles”. FRES “would not have solved the problems that we had been facing in Iraq and Afghanistan, with, perhaps, one exception, which is the Scout variant ... our top priority at the moment ... to replace the CVR(T)”.

**815.** Gen Jackson told the Inquiry:

“As the situation deteriorated in southern Iraq of course the vulnerabilities of the Snatch Land Rover became tragically more and more apparent, and we then enter a difficult and muddled story as to the replacement, or the addition of better protected vehicles into the deployed army’s inventory, and the whole FRES story comes into this as well.

“... there is a limit to the amount of metal you can stick on a vehicle ... and the ability of the opposition to up the kinetic energy that can be applied can go rather faster than our ability to withstand that. So the amount of metal on a vehicle is important but it is not the complete answer, and you would finish up with a vehicle which is far too large often to go down small streets in an urban area. So again the picture is not black and white, and there is not some sort of fence you can jump over and all of a sudden you have a vehicle which is immune to whatever your opponents may try to do.”<sup>431</sup>

**816.** Gen Dannatt suggested to the Inquiry that FRES had been delayed by the MOD so that funding originally allocated in the Equipment Programme for the FRES in 2007-2009 could be used for other priorities.<sup>432</sup>

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<sup>428</sup> Public hearing, 27 July 2010, page 73.

<sup>429</sup> Public hearing, 25 January 2010, pages 24-25.

<sup>430</sup> Public hearing, 1 February 2010, pages 68-71.

<sup>431</sup> Public hearing, 28 July 2010, pages 75-76.

<sup>432</sup> Public hearing, 28 July 2010, pages 58-62.

**817.** Gen Dannatt referred the Inquiry to the ECAB meeting in January 2006<sup>433</sup> where the Board was informed that there would be further delays to the FRES programme:

“What we decided to do was to persuade Lord Drayson, then the Defence Procurement Minister, that we had a major problem, and it was decided to lay on equipment demonstration on Salisbury Plain and get him to come and see it on the basis seeing is believing, and then come to Headquarters Land and discuss the issues. As Commander in Chief I was given the task to put that together.

“We took one of everything that we had and Lord Drayson saw what we had and saw what we didn’t have and quite clearly what we didn’t have was anything in that medium bracket ... on the one hand we had these good heavy equipments, on the other hand some good light equipments. In the middle we had nothing.

“In the car on the way back from Salisbury Plain to Headquarters Land he said to me, ‘I didn’t know the army had a problem. Since I have become Minister of Defence Procurement I have been focusing on jets and on aircraft carriers. I didn’t realise the army had a problem’. To his great credit he then realised we had a problem and began to put some leadership and energy into it.”<sup>434</sup>

**818.** Mr Brown told the Inquiry that FRES was the programme “that was interesting the military the most”, but his understanding was that “even if it had been carried out in full”, it would “not have given us the right vehicles ... for Iraq”.<sup>435</sup>

**819.** The Inquiry asked Lord Drayson about the concerns about FRES expressed by Generals Jackson and Dannatt, and the relationship between progress on FRES and concerns about Snatch.<sup>436</sup> Lord Drayson replied:

“The FRES project had become delayed, partly because the experience on operations ... led to repeated changes to the specification, and partly because the user requirement had become much too complicated ...

“The project to improve/replace Snatch was always separate ... The Generals stressed the urgent need to replace the ageing fleet of Army Fighting Vehicles as a whole when voicing their concerns over delays to FRES ... Snatch was a Protected Patrol Vehicle rather than an AFV ... In terms of augmenting Protected Patrol Vehicles such as Snatch the focus in early 2006 for the Army was ... Vector which in March 2006 I was told was General Dannatt’s highest priority ...

“Progress on FRES and concerns about Snatch should not have been connected in theory ... In reality however, I believe the Army’s difficulty in deciding upon a

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<sup>433</sup> Gen Dannatt’s evidence during his public hearing was that this meeting was in 2005. Based on the papers provided, the Inquiry has concluded this must have been an error in his recollection.

<sup>434</sup> Public hearing, 28 July 2010, pages 64-68.

<sup>435</sup> Public hearing, 5 March 2010, page 117.

<sup>436</sup> Statement, 15 December 2010, pages 3-4.

replacement to Snatch was in part caused by their concern over the likelihood of FRES budgets being cut to fund a Snatch replacement vehicle.

“The impression I gained was the delivery of FRES by 2012 was a higher priority for the Army than finding funding for Snatch from the core equipment budget. I was concerned that the Army were focusing on the Vector ... for Afghanistan and upgrading the FV430 (Bulldog) and that no requirement had been identified for a new medium weight protected patrol vehicle.

“The push to replace Snatch or to procure a new medium weight PPV so that commanders would not have to use Snatch came from Ministers, not the military ...”

**820.** General Sir Michael Walker, CDS from 2003 to 2006, told the Inquiry that there was no difficulty in securing funding for Iraq UORs but that the spending round in 2004 threatened longer-term “big ticket items”.<sup>437</sup> He said that there was “a list of stuff” where decisions had to be made but he could not recall what was included.

**821.** Gen Walker told the Inquiry that the procurement process for the FRES programme had been “horrid” and a “sorry saga of debates and delays; delays because of the lack of money”:

“... it was not as advanced as many other projects, it seemed to me to get delayed and delayed and delayed, time after time, because the funding, and ... if we had gone with it originally, we might well have saved ourselves quite a lot of pain and agony and death by having a vehicle that we could have used in the appropriate circumstances in places like Afghanistan.”<sup>438</sup>

**822.** Lord Drayson was explicit that the decision to fund the Mastiff programme as a UOR had been an important factor in reaching agreement on the requirement for a medium weight PPV:

“There was concern that the FRES programme would be delayed or lose resources as a result of buying a new vehicle. Ministers ensured that the funding ... came from a new UOR funded separately by the Treasury thus ensuring that the purchase ... had no detrimental impact on the FRES project.”<sup>439</sup>

**823.** Lord Drayson wrote that there was resistance from within the MOD to reprioritisation of the core Equipment Programme to support current operations:

“... because the Services were concerned that their long term programmes would be cannibalised and lose funding to short term operational needs ... it was quite unusual for core equipment funding to be redirected to operational needs. This only happened when the military had a strong desire for it – for example with Vector ...”

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<sup>437</sup> Public hearing, 1 February 2010, pages 42-43.

<sup>438</sup> Public hearing, 1 February 2010, pages 48-49.

<sup>439</sup> Statement, 15 December 2010, pages 6-7.

## CALL FOR A PUBLIC INQUIRY INTO THE USE OF SNATCH

**824.** On 7 November 2008, Hodge Jones & Allen solicitors wrote to Mr Hutton on behalf of Ms Susan Smith, requesting a public inquiry into the use of Snatch Land Rovers in the Iraq and Afghanistan conflicts.<sup>440</sup> Ms Smith's son, Private Phillip Hewett, was killed on 16 July 2005 in an IED attack in al-Amara whilst travelling in a Snatch Land Rover.

**825.** Treasury Solicitors replied on 15 December, enclosing a letter from Mr Hutton to Ms Smith.<sup>441</sup> Mr Hutton's letter said that, "after thinking very carefully about what has been said on this issue ... a public inquiry would not be the right way to proceed". He would be issuing a Written Ministerial Statement the following day but had wanted to write to Ms Smith personally.

**826.** Mr Hutton explained that the reasons for not holding a public inquiry into the use of Snatch were:

- The clear advice from military commanders, unanimously endorsed by the Chiefs of Staff, was that Snatch vehicles were "essential to the success of operations in both Iraq and Afghanistan".
- Heavier vehicles such as Warrior or Mastiff could not replace Snatch because they could not "be used for all purposes" and were "simply unable to access" the necessary places to deliver the UK's objectives.
- Better armoured vehicles, which tended to be larger and heavier, were "viewed by the local population as aggressive and intimidating". That made it more difficult for the military to engage with local people and win their confidence. The larger vehicles also could cause "serious damage" to local infrastructure such as roads, buildings and drainage systems. Those factors could "inflare local opinion against UK troops" and increase the threat level overall.

**827.** Mr Hutton said that that meant "a critical requirement" for a light PPV such as Snatch remained. He referred to the "number of technical enhancements" to Snatch since its first deployment to Iraq in 2003. He stated that the introduction of its new variant, the Snatch Vixen, along with the procurement of additional Mastiff vehicles, would enable the UK "to continue reducing the scope of the Snatch 2A vehicle's role until it is used only within [UK] camps".

**828.** In his Written Ministerial Statement on 16 December, Mr Hutton referred to the "widespread public concern over the thirty-seven deaths of British servicemen and women in Iraq and Afghanistan as a result of injuries sustained while using Snatch Land Rovers".<sup>442</sup>

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<sup>440</sup> Letter Cockburn [Hodge Jones & Allen] to Hutton, 7 November 2008, 'Snatch Land Rovers'.

<sup>441</sup> Letter Kennedy [Treasury Solicitors] to Cockburn [Hodge Jones & Allen], 15 December 2008, 'Snatch Land Rovers' enclosing Letter Hutton to Smith, 15 December 2008, [untitled].

<sup>442</sup> House of Commons, *Official Report*, 16 December 2008, columns 103WS – 104WS.

**829.** Mr Hutton repeated the reasons he had provided to Ms Smith as to why he had decided not to hold a public inquiry into the matter. He said it was “also important to be clear” that it could not be assumed that the 37 servicemen and women would have survived if they had been in more heavily armoured vehicles. Any vehicle could be overmatched and armour was only one part of the tactics, techniques and procedures that were used to protect troops.

**830.** On 10 July 2009, Ms Smith won a right to a judicial review, on limited grounds, of the Government’s decision not to hold a Snatch Inquiry.<sup>443</sup>

**831.** A letter from the Treasury Solicitors to Ms Smith’s solicitors on 15 September stated that that had prompted a “fresh decision” by Mr Bob Ainsworth, who became the Defence Secretary in June 2009. He had again considered the question of whether an inquiry should be held and decided that an inquiry would be an inappropriate use of public resources given the extent to which the subject had already been examined.

### **Legal action taken by families over the use of Snatch Land Rovers**

On 19 June 2013, the Supreme Court ruled that relatives of three soldiers killed in Iraq, and two others seriously injured, had a right to sue the Government for negligence and pursue damages under human rights legislation.<sup>444</sup> In doing so, the Court rejected the MOD’s arguments that the principle of combat immunity applied; the MOD had a duty of care over soldiers regardless of whether they had left the British base in the line of duty.

The proceedings concerned three sets of claims, one of which was brought by Ms Smith (the mother of Private Phillip Hewett) and the relatives of Private Lee Ellis over the MOD’s alleged breach of Article 2, the Human Right to Life, in the preventative measures available to protect the lives of troops travelling in Snatch vehicles. Private Ellis’s relatives also brought a claim of negligence against the MOD.

The case against the Government for damages and negligence was still continuing at the time of the Iraq Inquiry’s publication.

The Iraq Inquiry has considered material provided by Hodge Jones & Allen solicitors and has taken account of that when putting questions to witnesses during the public hearings and when drafting its Report.

<sup>443</sup> Letter Kennedy [Treasury Solicitors] to Cockburn [Hodge Jones & Allen], 15 September 2009, ‘Snatch Land Rovers, R (oao Susan Smith) v. Secretary of State for Defence’. Mr Justice Mitting in the High Court ruled that the right was limited in that the past use of Snatch could be investigated, but its present and future deployment was unimpeachable.

<sup>444</sup> *Smith and Others (Appellants) v. The Ministry of Defence (Respondent); Ellis and another (FC) (Respondents) v. The Ministry of Defence (Appellant); Allbutt and Others (FC) (Respondents) v. The Ministry of Defence (Appellant)* [2013] UKSC 41.

## SNATCH AFTER IRAQ

**832.** Ridgback entered service in June 2009 in Afghanistan. It was not deployed to Iraq.

**833.** On 6 March 2010, the BBC reported that Mr Brown visited troops in Afghanistan and said that 200 new patrol vehicles would arrive in late 2011 to replace the Snatch Land Rover.<sup>445</sup>

**834.** That new patrol vehicle was the Foxhound, which arrived in Afghanistan on 17 June 2012.<sup>446</sup> The MOD's announcement about its arrival did not refer to the Snatch Land Rover, or any other PPVs.

**835.** The MOD told the Inquiry:

“The Foxhound is a Protected Patrol Vehicle. It underwent final testing in the Helmand desert before being deployed on operations. Foxhound was specifically designed and built in Britain to protect against the threats faced by troops in Afghanistan, but it is an agile and versatile vehicle which will be a mainstay in the Army for years to come. Being lighter and smaller than other protected vehicles, Foxhound brings a new capability to the Army and is ideal for soldiers operating in mentoring and partnering roles.”<sup>447</sup>

**836.** The Snatch 2 Land Rover remains in service with the British Army.<sup>448</sup> The British Army's website states that it is “deployed for general patrolling in low threat areas” and is “being extensively replaced by Vector and Mastiff”.

## The impact of Afghanistan on the equipment available in Iraq

**837.** In June 2004, the UK had made a public commitment to deploy HQ ARRC to Afghanistan in 2006, based on a recommendation from the Chiefs of Staff and Mr Hoon, and with Mr Straw's support. HQ ARRC was a NATO asset for which the UK was the lead nation and provided 60 percent of its staff. That decision is described in Section 9.2. By October, that decision had become an important factor in considering resources for Iraq.

**838.** In July 2005, the DOP agreed proposals for both the transfer of the four provinces in MND(SE) to Iraqi control and for the deployment of the UK Provincial Reconstruction Team then based in northern Afghanistan to Helmand province in the South, along with an infantry battlegroup and full helicopter support – around 2,500 personnel. That decision is described in Section 9.4.

**839.** On 26 January 2006, the UK announced that it would be deploying 3,300 troops to Helmand province.

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<sup>445</sup> *BBC News*, 6 March 2010, *Gordon Brown visits Afghan troops amid defence row*.

<sup>446</sup> *GOV.UK*, 17 June 2012, *Foxhound arrives in Afghanistan*.

<sup>447</sup> Letter Duke-Evans to Hammond, 2 February 2016, [untitled].

<sup>448</sup> *British Army website*, [undated], *Equipment/Snatch 2 Land Rover*. Correct as of date of publication.

**840.** This Section describes the provision of ISTAR and support helicopters to Iraq leading up to, and after, the decision to deploy UK troops.

## Existing capability gaps before 2006

### ISTAR

**841.** Intelligence, Surveillance, Target Acquisition and Reconnaissance (ISTAR) is a key military capability that generates and delivers specific information and intelligence to decision-makers at all levels in support of the planning and conduct of operations.<sup>449</sup>

**842.** In 2008, the House of Commons Defence Committee defined three broad categories of ISTAR:

- **strategic** – including systems that provide early warning of ballistic missile threats to the UK and the Nimrod R1 system that provided Manned Airborne Surveillance (MAS);
- **operational** – systems that can operate from naval platforms or land and provide air and surface surveillance using a mix of sensors; and
- **tactical** – man-portable and vehicle-mounted systems that provide electronic surveillance for land forces.<sup>450</sup>

**843.** ISTAR is delivered through “two distinct but inter-related capability areas”:

- **“The collection side** – which aims to provide capabilities that can gather accurate and timely information across the environments and can detect, track and identify enemy, neutral and friendly entities within a defined area, day and night, and in all weathers.
- **The direction, processing and dissemination side** – which aims to provide capabilities that can direct collection effort and then process and disseminate derived information and intelligence to all levels in national and coalition operations.”

**844.** An Unmanned Aerial Vehicle (UAV) is an important means of collecting ISTAR information.

**845.** The *Strategic Defence Review* (SDR) in 1998 had emphasised the importance of ISTAR assets, “not only to maintain a qualitative edge in combat but to facilitate the often rapid decision-making needed in complex political circumstances”.<sup>451</sup>

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<sup>449</sup> Thirteenth Report from the House of Commons Defence Committee, Session 2007-2008, *The contribution of Unmanned Aerial Vehicles to ISTAR capability*, HC 535, para 1.

<sup>450</sup> Thirteenth Report from the House of Commons Defence Committee, Session 2007-2008, *The contribution of Unmanned Aerial Vehicles to ISTAR capability*, HC 535, paras 12-13.

<sup>451</sup> Ministry of Defence, *The Strategic Defence Review*, July 1998.

**846.** The SDR stated that a range of advanced systems were planned or already entering service, including the airborne ground surveillance radar, Astor, and a battlefield unmanned target acquisition vehicle, Phoenix.

**847.** *The Strategic Defence Review: A New Chapter* in 2002 reiterated that ISTAR was a key element of the MOD's network-centric capability.<sup>452</sup> It stated that the US had demonstrated in Afghanistan the effectiveness of such systems in providing persistent surveillance without putting aircrew lives at risk: "Our Watchkeeper project has the same purpose; and we intend to accelerate the programme."

**848.** The Watchkeeper programme was initiated to address the capability gap for a tactical UAV that could provide operational commanders with a persistent, all-weather ISTAR capability.

**849.** On 7 January 2004, Lt Gen Fulton told the House of Commons Defence Committee that Watchkeeper was "due in service in 2005-06".<sup>453</sup>

**850.** The Government's Response to the Committee's report on 8 June stated that the main investment decision was "due later in 2004", at which point a formal In Service Date (ISD) would be set.<sup>454</sup>

**851.** That date was provided in the National Audit Office (NAO) report on the MOD's Major Projects in November 2004.<sup>455</sup> The target date for Watchkeeper's Main Gate approval was December 2004 and the internal planning assumptions for its entry into service was November 2006.

**852.** A minute from Lieutenant General Andrew Ridgway, Chief of Defence Intelligence, on 22 June 2004 indicated that Phoenix was the only UAV in service in 2003.<sup>456</sup> It had been procured in 1988 against a requirement to support operations in north-west Europe, predominantly as a target acquisition system. The system was subsequently used in the Balkans and in Iraq.

**853.** Lt Gen Ridgway wrote that it had been described as "battle winning equipment" during the invasion and had successfully been deployed on wider surveillance roles in addition to providing target acquisition information. Phoenix had not, however, been designed "to operate in the extreme heat of Iraq".

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<sup>452</sup> Ministry of Defence, *The Strategic Defence Review: A New Chapter*, July 2002.

<sup>453</sup> Third Report from the House of Commons Defence Committee, Session 2003-04, *Lessons of Iraq*, HC 57-I, para 235.

<sup>454</sup> First Special Report of the House of Commons Defence Committee, Session 2003-04, *Lessons of Iraq: Government Response to the Committee's Third Report of Session 2003-04*, HC 635, para 104.

<sup>455</sup> National Audit Office, 10 November 2004, *Ministry of Defence: Major Projects Report 2004*.

<sup>456</sup> [Minute CDI to APS/SofS \[MOD\], 22 June 2004, 'ISTAR Provision to Op TELIC – UK UAV Operations'](#).

**854.** On 28 April 2003, MND(SE) produced a USUR for an “enhanced enduring ISTAR capability for the UK land component”.<sup>457</sup> It explained that Phoenix had been supporting Phase III operations at “rates far greater than previously foreseen in sustainability planning guidance, and in temperatures exceeding the design specification”.

**855.** The USUR noted that experience in Bosnia and Kosovo had demonstrated that ISTAR systems that were “flexible, responsive, not manpower intensive, and with a low ground footprint” were key to maintaining the Commander’s situational awareness and protecting UK forces. In those areas, “with small AORs”, Phoenix had been used “to great effect”.

**856.** The USUR stated that 75 Phoenix UAVs had been deployed or moved into theatre since operations started. By 15 April 2003, only 29 of those were still “fit” for use in theatre. Seven had been lost to hostile action and 24 had crashed because of a fault in the Phoenix’s system.

**857.** There was no explanation of what had happened to the remaining 15 UAVs.

**858.** Without “corrective action”, the USUR stated that current attrition rates meant that there would be no Phoenix UAVs left in theatre by 6 May (without deploying War Maintenance Reserve (WMR) stock), or that stocks would reduce to zero by 10 June (if the WMR stock was fully deployed).

**859.** A package of measures were “in train” to fix the fault causing Phoenix crashes and to increase its availability in high temperatures. Neither set of measures would, however, increase its endurance or the range at which it could be used. While Phoenix would continue to be used in Iraq “by necessity”, there was an operational requirement for an ISTAR system to support the duration of Op TELIC “with the required levels of persistence, flexibility, responsiveness and in all climatic conditions, with the required resolution to be able to identify and monitor difficult and often fleeting targets”.

**860.** An initial operating capability was required “as soon as possible” with full operating capability “not later than mid October 2003”.

**861.** The covering minute, sent on behalf of Major General Graeme Lamb, GOC MND(SE), recorded:

“The GOC sees provision of an enhanced UAV capability as essential to mitigate reduced force structures in an extensive and complex AO [Area of Operations]. CJO [Lt Gen Reith] was briefed on this requirement during his visit to the Division on 26 April.”

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<sup>457</sup> Minute MND(SE) [junior officer] to PJHQ, April 2003, ‘USUR for an Enhanced UAV’ attaching Paper, MND(SE), 28 April 2003, ‘Urgent Statement of User Requirement for a UK Land Component Enhanced Enduring ISTAR Capability’.

**862.** An email exchange between PJHQ officials on 2 May stated that Major General Peter Wall, Deputy Chief of Joint Operations (Operations), had “now approved the progression of this” and the USUR should proceed as soon as possible.<sup>458</sup>

**863.** The UOR update to Lord Bach on 9 May highlighted the urgent requirement for “a longer-range, more persistent UAV platform” and such a UAV was “seen as an enduring requirement that would allow a reduction in force levels”.<sup>459</sup>

**864.** A footnote stated:

“To date Phoenix losses on Op TELIC have been 20 airframes lost in action and a further 16 damaged beyond local repair (with a further three reported missing in the last few days). This attrition rate leaves a capability gap of at least 36 air vehicles against medium scale operations until Phoenix OSD [Out of Service Date]. Phoenix is still being deployed therefore the attrition rate could rise.”

**865.** At Lord Bach’s UOR meeting on 12 May, it was reported that options being considered to meet the UAV requirement included “an off-the-shelf solution” and bringing forward the Watchkeeper programme.<sup>460</sup>

**866.** AM Stirrup’s UOR update to Lord Bach on 30 May included a progress report on the UAV UORs from the ISTAR Directorate of Equipment Capability (DEC(ISTAR)).<sup>461</sup>

**867.** It stated that, prior to the USUR being articulated, “a number of possible solutions” had been identified that “could be delivered within six months, including advancing certain hardware elements of Watchkeeper, but stopping short of providing an early Watchkeeper capability”.

**868.** The DEC also explained that UOR action had previously been “put on hold” while an engine modification for Phoenix was pursued, to try and improve its performance in extreme temperatures.

**869.** The DEC proposed a “layered” system to meet the requirement:

- Nimrod Mk2 would be used to provide wide area surveillance;
- “other air-based assets (such as fast jet tactical reconnaissance) would provide medium/low level surveillance”; and
- a “small UAV system” would be procured to provide “low level ‘through the window’ surveillance”. That could be implemented, “at least in part, almost immediately”.

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<sup>458</sup> Email PJHQ [junior official] to PJHQ [junior official], 2 May 2003, ‘Requirement for an Enhanced UAV’.

<sup>459</sup> Minute CM(M) to PS/Min(DP), 9 May 2003, ‘Iraq: Op TELIC Phase 4 UORs’.

<sup>460</sup> Minute APS/Min(DP) to CM(M), 12 May 2003, ‘Iraq: Op TELIC – UORs’.

<sup>461</sup> Minute DCDS(EC) to PS/Min(DP), 30 May 2003, ‘Iraq: Op TELIC Phase 4 UORs’ attaching Paper DDEC (ISTAR) TS, 30 May 2003, ‘Update on Phoenix Capability UORs’.

**870.** The DEC's proposal would "relieve some of the pressure" on the Phoenix Out of Service Date (OSD) but there was a risk of a capability gap between the Phoenix OSD and the Watchkeeper ISD:

"An analysis of the availability of Phoenix for future operations (whatever they may be) when considered in light of the introduction of Watchkeeper, has indicated that there is a risk of a capability gap developing. We will not be able to quantify this fully until the repair situation on Phoenix is better understood. However, work is in hand to look at options for mitigating this risk, including re-opening the Phoenix production line ..."

**871.** AM Stirrup warned Lord Bach that the DEC's update must be "put in context", noting the "considerable success" of UAVs during combat operations and indicating that the capability gap had arisen because UK forces had entered a new phase in operations.

**872.** On 25 June, the House of Commons Defence Committee took evidence from Lord Bach, Sir Peter Spencer and Lt Gen Fulton on the progress of the MOD's Equipment Programme.<sup>462</sup>

**873.** Asked why the Watchkeeper programme could not be accelerated, Lord Bach said that "some elements" would be in service by "late 2005". Concern was expressed by the Committee that the MOD should not put its "head in the sand", delaying the introduction of Watchkeeper to the extent that "by the time it comes out, the concept has already moved on".

**874.** The Chairman finished the line of questioning by saying that the project should be watched closely "because the military requires it and requires it to be done pretty damned quickly".

**875.** In its subsequent report, the Committee stated that the Watchkeeper and FRES programmes both exemplified the MOD's efforts to "bring important new capabilities into service more quickly". They also highlighted that, in conflict with the desire to speed up progress, the MOD had maintained a cautious approach in both with a view to reducing project risks. That demonstrated that the MOD was still finding it difficult to balance "increased agility against decreased risk".

**876.** On 26 June, the DMB endorsed a paper from Mr Colin Balmer, MOD Finance Director, on investment priorities for 2004's Equipment Programme (STP/EP04).<sup>463</sup> Network-enabled capability and deployable ISTAR were two areas of "vital ground" that Mr Balmer suggested that the DMB should protect.

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<sup>462</sup> Eighth Report from the House of Commons Defence Committee, Session 2002-03, *Defence Procurement*, HC 694, para 18 and evidence session from 25 June 2003.

<sup>463</sup> Paper Finance Director [MOD], 20 June 2003, 'Defence Strategic Audit and Guidance for STP/EP04'; Minutes, 26 June 2003, Chiefs of Staff meeting.

**877.** An annex to the paper stated that enhancement of Intelligence Surveillance Reconnaissance capability had emerged as “a priority Op TELIC lesson”.

**878.** On 1 September, MND(SE) produced a Forces and Resources Review to examine the resources required in MND(SE), for both short-term and enduring operations.<sup>464</sup>

**879.** The Review reiterated the requirement for greater surveillance capability. It stated:

“The evolving threat from terrorism in Basra City leads to the urgent requirement for airborne surveillance of urban areas. Force protection measures limit the ability to observe a situation from the ground, or to track vehicles/people along busy streets, or to observe the situation remotely. Airborne surveillance would clearly enhance both force protection and the ability to catch or kill terrorists ... A surveillance capability ... could be fitted to the existing allocation of helicopters on Op TELIC.”

**880.** On UAVs, the Review cited the USUR submitted to PJHQ in May. It added:

“The increasing significance of the international borders and the need for pylon line surveillance has re-emphasised the importance of this capability. In addition, counter-terrorist operations in urban areas and more focused operations against both border activity and organised crime indicate that HQ MND(SE) will confirm the value of redeploying Phoenix once the weather becomes sufficiently accommodating in the Autumn.”

**881.** The Review also identified a protected mobility requirement which is addressed earlier in this Section.

**882.** Major General Robin Brims, the Deputy Chief of Joint Operations, provided a written update to the Chiefs of Staff on the Forces and Resources Review on 2 September.<sup>465</sup> He wrote that one of the “key elements” was the enduring requirement to “increase force protection, commence ICDC [Iraqi Civil Defence Corps] training and to improve the ISTAR capability in MND(SE)”.

**883.** Maj Gen Brims recommended the Chiefs agree that “DEC(ISTAR) should do all that is possible to accelerate the introduction of a new UAV, Desert Hawk, not currently believed to be available until Dec 03 at the very earliest”. Phoenix UAVs would be deployed in the interim when the weather conditions became “appropriate”.

**884.** On 4 September, Mr Hoon’s Private Office sent a letter to Mr Matthew Rycroft, Mr Blair’s Private Secretary for Foreign Affairs, informing him of the outcome of the Forces and Resources Review.<sup>466</sup>

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<sup>464</sup> Paper MND(SE) [junior officer], 1 September 2003, ‘HQ MND(SE) Forces and Resources Review’.

<sup>465</sup> Minute SECCOS to PSO/CDS, 1 [sic] September 2003, ‘OP COS paper: Op TELIC – UK Force and Resources Review An Update’ attaching Minute Brims, 2 September 2003, ‘Op TELIC – UK Force and Resources Review – An Update’.

<sup>466</sup> [Letter Williams to Rycroft, 4 September 2003, ‘Iraq: UK Forces and Resources Review’](#).

**885.** Gen Jackson visited Iraq from 12 to 15 September.<sup>467</sup> His report to General Sir Michael Walker, Chief of the Defence Staff (CDS), stated that the Coalition was finding it difficult to “obtain a cohesive picture” of the various threats it was tackling. He wrote that he believed it was “time to reprioritise some of our intelligence gathering assets”.

**886.** Gen Jackson recommended switching the focus of in-theatre intelligence gathering assets from weapons of mass destruction to counter-terrorism.

**887.** On 1 October, the DMB endorsed a paper from Mr Ian Andrews, MOD Second Permanent Under Secretary, that identified potential savings of £300m across the DLO and DPA.<sup>468</sup> That is described earlier in this Section in the context of savings made against FRES.

**888.** ISTAR was also an area identified for savings and included:

- £4m to delay the practical experimentation of UAVs by six months, which would delay the “de-risking activity necessary to inform Watchkeeper and other ISTAR and network-enabled capability related programmes”; and
- delaying the Watchkeeper Assessment Phase, due to be concluded in April 2004, by six months. The interim operating capability would consequently be delayed by a year to 2007.

**889.** On 6 October, Mr Hoon’s Private Secretary wrote to No.10, confirming that Mr Hoon would be implementing £500m of savings across the Defence budget and where some of those savings would fall.<sup>469</sup> He highlighted that the MOD would delay ISDs for “new equipments such as the Watchkeeper (a key SDR New Chapter capability)”.

**890.** Mr Hoon’s Private Secretary wrote:

“These measures would not directly impact on the operations in Iraq, but would begin to cut into the training and support needed for motivated Armed Forces capable of sustaining the operations there, especially if the situation on the ground escalated, or in responding to new crises.”

**891.** Maj Gen Lamb’s post-operation report on 30 January 2004 stated that, in October 2003, the Joint Helicopter Force (Iraq) (JHF-I) was “augmented by three Gazelle and two Puma for ISTAR operations”.<sup>470</sup>

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<sup>467</sup> Minute CGS to CDS, 17 September 2003, ‘CGS visit to Op TELIC 12-15 Sep 03’.

<sup>468</sup> Minutes, 1 October 2003, Defence Management Board meeting; Paper 2nd PUS, 30 September 2003, ‘In-Year Management: AP03 update’.

<sup>469</sup> Letter Davies to Heywood, 6 October 2003, ‘Ministry of Defence Budget’.

<sup>470</sup> Report Lamb, 30 January 2004, ‘Post Operation Report – version 1 Operation TELIC 2/3’.

**892.** A later report stated that Gazelle had subsequently been withdrawn from theatre because it had “proved too vulnerable to ground attack”.<sup>471</sup>

**893.** On 18 November, Mr David Williams, MOD Director of Capabilities, Resources and Scrutiny, wrote to Mr John Dodds, Head of the Defence, Diplomacy and Intelligence Team in the Treasury, seeking advice on how to take forward new force protection measures within the agreed UOR “ceiling”.<sup>472</sup> Mr Williams flagged a new requirement for £22m of UOR funding for area surveillance. Mr Williams’ request for the funding of electronic countermeasures is addressed earlier in this Section with regards to protected mobility.

**894.** Mr Williams described the need for air surveillance assets as “effectively a ‘force multiplier’ in that a greater effect could be achieved by cueing and focusing fewer ground assets than by maintaining large bodies of troops in static guarding roles”. The existing arrangement, whereby UK military personnel were guarding key sites within MND(SE), had prevented troops from being employed in more “proactive, deterrent or offensive security tasks” and raised more suspicion than would be the case with more remote surveillance, such as helicopters and UAVs.

**895.** Mr Williams wrote:

“The potential solution to the requirement is to seek area surveillance capabilities since our forces lack UK-dedicated, persistent (in terms of time/duration over the areas/targets we wish to watch) near real-time and long-range capabilities, suited to the differing requirements in urban and rural areas, that can produce pictures ...”

**896.** Mr Williams stated that, to date, the MOD had deployed a combination of assets in its inventory but only as an interim solution and this had not been effective for urban areas. In addition, the interim systems would suffer in spring when the weather became hotter and some aircraft would be required to return to Northern Ireland.

**897.** Mr Williams wrote that this was being addressed by:

- a surveillance solution based on a UAV that would cost approximately £10m for which three potential suppliers had been sent an Invitation To Tender;
- potentially using Lynx helicopters with a surveillance pod for the urban requirement; and
- a manned surveillance platform for the “pan-Iraq” requirement.

**898.** Further work was being done to develop business cases for the latter two options.

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<sup>471</sup> Report DOC, 22 February 2005, ‘Operation TELIC Lessons Study Volume 2’.

<sup>472</sup> Letter Williams to Dodds, 18 November 2003, ‘Additional Operation TELIC UORs’.

**899.** The UK procured the Desert Hawk ‘mini UAV’ from the US Air Force in December 2003.<sup>473</sup> Lt Gen Ridgway reported that the US had “successfully employed the system on operations in Iraq and Afghanistan”.

### The impact of savings measures between 2004 and 2005 on ISTAR provision

On 26 February 2004, the Defence Management Board (DMB) agreed a large number of service enhancements and savings measures that should be offered as part of a Spending Review.<sup>474</sup>

The DMB considered a paper by Mr Trevor Woolley, MOD Finance Director, which detailed all the measures.<sup>475</sup> It proposed cutting the budget of £33m for the practical experimentation of UAVs over the following two financial years, which would retain a team to conduct trials and inform future CONOPS development but:

“... there would be significantly reduced pull-through to programmes addressing capability gaps in the persistent deep ISTAR of land and close or complex terrain. This option is entirely dependent on the deferral of £4m from 03/04 ...”

That measure was one which the DMB felt needed further consideration because of the impact on other programmes.

On 26 January 2005, the DMB discussed proposals in a paper by Mr Woolley on the ‘Future Defence Programme’.<sup>476</sup>

On network-enabled capability and ISTAR, Mr Woolley wrote that it had been “necessary to assume significant savings” within the Equipment Programme, despite attempts to mitigate them “as far as possible”. Those savings would require “careful consideration” and included the decision to defer Watchkeeper by one year, “but with a planned limited interim capability to support deployments from 2006”.

The minutes from the DMB meeting recorded that the measure to defer Watchkeeper would incur additional short-term costs for supporting “older, less capable equipment” but those had been allowed for.<sup>477</sup> The measure was approved.

**900.** On 30 January 2004, Mr Adam Ingram, Minister of State for the Armed Forces, was advised that a UAV capability gap remained.<sup>478</sup> Phoenix was due to be withdrawn from theatre in April because it struggled to operate in the heat of the summer months.

**901.** To provide “a stand alone UK capability”, officials had investigated procuring either the US Predator UAV system or the Hermes 450 UAV system but both options had been ruled out because of “unacceptably high risk”. That risk was not explained.

<sup>473</sup> [Minute CDI to APS/SofS \[MOD\], 22 June 2004, ‘ISTAR Provision to Op TELIC – UK UAV Operations’.](#)

<sup>474</sup> Minutes, 26 February 2004, Defence Management Board meeting.

<sup>475</sup> Paper Finance Director, [undated], ‘ST/EP04: Years 1 and 2’.

<sup>476</sup> Paper Finance Director [MOD], [undated], ‘Future Defence Programme 05’.

<sup>477</sup> Minutes, 26 January 2005, Defence Management Board meeting.

<sup>478</sup> Minute AD Sec(Iraq) to PS/Min(AF), 30 January 2004, ‘Op TELIC Wide Area Surveillance – Preparations for a Joint UK-US Predator Unmanned Aerial Vehicle (UAV) Task Force’.

It was noted that pursuing the Hermes system could also potentially “disrupt” the Watchkeeper programme because it could involve the same contractor.

**902.** Mr Ingram was advised that a third option had emerged: the creation of a Joint Predator Task Force with the US, using US equipment but drawing on UK manpower to support an additional US Predator in the UK’s Area of Responsibility (AOR). It was viewed as “the most promising option” in terms of performance, cost and time.

**903.** As training on the Predator took at least 40 days, it had already been agreed that RAF personnel would begin the next available course starting on 2 February.

**904.** Mr Ingram received an update on what became the Combined Joint Predator UAV Task Force (CJPTF) on 30 April.<sup>479</sup> An official wrote that a drawback of the proposal had been “the inability to provide a full capability until the turn of 2004/05”, largely because sufficient Predator ground stations were “not available until then”.

**905.** While the US expected, “depending on the circumstances”, to allocate increasing amounts of existing Predator time to the UK AOR as the UK’s participation in the CJPTF grew from June 2004, “there would be no immediate solution to the existing capability gap”.

**906.** The official wrote that it had “therefore been agreed” to provide an interim solution by fitting a datalink to five Nimrod MR2 equipped with the necessary sensors. The datalink equipment would be loaned by the US and would “enable the Nimrod to provide near real time imagery to ground stations in a manner very similar to Predator”.

**907.** That solution could not be sustained “beyond the turn of the year” because all five Nimrods required “major servicing” and the official accepted it was not a cost-effective solution to the capability gap.

**908.** On 22 June, Lt Gen Ridgway wrote to Mr Hoon, at his request, with advice on ISTAR capability in Iraq.<sup>480</sup> He wrote:

“We currently have no aerial surveillance capability available in theatre – this is a significant capability gap.”

**909.** Lt Gen Ridgway asked Mr Hoon to note that:

- Phoenix had performed well but had been withdrawn for the summer months.
- Nimrod MR2 was providing “some” photographic capability.
- Desert Hawk, the mini UAV, was non-operational for technical reasons. That was being investigated and it was possible that Desert Hawk would become operational again later that year.

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<sup>479</sup> Minute DCRS4 to PS/Minister(AF), 30 April 2004, ‘Op TELIC Wide Area Surveillance – UK-US Combined Joint Predator Task Force (CJPTF)’.

<sup>480</sup> [Minute CDI to APS/SofS \[MOD\], 22 June 2004, ‘ISTAR Provision to Op TELIC – UK UAV Operations’.](#)

- The CJPTF would “provide some capability” at the end of the year and in the meantime a number of Predators had been assigned to MND(SE). The use of Italian Predators within the CJPTF was being investigated.

**910.** Lt Gen Ridgway warned that, despite those initiatives, “this major capability gap” was likely to prevail until “end 04 with a particular shortfall over the summer months”.

**911.** In considering solutions, the provision of a new UK UAV system had “been discounted”. That included options provided by the Watchkeeper contractors and the loan of a number of Predator systems from the US because:

“Detailed work identified that current MOD policy for airworthiness and safety for UAV systems would not allow the use of a new system or the use of Predator under UK regulation in a timely and cost-effective manner.”

**912.** Lt Gen Ridgway wrote that the Watchkeeper programme was expected to proceed to Main Gate later that year, with “an element of capability to be available from 2006”.

**913.** Mr Hoon’s Private Office replied on 23 June that Mr Hoon had:

“... noted that we currently have no aerial surveillance capability in theatre, and the steps that are being taken to close this capability gap. He notes, however, that despite these initiatives the capability gap is likely to continue until the end of this year.”<sup>481</sup>

**914.** On 13 July, Major General Andrew Stewart, GOC MND(SE) from December 2003 to July 2004, wrote in his post-operation report:

“Dedicated UK airborne ISTAR assets have been a pretty sorry tale with availability described as fragile at best. For operations of this nature a stand-off covert airborne system is critical to success, and something close to 24 hour coverage is demanded. For the UK only Nimrod MR2 offers a truly covert capability and it has been superb for endurance over wide land areas. More of this sort are needed.”<sup>482</sup>

**915.** Maj Gen Stewart added:

- “Phoenix has given outstanding service long into the heat of the summer but its overall utility became severely constrained beyond April.”
- “Desert Hawk has been a joke.”
- “Access to US ISTAR capabilities have, as expected, been subject to perceived far higher priorities outside the Division’s AO [Area of Operations] and have therefore been unreliable.”

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<sup>481</sup> Minute PS/Secretary of State [MOD] to PS/CDI, 23 June 2004, ‘ISTAR Provision to Op TELIC – UK UAV Operations’.

<sup>482</sup> Report Stewart, 13 July 2004, ‘Post Operation Report Operation TELIC 3/4 – 28 December 2003 – 13 July 2004’.

- “The conclusion is that the UK needs an all-weather airborne UAV in sufficient numbers to guarantee availability in operations of this nature.”

**916.** In October, there was a suggestion that the Apache attack helicopter should be deployed to Iraq as an additional ISTAR asset but it was decided that the attack helicopter programme was not of sufficient maturity and there was no immediate operational requirement for such a measure.<sup>483</sup>

**917.** In his post-operation tour report on 4 December, Major General William Rollo, GOC MND(SE) from July to December 2004, wrote:

“There is a constant demand across the Division for airborne imagery. NIMROD MR2 does an excellent job, but it is in short supply due to a finite number of aircraft and insufficient flying hours. P4 [Puma] is available and in high demand, but is difficult to maintain and although there is a surge capacity to use two, it is constrained by lack of spares. Phoenix can only fly from November to April due to temperature restrictions. It is also restricted to rural areas. Predator is technically available, but only if the division has a mission of sufficiently high priority ... This means that there is a continual shortage of overhead ISTAR within the Division resulting in operations being planned around ISTAR availability, rather than ISTAR being available for operations. There is a requirement for more airborne reconnaissance platforms with greater endurance to allow for observation of pattern of life of both people and places and to assist asset tracking.”<sup>484</sup>

**918.** On 22 February 2005, the MOD’s Directorate of Operational Capability (DOC) produced its second volume of ‘Operation TELIC Lessons’, to cover the period from 1 August 2003 to 30 November 2004.<sup>485</sup> The preface stated:

“Military activities within a continuum of operations have varied widely, but after an upsurge in the level of violence, the campaign has become a unique Counter-insurgency (COIN) operation – an evolution that fits no neat recent historical or doctrinal model.”

**919.** The report highlighted ISTAR as one of the five key lessons for the Chiefs of Staff to consider:

“Future ISTAR procurement strategies should recognise the UK’s limited capability to find and track targets, and obtain post-attack Battle Damage Indications from the air, particularly in urban environments and extreme climatic conditions. This lesson

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<sup>483</sup> Minute Harper to PJHQ ACOS J3, 20 October 2004, ‘Deployment of Attack Helicopter for ISTAR role’; Minute Fry to COSSEC, 1 February 2005, ‘Deployment of Attack Helicopter (AH)’; Report Rollo to PJHQ MA to CJO, 4 December 2004, ‘Post Operation Report Operation TELIC 4/5 – 14 July – 1 December 2004’; Minute DCDS(C) to COSSEC, 1 February 2005, ‘Deployment of Attack Helicopter (AH)’.

<sup>484</sup> Report Rollo to PJHQ MA to CJO, 4 December 2004, ‘Post Operation Report Operation TELIC 4/5 – 14 July – 1 December 2004’.

<sup>485</sup> Report DOC, 22 February 2005, ‘Operation TELIC Lessons Study Vol. 2’.

represents the most significant capability shortfall on Operation TELIC Phase IV and is likely to remain an enduring requirement, particularly for asymmetric warfare.”

**920.** The report stated:

“UK forces lack sufficient ISTAR capability to provide persistence and the ability to stream imagery in real time and cross-component, over a wide range of climatic conditions ... This capability shortfall has been highlighted on all recent UK operations ... Some rotary platforms have proved too vulnerable to ground attack, and whilst the covert characteristics of UAVs make them well suited to the ISTAR role, the Phoenix UAV can only operate for half the year in-theatre due to temperature restrictions.”

**921.** The report highlighted that use of US Predator and “several UORs” to increase manned airborne surveillance capabilities had helped to alleviate the capability gap.

**922.** The Chiefs of Staff discussed the DOC Report on 22 February.<sup>486</sup>

**923.** The minutes recorded that “connectivity was key to bridging the ISTAR capability gap and enhancing the overall operational agility”. Lt Gen Fry had advised that “a layered review” had already been undertaken to assess the overall ISTAR programme. ACM Bagnall undertook to arrange an ISTAR update for the Chiefs of Staff.

**924.** The ISTAR update was provided to the Chiefs of Staff on 22 March, with two presentations: one about the UK’s existing assets and one about the capability gap and ISTAR strategy to 2020.<sup>487</sup>

**925.** The minutes recorded:

“... it was emphasised that the ISTAR architecture that had been illustrated ... represented a significant step forward in connecting the many previously stove-piped collection assets into a coherent ISTAR plan. Much work was still required and three key investment decisions were identified:

- The balance of investment between ISTAR and other military capabilities.
- The apportionment of investment between collection, data management and dissemination of information.
- The degree of overlap required from different ISTAR assets in order to provide multi-source verification.”

**926.** Sir Kevin Tebbit “highlighted the importance of investment decisions in EP07 and emphasised that given the uncertainty surrounding the availability of resources in the future, the ISTAR architecture would need to be sufficiently robust to develop incrementally as resources became available”.

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<sup>486</sup> Minutes, 22 February 2005, Chiefs of Staff meeting.

<sup>487</sup> Minutes, 22 March 2005, Chiefs of Staff meeting.

**927.** The Chiefs of Staff also placed emphasis on ensuring that the correct structures were in place to disseminate intelligence effectively to commanders on the ground.

**928.** The Chiefs of Staff agreed that a further ISTAR report would be produced in early 2006.

## SUPPORT HELICOPTERS

**929.** During operations, the role of a support helicopter can involve transportation of personnel and supplies, surveillance or medical evacuation. That is different from the role of an attack helicopter which delivers fire support to troops on the ground. This Section focuses on support helicopters and how they complemented the land operation in Iraq.

**930.** The term “battlefield helicopter” can cover both types but in the material that follows it appears to refer largely to support helicopters.

**931.** The UK’s campaign in Iraq, following the invasion, was classified as a medium scale operation in terms of MOD planning assumptions. The MOD told the Inquiry that, in 2003 for a medium scale ground operation, the maximum number of helicopters would be:

- 21 heavy support helicopters;
- 41 medium support helicopters; and
- 44 light support helicopters.<sup>488</sup>

**932.** The MOD told the Inquiry that the UK’s support helicopter fleet in 2003 comprised a “forward fleet” of:

- 31 Chinook Mk2/2a;
- 18 Merlin Mk3;
- 33 Sea King Mk4; and
- 34 Puma Mk.<sup>489</sup>

**933.** Those aircraft were supported by Gazelle and Lynx light helicopters.

**934.** An MOD report published in July 2003 stated that 137 helicopters were deployed as part of the combat operations between 19 March 2003 and 15 April 2003.<sup>490</sup> Those figures are broken down in Table 2.

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<sup>488</sup> Letter MOD to the Iraq Inquiry, 31 January 2011, ‘MOD Evidence – Equipment Issues’ attaching Report, September 2003, ‘Annex H – Maximum Scales of Effort’.

<sup>489</sup> Paper [MOD], 1 March 2011, ‘Request for Evidence, Support Helicopters’.

<sup>490</sup> Ministry of Defence, *Operations in Iraq: First Reflections*, July 2003.

Table 2: UK helicopters deployed during the invasion

Army	Royal Air Force	Royal Navy <sup>491</sup>
16 Gazelle	20 Chinook	20 Sea King
18 Lynx	7 Puma	5 Chinook
11 Chinook		13 Lynx
7 Puma		6 Gazelle
10 Sea King		4 Merlin

**935.** On 11 June 2003, Mr Hoon updated the House of Commons on the drawdown of forces.<sup>492</sup> He stated that “some 80 helicopters” had returned to the UK and that the Joint Helicopter Force (JHF-I) retained a “balanced rotary-wing presence, 18 helicopters comprising Chinook, Sea King, Puma and Gazelle”.

**936.** The DMB was advised on 26 June that the recuperation of helicopters deployed on Op TELIC could place rotary wing support to operations and training “at risk”.<sup>493</sup> Measures for contracting out inspection and maintenance for those helicopters were being considered.

**937.** On 30 September, the DMB was told that the recuperation process would not be complete until FY 2006/07.<sup>494</sup>

**938.** On 29 January 2004, Mr Hoon requested a short note from each of the Single Service Chiefs on the impact of maintaining the current and forecast levels of military commitment.<sup>495</sup>

**939.** Gen Jackson replied on 3 February.<sup>496</sup> He wrote that, on equipment:

“... in meeting essential short term operational demands we must take care not to prejudice our ability to meet longer term rebalancing goals ... Measures in the EP threaten our ability to meet our strategic objectives in the longer term ... Reductions in rotary aircraft are also a particular concern as they are such a vital force multiplier, allowing a modern army to generate the high tempo required for success.”

<sup>491</sup> The report suggested that some of the Royal Navy’s helicopters were deployed until May and August.

<sup>492</sup> House of Commons, *Official Report*, 11 June 2003, columns 51-52WS.

<sup>493</sup> Paper Finance Director [MOD], 20 June 2003, ‘Defence Strategic Audit and Guidance for STP/EP04’; Minutes, 26 June 2003, Chiefs of Staff meeting.

<sup>494</sup> Paper 2nd PUS, 30 September 2003, ‘In-Year Management: AP03 Update’.

<sup>495</sup> Minute Zambellas to PS/SofS [MOD], 9 February 2004, ‘Operational Tempo’.

<sup>496</sup> Minute CGS to PSO/CDS, 3 February 2004, ‘Operational Tempo’.

**940.** On 6 February, Air Chief Marshal Sir Jock Stirrup, the Chief of Air Staff, replied:

“The RAF can sustain its current commitments, but with the likely increased involvement in Afghanistan our air transport, support helicopters and possibly RAF Regiment forces will be seriously stretched.”<sup>497</sup>

**941.** The minutes of the DMB on 26 February 2004 agreed a large number of service enhancements and savings measures as part of the Spending Review.<sup>498</sup>

**942.** The DMB recognised that rotary capability “had been a constraint for some time”. Helicopters were “used everywhere, and were one of the key ingredients of lower intensity operations”. On that basis, several proposed measures affecting “key operational enablers (Puma, Gazelle, Sea King, Chinook) had already been relieved” but a number of remaining measures reduced DLO support capability.

**943.** The DMB considered a paper by Mr Woolley which detailed all the measures.<sup>499</sup>

**944.** Mr Woolley wrote: “The Army’s current and planned operational tempo exceeds Defence Planning Assumptions.” His paper had taken into account work from commitments and programmes staff, in conjunction with Front Line Commands and PJHQ, to assess the UK’s current and likely future military commitments over the following 30 months. That assessment was:

- Iraq would continue to be a medium scale operation until the end of March 2006 when it would downsize to a small scale operation.
- The Afghanistan commitment would remain small scale until January 2005 when it would increase to a “small(+) to medium scale(-)” until the end of January 2006. It would become a small scale operation from the end of January 2006.

**945.** Mr Woolley wrote that Land Command had previously taken a number of measures into its core programme to contain expenditure within control levels, including the reduction of rotary environmental training by 25 percent which had “impaired battlefield helicopter readiness and constrained operational flexibility in Northern Ireland”. There had been further reductions in rotary wing activity in Northern Ireland as part of a deliberate switch in operational focus to Iraq.

**946.** Mr Woolley wrote:

“Collectively, these measures have already started to erode the Army’s core competencies in war-fighting at formation level, and overall readiness levels. The cumulative effect of this will be to progressively degrade the effective delivery of force elements within the Land component.”

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<sup>497</sup> Minute CAS to PSO/CDS, 6 February 2004, ‘Operational Tempo’.

<sup>498</sup> Minutes, 26 February 2004, Defence Management Board meeting.

<sup>499</sup> Paper Finance Director, [undated], ‘ST/EP04: Years 1 and 2’.

**947.** The recommended savings measures included further reductions in rotary wing activity that would “restrict the support to Land collective training to 60 percent of the requirement, impacting directly on operations and tour intervals for pilots”. Mr Woolley added:

“This conflicts with an increased rotary wing requirement to support the likely uplift in operations in the Balkans and Afghanistan over the next two years.”

**948.** The MOD told the Inquiry that, until 2004, it had been planning to replace its Puma and Sea King fleets through the Support Amphibious Battlefield Helicopter (SABR) programme.<sup>500</sup> The Initial Gate business case in late 2003 had suggested that “the most likely solution” was the procurement of 50 to 60 additional Chinook aircraft with the first six expected in 2012/13 and the full order by 2025.

**949.** The MOD told the Inquiry that, during the planning round in 2004, as part of a broad departmental affordability exercise, a £1.4bn saving was taken from the total helicopter programme.

**950.** The MOD abandoned the SABR programme and, following a revision of the wider helicopter procurement strategy, created the Future Rotorcraft Capability (FRC) programme.

**951.** The Inquiry asked the MOD whether the £1.4bn referred to in its statement was the result of the savings measures proposed in Mr Woolley’s paper. It replied:

“Not quite. The paper presented by [Mr] Trevor Woolley ... explored ways of removing costs from the first two years of the Defence Programme. Among the proposals it recommended were measures intended to save some £420m from helicopter acquisition and support. These savings were spread across the ten year equipment programme and the four year equipment support programme but ... were heavily weighted towards the years 2004/05 and 2005/06. Separate work, known as the Medium Term Workstrands, looked at ways to balance the defence programme against available resources in the years beyond 2005/06. The outcome of this work was presented to the Defence Board in April 2004. It included recommendations to reduce spending on helicopter acquisition and support by a further £1bn. The £1.4bn saving mentioned in our statement of 1 March 2011 therefore arose from two separate but closely related exercises.”<sup>501</sup>

**952.** On 26 January 2005, the DMB discussed proposals on the ‘Future Defence Programme’ in a paper by Mr Woolley.<sup>502</sup> The background to that paper is addressed earlier in this Section, including that no specific provision had been made for the “extra equipment costs required to support the possible deployment of a UK brigade to Afghanistan alongside the ARRC HQ”.

<sup>500</sup> Paper [MOD], 1 March 2011, ‘Request for Evidence, Support Helicopters’.

<sup>501</sup> Letter Duke-Evans to Hammond, 2 February 2016, [untitled].

<sup>502</sup> Paper Finance Director [MOD], [undated], ‘Future Defence Programme 05’.

**953.** For battlefield helicopters, Mr Woolley wrote that “planned activity levels over the next two years remain at or above the maximum concurrency assumed in provisional DPAs”. Commitments were only being met by compromising the Harmony Guidelines<sup>503</sup> and using crews and key support staff at four intervals of “1on/2off or less” instead of “1on/4 off”.

**954.** Mr Woolley concluded:

“Increasing significantly the size of rotorcraft fleet and training more crews are not realistic options, nor in the short term is reducing the level of operational commitment. The only viable strategy is to accept a reduced harmony ratio of 1on/2 off over the next two years, requiring careful management of key personnel. The Puma and Chinook fleets are currently under the greatest pressure.”

**955.** The £3.2bn across 10 years for investment in the FRC programme had also been affected, with £60m from the first eight years having been re-profiled. Mr Woolley wrote that “considerable effort” had gone into identifying the consequences of that decision for existing helicopter fleets and “the most significant risk” would be sustaining Puma and Lynx through to the introduction of their replacements. Additional funding had been allocated to Lynx to extend its time in service until its replacement was available, albeit at a reduced fleet size of 66 (from 82).

**956.** The DMB agreed that a measure to reduce Joint Helicopter Command (JHC) activity levels should be offset by measures to restore Chinook and Puma funding because “it was felt that these additional costs were an acceptable financial risk, given the significant operational benefits”.<sup>504</sup>

**957.** A proposed reduction in Gazelle activity was rejected, with compensating savings to be found elsewhere in the land budget. The activity reductions for other helicopters “although unwelcome, were acceptable”.

**958.** The MOD told the Inquiry that it withdrew its Chinook helicopters from Iraq in 2005 in order to prepare for operations in Afghanistan and replaced them with the Merlin helicopters.<sup>505</sup> The MOD stated that was because Chinook helicopters were better suited to the challenging conditions found in Afghanistan.

**959.** In a statement to the Inquiry, ACM Torpy explained:

“... as confidence in Merlin grew it was possible to withdraw Chinook from Iraq to allow the force to recuperate from a prolonged period on operations. It also gave the force the opportunity to prepare for operations in Afghanistan, where the hot

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<sup>503</sup> Harmony Guidelines described the maximum time that Service Personnel should spend away from their families (known as Individual Separated Service) and the minimum time that they should have between operational deployments (known as tour intervals). Harmony Guidelines are addressed in detail in Section 16.1.

<sup>504</sup> Minutes, 26 January 2005, Defence Management Board meeting.

<sup>505</sup> Paper [MOD], 1 March 2011, ‘Request for Evidence, Support Helicopters’.

and high conditions and heavy lift requirements singled out Chinook as the obvious favourite to support operations in this demanding environment.”<sup>506</sup>

**960.** On 4 May 2005, Mr Hoon was briefed that the JHF-I comprised eight Sea Kings, four Merlins, and four Lynx.<sup>507</sup>

**961.** In Iraq, the developing threat in MND(SE) meant that ground movement had become restricted, increasing the demand for support helicopters to move personnel and supplement surveillance.

**962.** The impact on civilian personnel is addressed in Section 15.1.

**963.** On 5 July, General Sir Timothy Granville-Chapman, the Vice Chief of Defence Staff, asked General Sir Kevin O’Donoghue, the Chief of Defence Logistics, to assess the “logistics related factors” affecting flying hours and operating fleet size for support helicopters.<sup>508</sup>

**964.** On 27 July, the minutes from the Chiefs of Staff meeting stated:

“Following the recent attacks in Maysan, procedures have been modified to counter the threat ... The current cycle of attacks had ‘fixed’ CF [coalition forces] in the area and, as a result, progress on SSR had stagnated; PJHQ had therefore asked for an urgent review of UK SH [support helicopters] priorities, to see if further assets could be allocated to MND(SE). Given that SH were always in short supply, DCDS(C) [Lt Gen Fry] highlighted the need to ensure that current asset availability was maximised.”<sup>509</sup>

**965.** Air Vice-Marshal Kevin Leeson, Assistant Chief of the Defence Staff (Logistic Operations) (ACDS(Log Ops)) was asked to review the current availability of support helicopters within theatre.

**966.** On 8 September, MOD officials provided Gen O’Donoghue with an estimate of what increases in output were available from the existing support helicopter fleet.<sup>510</sup> The officials advised that, “given appropriate funding”, there was potential to increase both flying hours and the operating fleet size for all types of support helicopter, with the exception of Merlin.

**967.** The officials advised Gen O’Donoghue that several factors had to be taken into account, including that any increase in operational flying would require an increase in Deployable Spares Packs (DSPs), the lack of which had been a recognised issue recorded in the Land Equipment Capability Shortfall Register.

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<sup>506</sup> Statement, 14 June 2010, page 8.

<sup>507</sup> Paper DJC AD Pol 1 to APS/SofS [MOD], 4 May 2005, ‘Iraq – UK Roulement and Force Level Review’.

<sup>508</sup> Minute DCom JHC to CDL, 8 September 2005, ‘Improving the Availability of Support Helicopters’.

<sup>509</sup> Minutes, 27 July 2005, Chiefs of Staff meeting.

<sup>510</sup> Minute DCom JHC to CDL, 8 September 2005, ‘Improving the Availability of Support Helicopters’.

**968.** The MOD officials wrote that “for some platforms deployability and sustainment on operations would be enhanced through the provision of sufficiently ranged, scaled and supported DSPs; for those platforms currently deployed on operations, CPF [Conflict Prevention Fund] claims mechanisms and Urgent Sustainability Requirements are already in place”.

**969.** Gen O’Donoghue wrote to Gen Granville-Chapman about those findings on 14 September to say that the MOD was “currently missing a clear statement of the operational requirement for SH – both readiness and sustainment”.<sup>511</sup>

**970.** Gen O’Donoghue wrote that a paper was being produced for a meeting on 7 October. It was “an extensive piece of work” which was expected to clarify the requirements. Gen O’ Donoghue wrote that he would “therefore concentrate this minute on the art of the possible and focus on what can be ‘sweated’ from our current fleet”.

**971.** There were three groups of factors which had to be addressed to deliver improved availability:

- “depth maintenance and support”, including the need to accelerate Repair and Overhaul (R&O) output and better utilisation of the sustainment fleet;
- “forward logistic factors” such as DSPs and maintenance manpower; and
- aircrew availability and requirement, which was “an issue for the FLCs [Front Line Commands]”.

**972.** On 12 September, the Private Office of Dr John Reid, the Defence Secretary, sought confirmation from Gen Walker whether, “in the event of a slower than expected drawdown of UK forces in Iraq”, the planning assumptions for deployment to Afghanistan would be achievable.<sup>512</sup>

**973.** Gen Walker’s Office replied on 19 September.<sup>513</sup> The “short answer” was “yes” but with the warning that “such a situation would lead to some pain and grief”. In particular:

“The hoped for easement of pressure on our current ‘pinch points’, especially helicopter support ... would be delayed.”

**974.** On 19 September, two UK soldiers were involved in what became known as “the Jameat incident”; an incident where they were arrested and mistreated by Iraqi Police Service (IPS) personnel and only released after a second rescue operation was successful. That incident is covered in detail in Sections 9.4 and 12.1, along with its implications for security in Basra.

**975.** A paper considering those implications, produced jointly by the FCO, the MOD and DFID on 30 September, stated that UK police training teams would need “improved

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<sup>511</sup> Minute CDL to VCDS, 14 September 2005, ‘Improving the Availability of Support Helicopters’.

<sup>512</sup> [Minute APS/Secretary of State \[MOD\] to PSO/CDS, 12 September 2005, ‘Iraq/Afghanistan Commitments’.](#)

<sup>513</sup> [Minute PSO to APS2/SoS \[MOD\], 19 September 2005, ‘Iraq/Afghanistan Commitments’.](#)

access to helicopters in order to move beyond Basra city” and that “greater use of existing theatre helicopters, if feasible, should assist this”.<sup>514</sup>

**976.** An air bridge would be required for FCO, DFID and other government personnel to operate out of Basra from the British Embassy Office based at Basra Palace to Basra airport. The paper stated:

**“We will need to allocate more resources, which may include military resources, to security.** The next weeks, and possibly months, are likely to be rough. Attacks on us are becoming more sophisticated. We will need to protect our staff.”

**977.** On 14 October, Air Marshal Chris Nickols, Assistant Chief of the Defence Staff (Operations),<sup>515</sup> wrote to PJHQ, agreeing to provide additional Merlin helicopters.<sup>516</sup>

**978.** AM Nickols also agreed an uplift of 180 Merlin hours per month for JHF-I until mid-December. He cited JHC’s declaration that the previously agreed support surge commitment had to end by 5 December for “fleet sustainability issues”. The longer-term requirements should be identified “as early as possible” through PJHQ’s Force Level Review.

**979.** AM Nickols wrote that, in the meantime, he was tasking the Director of the Directorate of Joint Capability<sup>517</sup> to lead a wider battlefield helicopter review to provide “a clear and early understanding of our options/impact should surge requirement endure”.<sup>518</sup>

**980.** A note to Dr Reid on 17 October explained that the additional Merlin was found by reducing MOD support to capability demonstrations in the US.<sup>519</sup>

**981.** Gen Jackson visited Iraq from 10 to 13 October.<sup>520</sup> His account of the EFP threat is covered earlier in this Section. He also wrote that a number of issues had been raised by MND(SE), “all relating to our ability to sustain expeditionary operations”. He wrote:

“... our Support Helicopter Fleet is creaking badly. JHF-I [Joint Helicopter Force – Iraq] is struggling to meet its tasks even with rigorous prioritisation ... Serviceability,

<sup>514</sup> [Letter Hayes to Quarrey, 30 September 2005, ‘Iraq: Basra’ attaching Paper FCO/MOD/DFID, 30 September 2005, ‘South-East Iraq: Impact of Security Incident in Basra’.](#)

<sup>515</sup> It is unclear what date in October 2005 AM Nickols succeeded Maj Gen Houghton, the previous incumbent of this role. It seems that AM Nickols would have been in the post at this time.

<sup>516</sup> [Minute ACDS\(Ops\) to PJHQ – DCJO\(Ops\), 14 October 2005, ‘Iraq: Additional Resources to Counter Increased IED threat in MND\(SE\)’.](#)

<sup>517</sup> The MOD has confirmed that Commodore Peter Eberle was in this role until October 2005 but not the specific date. The MOD has not been able to identify the post holder between November 2005 and May 2006.

<sup>518</sup> [Minute ACDS\(Ops\) to PJHQ – DCJO\(Ops\), 14 October 2005, ‘Iraq: Additional Resources to Counter Increased IED threat in MND\(SE\)’.](#)

<sup>519</sup> [Minute DJC \[junior official\] to PS/SofS \[MOD\], 17 October 2005, ‘Iraq: Additional Resources for MND\(SE\)’.](#)

<sup>520</sup> Report CGS to CDS, 18 October 2005, ‘CGS Visit to Iraq: 10-13 Oct 05’.

flying hours and crew numbers ... are all factors, but the overall picture is one of an SH [support helicopter] force ill-matched to support current operations.”

**982.** On 24 October, Maj Gen Wall sent Major General James Dutton, GOC MND(SE), the Terms of Reference for an aviation Force Level Review that had been directed by AM Torpy because of the heightened IED threat.<sup>521</sup> Its aims were to identify aviation requirements in MND(SE) between December 2005 and April 2006 and recommend how to meet them. It would also identify “broad resource requirements” between May and November 2006.

**983.** The planning assumptions for the Review included:

- “threat levels remain broadly constant at current levels”;
- “a mandate for Coalition presence will endure into 2006”; and
- “development of ISF [Iraqi Security Forces] capability will proceed to projected timelines”.

**984.** Following the Review, on 17 November Maj Gen Wall recommended to AM Nickols that:

- Only one of the two surge Merlin deployed in October 2005 (to support Security Sector Reform (SSR) in Maysan) be returned to the UK after the December elections, leaving a total of five in theatre. That should “reduce the risk of road movement” for certain tasks.
- The surge Sea King remain in theatre as an enduring requirement but a utility Sea King be withdrawn after the elections leaving five utility variants.
- Three [Helicopter Broadsword]<sup>522</sup> would also remain in theatre.<sup>523</sup>

**985.** The seventh Merlin had already been withdrawn following the completion of the troop rotation but it was likely that another short-term surge of helicopter capacity would be required for the following troop rotation in April 2006.

**986.** Maj Gen Wall wrote that “a significant proportion of aviation” was used for “administrative movements within theatre” and for “wider ISTAR tasking”. He stated that the Review had highlighted “a range of potential procedural, technical and tactical measures” to reduce the demand for helicopters but this was “subject to further work”.

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<sup>521</sup> Minute DCJO(Ops) to GOC MND(SE), 24 October 2005, ‘Terms of Reference: Op TELIC Intermediate Force Level Review (FLR) into MND(SE) Avn Requirements’.

<sup>522</sup> A cipher has replaced the name of this helicopter for national security reasons. Broadsword was surveillance camera equipment that was fitted to various platforms in theatre and used throughout the course of Op TELIC.

<sup>523</sup> Minute DCJO(Ops) to ACDS(Ops), 17 November 2005, ‘Op TELIC – Aviation Force Level Review (AFLR)’.

**987.** The steady state requirement for helicopters was therefore:

- five Merlin;
- five Sea King
- four Lynx; and
- three [Helicopter Broadsword].

**988.** Gen Walker visited Iraq from 22 to 24 November.<sup>524</sup> His visit report recorded:

“... levels of consent from MNF presence were slowly declining throughout the AOR [Area of Operations]. When considering military activity in the AOR, broadly 60 percent of our effort was devoted to force protection and sustainment of the UK laydown, 30 percent to SSR [Security Sector Reform] and just 5 percent or so to UK COIN [counter-insurgency]. Notwithstanding the planned reduction in British infantry companies, the AOR geography and operational situation meant that there could not be a proportional reduction in enablers, particularly support helicopters and ISTAR ...”

**989.** On the JHF-I, Gen Walker wrote:

“... the weight of force protection and administrative tasking was such that the JHF-I was unable to achieve any significant stabilisation or security tasking; the position was exacerbated during the two months of the TELIC roulement when the JHF-I had no spare capacity; it was questionable whether this fixing of precious support helicopter (SH) capability made tactical, operational or logistical sense.”

**990.** In his Hauldown Report on 12 December, Maj Gen Dutton wrote to AM Torpy:

“Helicopters have always been important in this area, half the size of England and Wales, but the EFP threat has made them essential. I have been grateful for the readiness to support us with extra when required and we have reciprocated by readily agreeing to a reduction when the immediate crisis passed. However this should not disguise the national lack of helicopters to service the operations that we are now conducting. Massaging airframes and hours can only go so far: the simple fact is that we need more helicopters (and aircrew) urgently.”<sup>525</sup>

**991.** In his post-tour report on 18 January 2006, Maj Gen Dutton reiterated the point:

“The hours available to the aircraft in theatre are simply inadequate to reduce routine administrative ground movement in a period of heightened IED threat and to conduct helicopter-borne operations. The GOC has to personally authorise coach moves and the FP [force protection] measures required for even the short move between BAS [Basra Air Station] and SLB [Shaibah Logistics Base] requires several Coys [companies] to deploy to minimise the risk of a mass casualty attack ... This is exacerbated by an increasing number of aviation tasks in support

<sup>524</sup> Minute PSO/CDS to PS/SofS [MOD], 25 November 2005, ‘CDS Visit to Iraq – 22-24 Nov 05’.

<sup>525</sup> [Report Dutton to CJO, 12 December 2005, ‘June to December 2005 – Hauldown Report’.](#)

of civil organisations supporting the IZ [International Zone] election process and civil reconstruction such as the UN (who will only fly) and DFID. Having received a temporary increase in Merlin hours and an additional airframe ... this uplift was withdrawn following the aviation FLR (Force Level Review) in early Nov. To compound the problem of flying hours the Div seldom has sufficient aircraft serviceable to actually match the required tasklines due to problems with the ageing Sea King fleet.”<sup>526</sup>

## The availability of ISTAR and support helicopters from 2006 onwards

**992.** In January 2006, Cabinet approved the decision to deploy to Helmand. Dr Reid announced that the UK was “preparing for a deployment to southern Afghanistan” which included a Provincial Reconstruction Team as “part of a larger, more than 3,300-strong British force providing the security framework”.<sup>527</sup>

**993.** The impact of that decision was summarised neatly by Gen Walker as:

“Militarily, the UK force structure is already stretched and, with two concurrent medium scale operations in prospect, will soon become exceptionally so in niche areas.”<sup>528</sup>

**994.** On 31 January, Lieutenant General Robert Fulton, Deputy Chief of Defence Staff (Equipment Capability) (DCDS(EC)), wrote to Gen Walker outlining the options for getting “better operational utilisation” from support helicopters.<sup>529</sup> He stated:

- Work to increase the utilisation of existing support helicopters was already under way as part of a Chinook Operational Effectiveness Study. That represented the only short-term option to improve the availability of support helicopters within existing resources.
- “Utilisation of a simpler, cheaper aircraft”, such as the recovered Sea King Mk6, to meet non-operational tasking had some potential to alleviate pressure on the operationally-equipped fleet. Equipment Programme funding could be “made available to begin recovery of some of these old aircraft from 2009” but there would be some “significant” problems managing an expanded “two-speed” fleet and the additional running costs would be unaffordable under existing Short Term Plan (STP) plans.
- Recovered Sea King Mk6 aircraft could prove to be a worthwhile “gap-filler” until new helicopters were procured to replace the ageing Puma fleet that had an Out of Service Date (OSD) of 2010.

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<sup>526</sup> Report HQ MND(SE), 18 January 2006, ‘Progress Report – Operation TELIC’.

<sup>527</sup> House of Commons *Official Report*, 26 January 2006, columns 1529-1533.

<sup>528</sup> Letter Walker to Richards, 24 January 2006, [untitled].

<sup>529</sup> Report DCDS(EC) to PSO/CDS, 31 January 2006, ‘The Utilisation of Operationally Equipped Support Helicopters’.

**995.** Lt Gen Fulton advised Gen Walker that the view of “Customer Two”, the Front Line Commands, was that the problems in managing a larger number of recovered Sea King would “probably outweigh any advantage”. They thought the best way to “leverage better performance” was to continue seeking to “fly the existing aircraft harder by improving servicing, processes and spares delivery”.

**996.** Customer Two was keen to explore the potential merits of “running on either Puma or Sea King” to achieve the Equipment Programme “stagger required to introduce, in affordable tranches, a future new helicopter”.

**997.** In his post-operation tour report on 18 January 2006, Maj Gen Dutton wrote:

“The importance of ISTAR platforms within this theatre cannot be overstated.”<sup>530</sup>

**998.** Maj Gen Dutton referred to helicopters fitted with Broadsword capability. He stated that [Helicopter Broadsword] was good but suffered availability limitations as with all aircraft in theatre. Nimrod was also good but orientated towards [UK theatre forces]<sup>531</sup> and therefore not dedicated to MND(SE). He highlighted the need to maintain and possibly increase ISTAR coverage as the UK moved towards Operational Overwatch.<sup>532</sup>

**999.** Lieutenant General Nicholas Houghton succeeded AM Torpy as CJO in March 2006. On 3 March, he wrote to Gen Walker with the results of a Force Level Review.<sup>533</sup>

**1000.** The aviation support to MND(SE) was provided by: five Merlin, five Sea King, three [Helicopter Broadsword] and four Lynx. Lt Gen Houghton wrote that there was a requirement for Merlin and Lynx to remain throughout Operational Overwatch but changes to tasking lines and servicing routines enabled a reduction of two Sea King as an “efficiency measure”. He highlighted the possibility of further helicopter reductions following the anticipated transition to Provincial Iraqi Control in Maysan, Muthanna and Basra provinces.

**1001.** On ISTAR, Lt Gen Houghton stated that “Full Motion Video” (FMV) capability was provided by Nimrod (Iraq-wide), [Helicopter Broadsword] (MND(SE)-wide) and Phoenix (locally).

**1002.** Phoenix would again be withdrawn for the summer months and would not be replaced with any UAV as Desert Hawk had proved “unsuitable”. There remained a shortfall in persistent Intelligence, Surveillance and Reconnaissance (ISR).

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<sup>530</sup> Report HQ MND(SE), 18 January 2006, ‘Progress Report – Operation TELIC’.

<sup>531</sup> A cipher has been used here for national security reasons.

<sup>532</sup> Operational Overwatch was a phase of transition where the UK would operate from a reduced number of MNF bases to reduce profile while providing reinforcement to Iraqi forces. That is addressed in Section 9.4.

<sup>533</sup> Minute CJO to PSO/CDS, 3 March 2006, ‘Op TELIC Force Level Review – Feb 06’.

**1003.** On 8 March, the Chiefs of Staff discussed and endorsed the Force Level Review.<sup>534</sup> The minutes recorded that one of the points highlighted by Lt Gen Houghton was that, despite the withdrawal of two helicopters, helicopter flying hours would be “sustained by the more efficient use of other assets”.

**1004.** The Chiefs of Staff noted that “the withdrawal of Phoenix would leave an ISTAR deficit” and MND(SE) had “already been tasked to review its ISTAR requirements”. Possible “mitigation was by the availability of unused Nimrod MR2 hours and the possibility of negotiating US Predator tasking”. Gen Jackson would explore the possibility of using Islander aircraft from Northern Ireland to provide Manned Aerial Surveillance.

**1005.** On the same day, Dr Reid was informed that “minor adjustments” were being made to the number of support helicopters “through increased efficiency”.<sup>535</sup>

#### THE DOC’S THIRD REPORT, 4 APRIL 2006

**1006.** On 4 April, the DOC published its third report of Op TELIC lessons to cover the period from 1 December 2004 to 28 February 2006.<sup>536</sup>

**1007.** The report contained a section on “National Issues” described as “issues that warrant MOD’s attention due to the impact on operational capability”. Such issues affected “not only Iraq but may have a wider significance for other operations, including Afghanistan”. Those issues included: counter IED capability (as addressed earlier in this Section with regard to protected mobility), ISTAR, helicopters, air transport and force protection engineering.

**1008.** On ISTAR, the DOC stated that within Iraq there remained “a serious gap in current ISTAR capability – particularly in urban areas”. That was “a regular DOC observation that has been highlighted on all recent operations”.

**1009.** The report cited “a specific problem with surveillance generally and with UAVs specifically”, referring to the “identified gap” between the Phoenix OSD and Watchkeeper ISD of two years. That situation “had changed again” and the Watchkeeper ISD had slipped to “Not to Extend (NTE) beyond January 2011”.

**1010.** The MOD Investment Approvals Board (IAB) had directed that the gap should be viewed in two parts: theatre-specific in Afghanistan from 2006 to 2008, and the generic contingent war-fighting tactical UAV capability from 2007 to 2010. There was the additional, shorter-term problem that Phoenix could only operate in winter, and Desert Hawk was incompatible with electronic countermeasures. The Combined Joint Predator UAV Task Force (CJPTF) provided “limited coverage of MND(SE)”.

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<sup>534</sup> Minutes, 8 March 2006, Chiefs of Staff meeting.

<sup>535</sup> Minute DJC [junior official] to PS/SofS [MOD], 8 March 2006, ‘Iraq: Force Level Review (FLR) for May 2006 Roulement’.

<sup>536</sup> Report DOC, 4 April 2006, ‘Operation TELIC Lessons Study Volume 3’.

**1011.** The DOC recommended:

“... we should reconsider addressing the ISTAR capability requirements, particularly in addressing surveillance generally and UAVs specifically.”

**1012.** On battlefield helicopters, the report stated that their capacity to support operations had “become parlous at times during 2005”.

**1013.** The DOC added:

“The requirement for an air bridge between Baghdad International Airport and the International Zone because of the increases – and sustained – threat on Route Irish, and the requirement to provide enhanced IED ‘top-cover’ have together compounded the situation. The matter is compounded further by shortcomings in the contracted servicing of mission critical equipment ... JHF(I) has struggled to meet its tasks even with rigorous prioritisation. There are several factors that exacerbate the problem but it is apparent that the UK’s BH [battlefield helicopter] force is stretched to meet the requirement of the current operation.”

**1014.** The DOC quoted Maj Gen Dutton’s assertion from his Hauldown Report that more helicopters were urgently needed in theatre and added that, with the “significant deployment to Afghanistan”, that situation was “predicted to worsen throughout 2006”. That highlighted “the serious overall shortcomings in the UK’s battlefield helicopter capacity”.

**1015.** The DOC report stated: “There is an urgent requirement to assess and improve our BH capacity as an operational priority in the short and medium term.”

### Force Protection Engineering (FPE)

The Directorate of Operational Capability (DOC) report on 4 April 2006 stated that FPE should be viewed in relation to investment in protected mobility and counter IED. It highlighted data from PJHQ that indicated that 24 percent of all attacks had been against camps and other static locations, resulting in 44 percent of all wounded in action.

The DOC explained that, to that date, FPE expertise had resided largely in Northern Ireland. Technical designs and construction standards had then been provided to other theatres (including Iraq) for implementation. Additional FPE Research and Development (R&D) was funded by the Equipment Capability Customer but the two strands were “not co-ordinated”.

There was “an enduring need to provide security forces (and other government departments when required) with secure and protected operating bases from which they can effectively control the ground and interface with the indigenous population”. The need for an “appropriately resourced FPE capability (for the Land environment)” had been endorsed by the Executive Committee of the Army Board.

The DOC recommended: “Short term action is required to fill the funding gap for FPE development and in the longer term, policy must be developed to ensure that FPE is brought into core business post Northern Ireland ‘Normalisation.’”

**1016.** The Chiefs of Staff discussed the DOC Report on 4 April 2006.<sup>537</sup> The lessons about counter IED, ISTAR and air transport capability were repeated in the minutes.

**1017.** The Chiefs discussed ISTAR further, the minutes recording that if the report's identification of a serious ISTAR capability gap was "true", it would need "to be addressed, possibly through the UOR process, but perhaps more realistically by reviewing and adjusting as necessary the overall surveillance plan".

**1018.** The minutes stated that not only was ISTAR critical for operations in Afghanistan, but "a lack of surveillance capability had constrained operations in MND(SE) and would be critical for maintaining situational awareness in MND(SE) during strategic overwatch". In the meantime, the US was "being pressed to provide the UK with a proportional share of their Predator surveillance output, given that the UK contributed a significant amount" of the operating costs.

**1019.** In discussion the Chiefs of Staff agreed that:

"... appropriate priority and resources were being given to the development of national Counter Improvised Explosive Device capability ... including the possible use of the UOR process, the criticality of gaps in the UK's surveillance plan for both Iraq and Afghanistan ... required further analysis, and CDS [Gen Walker] asked VCDS [Gen Granville-Chapman] to scope the issue."

**1020.** As "a first step", Gen Granville-Chapman wrote to Lt Gen Houghton and Lt Gen Fulton on 7 April.<sup>538</sup> He requested Lt Gen Houghton's ISTAR assessment for Iraq and Afghanistan, including:

- "What is the requirement now, what are the shortfalls, how *critical* are they, and what is being done to ameliorate them?"
- Given the shift to Operational Overwatch in Iraq and the UK's enduring commitment in Afghanistan, what was the "projected requirement likely to be" and might it even increase when there were fewer boots on the ground? What plans were in place to address these?
- "How coalition/alliance assets may realistically be able to assist."

**1021.** Looking at how gaps could be filled, Gen Granville-Chapman suggested Lt Gen Houghton should consider "the full range of potential solutions", including Merlin Mk1F and attack helicopters.

**1022.** Gen Granville-Chapman wrote that ISTAR had also been raised during a meeting about Afghanistan on 4 April and Gen Walker had "accepted that any new substantial request for UOR funding in relation to Predator B should not be pursued for the moment".

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<sup>537</sup> Minutes, 4 April 2006, Chief of Staff meeting.

<sup>538</sup> [Minute VCDS to CJO, 7 April 2006, 'Quantifying ISTAR Shortfalls on Current Operations'](#).

**1023.** Given that discussion, Gen Granville-Chapman asked Lt Gen Fulton to consider what could realistically be delivered “to address known and projected shortfalls in the timescales we are talking about”.

**1024.** Gen Granville-Chapman sent a copy of the DOC report to Mr Ingram on 21 April, noting that the Chiefs of Staff’s discussion of the report was based “almost exclusively around the issue of re-addressing our operational ISTAR capabilities”.<sup>539</sup>

**1025.** Gen Granville-Chapman wrote that it would have implications in both Afghanistan and Iraq and that “resolution of this issue always came back to operational priorities within a limited Departmental budget”. Despite that, ISTAR remained an “*enduring*” lesson that had been raised in all three DOC reports.

**1026.** On 10 May, Air Commodore Nick Gordon, Director Directorate of Equipment Capability (ISTAR), advised Gen Granville-Chapman on the possibility of using Predator B to address shortfalls in UK ISTAR capability.<sup>540</sup>

**1027.** Air Cdre Gordon stated that from “a standing start” it would take 24 months before a Predator B could be fielded in theatre. In 2005, the DEC ISTAR team had investigated procuring a demonstrator for trial in Afghanistan but, at a cost of around £60m, it was deemed unaffordable within the available equipment funding. He also advised that “alternative approaches” to procurement and platform operation could reduce cost and time boundaries.

**1028.** Lt Gen Houghton produced his assessment of ISTAR shortfalls on operations on 18 May.<sup>541</sup> He explained that FMV was “probably the most widely sought” ISR capability in Iraq and Afghanistan.

**1029.** For both theatres, Lt Gen Houghton explained that the UK operated within a coalition management process that afforded the UK “relatively low priority” for the allocation of ISTAR assets. The agreement to provide MND(SE) with “12 hours of daily Predator Feed” had been a “recurrent topic of bilateral discussion over the past few months” but it was unlikely that there would be any significant change to the UK’s apportionment. Any allocation of US Predator should be regarded as “a bonus” and, if the UK concluded it was needed, it should aspire to acquire its own.

**1030.** Lt Gen Houghton stated that MND(SE) had sought to offset the lack of US Predator support by generating other FMV feeds. The FMV requirements were satisfied in part with theatre-level manned platforms but MND(SE) could not fully exploit that capability due to a lack of ground terminals to download the data.

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<sup>539</sup> Note VCDS to MA/Min(AF), 21 April 2006, ‘DOC Operational Lessons Report – Operation TELIC Volume 3’.

<sup>540</sup> Minute DEC ISTAR to MA/VCDS, 10 May 2006, ‘Predator B’.

<sup>541</sup> Minute CJO to VCDS, 18 May 2006, ‘Quantifying ISTAR Shortfalls on Current Operations’.

**1031.** FMV coverage therefore remained “the most significant ISR gap in MND(SE)”. In “general terms”, the UK was “50 percent” short of the requirement across both theatres.

**1032.** Addressing Gen Granville-Chapman’s specific questions on attack helicopters and Merlin Mk1, Lt Gen Houghton stated that attack helicopters would have “some utility as an ISTAR platform” but could not distribute imagery to other users. The Merlin Mk1 would be a capable platform, with some modifications, but “these debates” needed closure in the context of “a comprehensive analysis of our aviation capability gaps”.

**1033.** In the short term, Lt Gen Houghton would pursue an extension of Nimrod MR2 support for Afghanistan and support the procurement or loan of terminals from the US to receive FMV feeds in theatre. His staff would continue to “press for greater access to Predator coverage” and he believed “we should look again at bridging the gap between Phoenix OSD and Watchkeeper ISD, potentially with an extension of the former”.

**1034.** Lt Gen Houghton stated that the identification of ISTAR requirements and critical shortfalls for the medium term had proved “more problematic”. It was clear that the UK was “only beginning to develop a full understanding of the national ISTAR requirements for transition in both theatres” and the ways in which they could be met. Lt Gen Houghton wrote:

“I am led to the judgement that the complexity of a Coalition and national ISTAR architecture requires a dedicated MOD led ISTAR review to fully examine emerging requirements ... Such a review should draw together a pan-agency solution to address our current shortfalls and define our long term goal for the provision of a coherent Defence-wide ISTAR capability.”

### The Lynx helicopter crash, 6 May 2006

On 6 May, a Lynx helicopter crashed in Basra, killing all five personnel<sup>542</sup> on board.<sup>543</sup>

At the Chiefs of Staff meeting on 10 May, it was noted that “the FCO had suspended flights by its personnel whilst the cause of the helicopter crash was investigated but military flights continued subject to the revision of tactics, techniques and procedures”.<sup>544</sup>

The Board of Inquiry into the crash concluded that the helicopter had been shot down by a surface-to-air missile (using a Man Portable Air Defence System – MANPAD), fired from the ground.<sup>545</sup>

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<sup>542</sup> Wing Commander John Coxen, Lieutenant Commander Darren Chapman, Captain David Dobson, Flight Lieutenant Sarah-Jayne Mulvihill and Marine Paul Collins.

<sup>543</sup> GOV.UK, 6 May 2006, *Five personnel in Basra helicopter crash named*.

<sup>544</sup> Minutes, 10 May 2006, Chiefs of Staff meeting.

<sup>545</sup> House of Commons, *Official Report*, 27 April 2007, column 29WS.

Brigadier James Everard, Commander 20 Armoured Brigade, explained the effect this had:

“The successful attack on the Lynx ... resulted in the cessation of all daytime ... movement over Basra City. Critically, the Brigade was therefore unable to conduct enduring surveillance ops during daylight hours without Nimrod MR2 – an asset shared with both [UK theatre forces] and Op HERRICK.”<sup>546</sup>

**1035.** Lt Gen Houghton visited Iraq from 13 to 15 June. He reported:

“... I do have some concerns as I look ahead over the balance of the year ... If we are to match the wider campaign desire for a decisive six months we need to balance ourselves accordingly.”<sup>547</sup>

**1036.** The elements of that balancing included protected mobility and ISTAR. He wrote:

“Resolve the issue of ISTAR. A plan that depends upon intelligence-led precision detention operations is neutered if we do not have the dedicated ISTAR (Full Motion Video) for pattern of life studies, target development and operational queuing.”

## RE-ALIGNING ASSETS AND UNDERSTANDING THE SHORTFALLS

**1037.** On 17 May, the JHC provided Lord Drayson with advice on the numbers of helicopters deployed on operations.<sup>548</sup> The advice listed the helicopter numbers available to Op TELIC as:

- four Lynx AH7 from a JHC total fleet of 95;
- eight Sea King Mk 4 from a JHC total fleet of 37; and
- seven Merlin Mk3 from a JHC total fleet of 22.

**1038.** The House of Commons Defence Committee visited Iraq from 4 to 8 June.<sup>549</sup> The MOD’s record of the visit stated:

“The Committee was interested to know whether the UK had sufficient air capability, and in particular whether it was felt that MOD had prioritised funding and capabilities appropriately, for example was there sufficient helicopter numbers to meet the requirement in Iraq and Afghanistan ...”

<sup>546</sup> Report Everard to PJHQ – J3, 15 December 2006, ‘HQ 20 Armd Bde Op TELIC 8 Post Operational Tour Report’.

<sup>547</sup> Minute Houghton to PSO/CDS, 16 June 2006, ‘Visit to Iraq 13 – 15 Jun 06’.

<sup>548</sup> Minute JHC [junior officer] to APS/Min(DP), 17 May 2006, ‘Current Rotorcraft Fleet and Deployment – Joint Helicopter Command (JHC)’.

<sup>549</sup> Minute DJC-Sec1 to HCDC Liaison Officer, 15 June 2006, ‘Visit Report: House of Commons Defence Committee (HCDC) Visit to Iraq 4-8 June 2006’.

**1039.** On 12 June, Lt Gen Houghton wrote to Gen Granville-Chapman summarising the operational requirement for battlefield helicopters in Iraq and Afghanistan.<sup>550</sup> While there was an endorsed requirement for an uplift in support to Afghanistan, on Iraq he wrote:

“At present there is no endorsed requirement for an increase in BH [battlefield helicopters] support to Op TELIC, but operations have been constrained at times by a lack of available BH support. This is partly related to the limited performance and reliability of the Sea King Mk4 when compared with larger and more modern BH. Any potential benefits from transition in Op TELIC may be fully absorbed by emerging requirements to support Operational Overwatch and OGDs [Other Government Departments].”

**1040.** Lt Gen Houghton added that the withdrawal of Italian forces in Iraq “could present an additional requirement for battlefield helicopter lift and ISTAR in Dhi Qar Province”. Further work was being done to define that.

**1041.** Lt Gen Houghton concluded:

“With no reductions on the horizon in Op TELIC and escalating requirements in Op HERRICK, our national aviation requirements now need departmental scrutiny to determine the concurrent requirement to resource both theatres and define how our national aviation resources should be realigned.”

**1042.** Air Chief Marshal Sir Joseph Stirrup became CDS in April 2006. A record of ACM Stirrup’s “O Group” meeting on 16 June stated in relation to Iraq:

“The UK required its own persistent surveillance capability if it was to deliver mission success. CDS’ clear preference was for an ‘off the shelf’ solution which could be delivered quickly. VCDS [Gen Granville-Chapman] had work in hand addressing this shortfall which was due to report in mid Jul.”<sup>551</sup>

**1043.** On 21 June, Gen Jackson wrote to General Sir Richard Dannatt, Commander in Chief Land Command, stating:

“It is probably worth re-emphasising the lack of ‘flying hours’ for our operational helicopter fleets is an issue that is gaining momentum up here in the Main Building. In my view the current problems are merely symptomatic of the broader lack of investment in our ‘lift’ capability. However – and this is my concern – people up here seem fixed solely on providing a palliative for the current symptoms, rather than really tackling the Defence-wide balance of investment decisions that need to be taken if we are to have forces appropriately structured for what they are *actually*

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<sup>550</sup> Minute Houghton to MA/VCDS, 12 June 2006, ‘Quantifying Battlefield Helicopter (BH) Requirements on Operations’.

<sup>551</sup> Note SECCOS to VCDS, 19 June 2006, Record of Actions & Decisions from CDS O Group – 16 June 2006’.

being asked to do (expeditionary Land based operations) rather than what they *might* have to do (force on force operations across all three environments).<sup>552</sup>

**1044.** On 29 June, Air Commodore Brian Bates, Director Directorate of Joint Capability, produced two papers for Gen Granville-Chapman; one on rotary wing operational shortfalls and one on ISTAR operational shortfalls.

**1045.** The paper on rotary wing shortfalls stated:

“The Department’s BH [battlefield helicopter] capability is a finite resource that is required to support a number of concurrent Military Tasks overseas and a variety of Standing Home commitments. Currently the BH force is heavily committed on operations and is recognised as a Defence pinch point ...”

“A range of factors have contributed to the current pressures on the BH force; not least, a legacy of underinvestment in BH sustainability and the fact that a significant proportion of BH fleets are operating in excess of DPAs [Defence Planning Assumptions]. The enduring nature of today’s operations, allied to a presumed need for BH during any drawdown or overwatch period, suggests that this situation is unlikely to change in the medium term. Other complicating factors include: ... the increased IED threat that had led to a tendency to revert to the use of helicopters as the default option for protection where other means, such as properly protected road moves, may be possible; and, a paucity of ISTAR assets, leading to an increased demand on BH platforms.”<sup>553</sup>

**1046.** The paper went on to summarise the operational requirements in each theatre. For Operation TELIC it stated:

“Five Merlin ..., three Sea King .., four Lynx ..., and 3 [Helicopter] (Broadsword [ISTAR]) are currently deployed on Op TELIC. The CABHWG [Capability Area Battlefield Helicopter Working Group], drawing on PJHQ-led AFLRs [Aviation Force Level Reviews], has established that current support is sufficient for the task. This was subsequently confirmed by CJO, although circumstances that could necessitate an increase in BH have been identified. The early stages of transition to Operational Overwatch (OOW) may free up some lift but this is likely to be absorbed by emerging tasks in support of OOW forces, OGDs and the need to maintain situational awareness ...”

**1047.** The ISTAR paper stated that the key shortfall in FMV was “likely to increase rather than diminish” with the move to Operational Overwatch and the evolving concept of operations in Afghanistan.<sup>554</sup> Without additional resources, the opportunities to make substantial improvements to the delivery of ISTAR on operations were limited to “process enhancements” or securing greater access to coalition assets.

<sup>552</sup> Letter Jackson to Dannatt, 21 June 2006, [untitled].

<sup>553</sup> Minute DJtCap to MA/VCDS, 29 June 2006, ‘Rotary Wing Operational Shortfalls’.

<sup>554</sup> Minute DJtCap to MA/VCDS, 29 June 2006, ‘ISTAR Operational Shortfalls’.

**1048.** The paper continued:

“ISTAR issues are often inextricably linked to a multitude of other lines of development or capabilities, which may, in turn, also be pinchpoints and subject to considerable pressure; helicopters are a prime example. Equally, the solution may not be equipment based. Rather it might be process or enabler specific. For example, access to existing information, bandwidth or capability through exploitation of frequency, downlink or a particular National/Coalition product or database.”

**1049.** The options for mitigating short-term shortfalls were broken down into five areas, recognising that getting ISTAR right required more than a suite of dedicated ISTAR assets, but that it relied upon “all aspects of the network-enabled capability”:

- Improving processes for collecting, storing and processing intelligence.
- Improving access to coalition capability such as the CJPTF. Lt Gen Houghton had been tasked separately with improving apportionment, co-ordination and liaison with US and other MNF forces.
- Re-apportionment of national assets including: the deployment of Northern Ireland based Islanders to Iraq or Afghanistan; increasing the number of Defender aircraft; increasing the number of Nimrod MR2, although those were unlikely to become available before November 2006; UOR action to bring Merlin Mk1 up to “theatre-entry standard”; and redeploying Phoenix to Iraq after the summer – an option that would have “painful implications” for a UAV regiment in Afghanistan.
- Extant and emerging UORs: a USUR had been submitted and endorsed by PJHQ for the provision of a “long range, long loiter, real time FMV surveillance system” in May. That was similar to the USUR produced in April 2003 that led to the CJPTF. Further action was awaiting the outcome of Lt Gen Houghton’s work on getting greater access to coalition capability. Other UORs were in train to address the lack of ground terminals able to downlink ISTAR data.
- New capabilities: options included fitting additional Defender aircraft with the necessary sensors and downlink capability; further increasing the number of ground ISTAR terminals; using commercially owned UAV systems such as the US had done with Scan Eagle which could deliver capability quickly (“within about nine months”) but did raise liability issues; advancing commercial off-the-shelf UAVs such as Predator B under the DABINETT programme or leasing Hermes 450/Hermes 180 air vehicles. There was no potential to bring forward elements of the Watchkeeper programme.

**1050.** Future equipment programmes would deliver improved ISTAR effect within the next few years, but none before November 2006.

**1051.** The MOD told the Inquiry that Phoenix was withdrawn from theatre in June 2006 and, although it had been suggested that it might be redeployed that September, it did not re-enter service.<sup>555</sup>

**1052.** In July, Gen Dannatt wrote to Gen Jackson about “four major concerns” he had as “the Force provider”.<sup>556</sup> His “first and overriding concern” was protected mobility which is addressed earlier in this Section. Two of those other concerns related to ISTAR and battlefield helicopters.

**1053.** Gen Dannatt wrote that he shared Gen Granville-Chapman’s concern about ISTAR support for land operations in Iraq and Afghanistan. He stated that there was “an urgent need for a full estimate process to ascertain the requirement” and judged that “such an estimate would identify the need for an easily deployable UAV capable of operating beyond the line of sight, under the control of the tactical ground commander, and responsive to his information requirements”.

**1054.** Gen Dannatt saw this “as complementary to the more immediate re-allocation of current resources and longer-term Equipment Programme solutions. Such a capability was always within the original vision for the Watchkeeper programme; the need is now acute.”

**1055.** Gen Dannatt acknowledged that the paper on battlefield helicopters would be considered by the Chiefs of Staff that week but wrote that he “would be remiss if I failed to stress the importance of resolving this issue as a matter of urgency”. He stated:

“Operational experience continues to drive home the inextricable linkages between ISTAR, protected mobility and BH. When the two former capabilities are under stress ... we invariably place a higher call on the latter, a call that we find increasingly difficult to meet, given the limited resources at our disposal. The issue is one of flying hours as well as the provision of sufficient numbers of aircraft and their spares. The key and developing role of AH [attack helicopters] on operations in Afghanistan, coupled with significant shortfalls in support funding, brings this into even sharper focus.”

**1056.** Gen Dannatt wrote that action was urgently needed to continue operations and “minimise casualties to our soldiers”. He stated: “Process must not be allowed to stand in the way.”

**1057.** On 4 July, the Chiefs of Staff discussed the papers on rotary wing and ISTAR operational shortfalls.<sup>557</sup> AM Nickols emphasised that both were “immature and had been produced to a tight timescale to allow COS to take a view on what action was required now”.

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<sup>555</sup> Letter Duke-Evans to Hammond, 4 February 2016, [untitled].

<sup>556</sup> [Letter Dannatt to Jackson, July 2006, ‘The Level of Operational Risk on Current Operations’](#).

<sup>557</sup> Minutes, 4 July 2006, Chiefs of Staff meeting.

**1058.** The minutes of the meeting recorded:

“In the short term, pressure on Rotary Wing (RW) assets in Afghanistan and Iraq could only be alleviated by releasing assets from other tasks, or by extracting more from the assets in theatre. The situation was complicated by differences between helicopters in lift and Defensive Aids Suites (DAS) ... In addition the paper recognised that any increase in helicopter flying hours would be limited by the availability of spares, crew hours and harmony guidelines ...”

**1059.** In discussion, ACM Stirrup stressed that the Chiefs of Staff “needed to focus on the problem they faced between now and the end of the year. The UK was fighting a war in two theatres which demanded urgent innovative work to deliver capability quickly, rather than waiting for a 100 percent (or even 80 percent) solution over a longer timeframe.”

**1060.** Amongst the measures agreed by the Chiefs of Staff were taking greater risk on other operations to release assets for use in Iraq and Afghanistan and taking “further action with our Allies” to ensure that their helicopter assets remained in theatre, specifically the US and Italians.

**1061.** The Chiefs of Staff also agreed that additional resources were to be identified in the next planning round to deliver an improved rotary wing capability. That would include:

- the “fix to field” requirement for the eight Chinook Mk3s (see Box, ‘The eight modified Chinooks’);
- the provision of Defensive Aids Suites across the deployable helicopter fleet so that it was “adaptable to the changing threat”;
- support helicopter lift over the next five years; and
- support helicopter and attack helicopter sustainability over the next five years.

**1062.** On ISTAR the Chiefs agreed:

- Merlin Mk1 should replace Nimrod in Oman, freeing Nimrod to “ameliorate ISTAR shortfalls elsewhere”;
- Predator B “represented the most coherent ISTAR capability for the UK’s needs” and should be procured “as soon as possible” for use in Afghanistan, but without prejudice to the Watchkeeper programme; and
- a PJHQ-led ISTAR Task Team should identify theatre-specific ISTAR requirements and how the UK might better utilise the entire coalition theatre ISTAR process. Air Marshal Stuart Peach, Chief of Defence Intelligence, would lead that work with a view to informing the EP/STP07 by 1 October 2006.

**1063.** ACM Stirrup asked Gen Granville-Chapman to produce an action plan to deliver the measures agreed on rotary wing and ISTAR “as a matter of urgency” by 7 July.

**1064.** Gen Granville-Chapman produced those plans on 7 July.<sup>558</sup> His covering minute stated:

- a. Nothing is to get in the way of achieving the timetables shown, whatever the hours – we are at war in two theatres and lives depend on the capabilities being delivered on time. If seemingly insuperable issues arise I am to be informed immediately.
- b. Planning *aficionados* will spot that we are departing from the programme in some areas – intentionally. Less than perfect solutions are sometimes required to attend to immediate needs, albeit at the expense of other projects.
- c. In the slightly longer term context of EP07 we shall need to make adjustments to reflect the current scene, notably in the RW (DAS for far more of the fleet) and ISTAR realms – DCDS(EC) [Lt Gen Fulton] will handle this and will issue guidance by the end of this month.”

**1065.** The plan to address helicopter shortfalls included releasing assets by “rationalising aviation support” to counter-terrorism operations in the UK and releasing helicopters from other theatres, both of which were planned to be complete by the end of July 2006. Equipping all battlefield helicopters to “theatre-entry standard” was listed as a 2007 Equipment Programme measure.

**1066.** The plan to address ISTAR shortfalls included:

- fully replacing Nimrod MR2 with Merlin Mk1 in Oman by the end of September;
- delivering Predator B to Afghanistan by 1 May 2007 (noting the potential loss of other projects within the Equipment Programme);
- assessing the requirement for a short-range tactical UAV by the end of July and exploring options to meet any confirmed requirement by 15 September 2006;
- reviewing the output of CJPTF by 31 July;
- deploying Oakbank<sup>559</sup> to Iraq by 15 August;
- expediting delivery of 26 ground terminals to receive coalition FMV feed, 18 of which were to go to Iraq, between July 2006 and March 2007 depending on the time needed to obtain an export licence; and
- capturing the national requirements via an ISTAR Task Team by 31 August. It would cover Iraq and Afghanistan but also take account of other commitments – an 80 percent solution would suffice.

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<sup>558</sup> Minute Granville-Chapman to CDL, 7 July 2006, ‘Rotary wing and ISTAR Shortfalls’ attaching Paper VCDS, 7 July 2006, ‘Action Plan to Address Rotary Wing Operational Shortfalls’ and Paper VCDS, 7 July 2006, ‘Action Plan to Address ISTAR Operational Shortfalls’.

<sup>559</sup> Oakbank is a CCTV camera system for static locations.

**1067.** Gen Granville-Chapman visited Iraq and Afghanistan between 9 and 13 July.<sup>560</sup> In Iraq, he reported that ISTAR and helicopters remained “the key focus” for equipment.

**1068.** In July 2006, in his post-operation tour report, Maj Gen Cooper wrote that, in relation to the UK’s understanding of militia groupings:

“The paucity of specialist ISTAR capability is also a concern. In order to prosecute routine operations more effectively and specific strike operations accurately we need better or additional UAV capability, full-motion video [and] geo-location equipment ... capabilities are available on the market and would be real value for money.”<sup>561</sup>

**1069.** Major General Richard Shirreff, the new GOC MND(SE), wrote in his first report on 21 July about two recent “significant operational successes”.<sup>562</sup> He stated:

“... we have been lucky not to take more casualties ... The message is that we cannot rely on luck and that the critical shortage of key enablers exposes our soldiers to significant risk. Despite the good work done by the Nimrod MR2 and the two [Helicopter] Broadsword, we are woefully short of airborne surveillance capability. We are unable to strike with precision from the air, which we emphatically need to do, without attack helicopters or a similar capability.”

**1070.** Forwarding the report to No. 10, Mr Browne’s Private Office wrote that it raised:

“... a number of issues that have subsequently been discussed in the Defence Secretary’s weekly Ministerial. Work is in progress to consider these issues and further advice will be provided should any significant changes in approach be required.”<sup>563</sup>

**1071.** On 26 July, the Chiefs of Staff “noted the immediate requirement for national ISTAR assets that would enable the successful prosecution of detention operations within MND(SE)”.<sup>564</sup>

## MR BROWNE’S CONCERN

**1072.** In August, Gen Granville-Chapman and Maj Gen Rollo briefed Mr Browne on the UK’s helicopter force.<sup>565</sup>

**1073.** On 11 August, Mr Browne’s Private Office wrote that he remained concerned that the UK had “a shortfall that needs to be addressed” and requested a “formal assessment” of how some of the options discussed at the meeting could increase capability over the next 12 months.<sup>566</sup>

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<sup>560</sup> Minute Granville-Chapman to Stirrup, 14 July 2006, ‘VCDS Visit to Iraq and Afghanistan 9-13 Jul 06’.

<sup>561</sup> Report HQ MND(SE), 21 July 2006, ‘Progress Report – Operation TELIC’.

<sup>562</sup> Report Shirreff, 21 July 2006, ‘GOC MND(SE) – Southern Iraq – 21 July 2006’.

<sup>563</sup> Note PS/SofS [MOD] to Phillipson, 26 July 2006, ‘Iraq: Update’.

<sup>564</sup> Minutes, 26 July 2006, Chiefs of Staff meeting.

<sup>565</sup> [Minute McNeil to MA/VCDS, 11 August 2006, ‘Shortfall in Helicopters Capability’.](#)

<sup>566</sup> [Minute McNeil to MA/VCDS, 11 August 2006, ‘Shortfall in Helicopters Capability’.](#)

**1074.** Gen Granville-Chapman responded on 7 September.<sup>567</sup> He wrote that it was worth recognising that the UK was operating above concurrency levels “(which did not envisage two medium scale enduring operations over extended LOCs [Lines of Communication] and did not plan for a helicopter fleet to match)”. He also stated that the MOD had “postponed rectifying the acknowledged 15-20 percent helicopter shortfall until at least 2010” when it had taken £1.5bn of savings against the Future Rotorcraft Capability (FRC) programme in 2004.

**1075.** Gen Granville-Chapman wrote that Lt Gen Houghton’s “current battlefield helicopter requirements in Iraq and Afghanistan” were being met by the deployment of additional aircraft and the resourcing of additional flying hours in both theatres. That increased level of activity was, “on the face of it, sustainable” and the requirement had been confirmed by the recent Force Level Review.

**1076.** In Iraq, there was little potential for reducing the “aviation bill” in the short term.

**1077.** The nature of both campaigns required a “critical theatre entry standard” to be imposed, principally the fitting of DAS and long-range secure communications. That meant, even with UORs to date, 65 percent of the battlefield helicopter fleet was “not deployable”. Planned UORs would reduce that figure to 40 percent.

**1078.** Gen Granville-Chapman stated that flying hours were limited by the availability of trained crews as much as airframes. The demand was being met by “redistributing airframes and sweating the assets to the maximum degree” but, he warned:

“There is not likely to be any let-up in BH tempo for at least the next five years which leaves us with virtually no capacity to meet increased or new demands and a real ‘harmony’ problem for our BH people.”

**1079.** Four options to add capability were considered:

- Leasing – an option with “limited mileage” because the resolution of indemnity and financing issues, coupled with delivery timescales meant that significant new deployable capability would take at least a year but more likely three. Leased civilian helicopters in the UK could be used for training but would not generate competent crews for operations.
- Contracting – using contractor aircraft flown by civilians was an option but the aircraft were not “DAS’d to our standards”.
- Further developments to the existing fleet – Puma was scheduled to go out of service in 2010 and Sea King Mk4 in 2012. To keep both models going beyond those dates would cost £155m. Options were being considered to make some Merlin Mk1s “dual capable as BH” and to make other aircraft into “a basic SH”.

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<sup>567</sup> [Minute VCDS to SofS, 7 September 2006, ‘Helicopter Capability’.](#)

- Advancing the FRC programme – an additional £225m “in the early FRC years” would enable the earlier procurement of Chinook helicopters to meet the heavy lift requirement. An extra £650m across the Equipment Programme period would allow the medium support helicopter purchase “(type not yet known)” to be brought forward by five years to 2012 and “obviating the need to extend the ageing Puma and Sea King fleets”.

**1080.** Gen Granville-Chapman wrote:

“All of these options are being tested now ... In October DCDS(EC) [Lt Gen Fulton] will chair a series of Joint Capabilities Boards to decide which of the options I have described should be pursued and when. But there are real affordability problems in the early EP [Equipment Plan] years and the levels of contractual commitment means that it will not be easy to shift significant investment away from other capabilities and into helicopters in this round. I suggest we return to this issue in late October when we shall know better the worth of options.”

**1081.** Mr Browne circled both references to October in Gen Granville-Chapman’s note and wrote: “No: it should happen tomorrow!”<sup>568</sup>

**1082.** On 11 September, Mr Browne’s Private Secretary wrote to Gen Granville-Chapman requesting an “urgent” meeting to discuss his advice.<sup>569</sup> Mr Browne was:

“... concerned to ensure that officials are giving appropriate priority to measures to improve helicopter availability and have considered, and exhausted, every possibility, including those which they believe Ministers would find unpalatable.”

**1083.** The areas Mr Browne particularly wanted to explore included:

- the proposal to convert maritime Merlin helicopters to a battlefield support role;
- “a radical rethink” on the eight grounded Chinook Mk3 aircraft that were not considered airworthy (see Box below, ‘The eight modified Chinooks’); and
- leasing and contracting further aircraft.

**1084.** Mr Browne and Lord Drayson met Gen Granville-Chapman on 14 September.<sup>570</sup>

**1085.** On 15 September, Gen Granville-Chapman wrote that Mr Browne was “keen to explore a number of options for short term relief” for crews in theatre. Those included “what sum of money” would yield “*significant* improvement in aircraft availability in the next six months” in relation to Chinook, whether additional Merlin Mk3 could

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<sup>568</sup> [Manuscript comment Browne on Minute VCDS to SofS, 7 September 2006, ‘Helicopter Capability’.](#)

<sup>569</sup> [Minute Forber to MA/VCDS, 11 September 2006, ‘Helicopter Capability’.](#)

<sup>570</sup> Minute Granville-Chapman to ACDS(Ops) and ACDS(Log Ops), 15 September 2006, ‘Helicopter Capability’.

be bought from other countries, and the programme intended to make the eight Chinook Mk3 airworthy.

### The eight modified Chinooks

In 1995, the MOD ordered 14 Chinook Mk2a helicopters from Boeing: six were retained as Mk2 but eight were modified as Mk3 to meet a longstanding requirement for special operations.<sup>571</sup> Those eight helicopters cost £259m and were delivered to the MOD in December 2001.

Although Boeing had met its contractual obligations, the avionics software fell short of UK military airworthiness standards and the helicopters were left in storage while solutions were considered.

In 2004, the Public Accounts Committee described it as “one of the worst examples of equipment procurement” that it had seen.

Following increases in troop numbers to Afghanistan, the MOD started looking for ways to increase its helicopter capacity. As a result, in March 2007, Mr Browne took the decision to “revert” the Chinooks back to the Mk2 standard to make them available for use in operations as quickly as possible.

In March 2009, the Public Accounts Committee described that decision as having been made in haste in “a matter of days”.<sup>572</sup> The MOD did not consult Boeing about the risks, costs and timescales which ultimately led to a 70 percent increase in the cost of the project. The final cost for the helicopters on entering service would be £422m, or £52.5m each.

The first successful test flight of one of the modified Chinooks was completed in July 2009.<sup>573</sup>

**1086.** On 10 October, Gen Granville-Chapman wrote to AM Nickols with actions from a meeting with Mr Browne and Lord Drayson the previous day.<sup>574</sup> The focus of the meeting was helicopter availability in Afghanistan, following a recent visit from Lord Drayson. Iraq was not mentioned in the minute but Gen Granville-Chapman concluded:

“There is a wider capability point emerging about the extent to which capability requirements are being anticipated in theatre and the right levers are being pulled. I shall be tasking CJO separately.”

**1087.** That point is addressed in a note from Lt Gen Houghton on 27 October and is also addressed earlier in this Section with the consideration of how capability gaps were articulated.

<sup>571</sup> National Audit Office, *Chinook Helicopters*, 4 June 2008, HC 512.

<sup>572</sup> Eighth Report from the Public Accounts Committee, Session 2008-09, *Ministry of Defence: Chinook Mk 3*, HC 247, recommendation 2 and paras 7 and 9.

<sup>573</sup> *Boeing*, 7 July 2009, *Modified Boeing Chinook Mk3 Successfully Completes 1st Test Flight*.

<sup>574</sup> Minute Granville-Chapman to ACDS(Ops), 10 October 2006, ‘Helicopter Availability’.

**1088.** On 11 October, Gen Granville-Chapman produced an update on helicopter and ISTAR shortfalls.<sup>575</sup> The updates that involved Iraq were:

- Four additional Nimrod MR2 would be deployed in “Iraq/Afghanistan” from 1 November 2006 to 30 April 2007.
- A business case for a mini-UAV was being developed to provide surveillance capability at “company/battlegroup level” by June 2007. In parallel, MND(SE) was running trials on Raven, a US system, to inform the choice.
- MND(SE) had produced a USUR for a tactical UAV. DEC ISTAR had already received proposals from engagement with industry and was in the process of selecting the most appropriate option. The initial operating capability depended on the system selected but was “likely to be around by June 2007”.
- The installation of a “layered and networked surveillance” capability at fixed sites was moving forward.

**1089.** Further meetings and discussions took place in October with a clear focus on increasing helicopter availability, primarily in Afghanistan.<sup>576</sup> The only action discussed in relation to Iraq was the possibility of using two of the six Danish Merlin that the UK was intending to purchase to replace Sea King, with a view to modifying and redeploying those Sea Kings to Afghanistan.<sup>577</sup>

**1090.** On 24 October, Mr Jonathan Lyle, Director Air and Weapons Systems, wrote to Lord Drayson advising that acquiring six Danish Merlin aircraft would increase the fleet of Merlin support helicopters to a total of 28 aircraft, “enabling an enduring deployment of 7 Merlin and an uplift of 40 percent on those currently deployed to Op TELIC”.<sup>578</sup> That would provide a “more robust and enduring capability than, for example, modifying Merlin Mk1 aircraft”.

**1091.** Mr Lyle wrote:

“Merlin is a success on Op TELIC and is the aircraft of choice for Iraq. To minimise the logistic footprint within JHF(I), the JHC favour an all Merlin force in Op TELIC. Subject to addressing the ISTAR requirement, such a deployment would release Sea King to ... Afghanistan ...”

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<sup>575</sup> Minute Granville-Chapman to CDL, 11 October 2006, ‘Progress on Rotary Wing (RW) and ISTAR Shortfalls’ attaching Paper VCDS, 11 October 2006, ‘Action Plan to Address RW Operational Shortfalls – Progress as at 5 Oct 06’; Paper VCDS, 11 October 2006, ‘Action Plan to Address ISTAR Operational Shortfalls – Progress as at 5 Oct 06’; and Paper VCDS, 11 October 2006, ‘Current Status of ISTAR Capability and Progress Post Action Plan’.

<sup>576</sup> Minute VCDS to CDL, 11 October 2006, ‘Progress on Rotary Wing (RW) and ISTAR Shortfalls’; Minute English to PS/Min(AF), 19 October 2006, ‘Helicopter’; Minute ACDS(Ops) to MA/VCDS, 23 October 2006, ‘Helicopter Capability’.

<sup>577</sup> Minute ACDS(Ops) to MA/VCDS, 23 October 2006, ‘Helicopter Capability’.

<sup>578</sup> Minute Lyle to APS/Min(DP), 24 October 2006, ‘Helicopter Acquisition’.

**1092.** Mr Lyle mentioned that options for replacing the Sea King being used for Manned Airborne Surveillance in Iraq were also being considered.

**1093.** On 26 October, Lord Drayson and Mr Ingram wrote to Mr Browne with a joint proposal on how to increase helicopter availability.<sup>579</sup> Their minute highlighted that the issue had arisen on “the assumption that there was a shortfall of lift capability in Afghanistan” but there had been “very few occasions when tasks could not be supported”, and theatre had not requested additional assets.

**1094.** Despite that, the Ministers said that the UK was “currently breaking crew harmony guidelines”, and the current level of operations was unlikely to be sustainable in the medium term so even if forces were not increased in Afghanistan, “action taken now will improve the current situation”.

**1095.** The measures proposed by the Ministers included:

- increasing Chinook flying hours in Afghanistan;
- procuring new blades for Sea King Mk4s to enable them to fly in Afghanistan conditions;
- procuring six Danish Merlin to backfill the Sea Kings deployed in Iraq and Afghanistan; and
- “leasing/buying” eight US Chinooks for Afghanistan.

**1096.** Mr Browne approved the increase in Chinook flying hours on 10 November, agreeing that the most likely requirement was for Afghanistan and for heavy lift in particular.<sup>580</sup>

**1097.** Mr Browne wrote that more information was needed on the other proposals to clarify how they would meet the capability gap in the short and medium term. Discussions on the Danish Merlins should “slow down” until it was clear what the requirement was and how it would be funded.

**1098.** On 15 December, Brigadier James Everard, Commander 20 Armoured Brigade, wrote in his post-operation tour report:

“With the exception of Merlin conducting IRT [Incident Response Team] operations, aviation was not available between 1200-1800 hours during this period. The availability of the avn [aviation] fleet especially SK [Sea King] was poor, largely due to age, and often affected operations meaning that the no-fly contingency plan had frequently to be activated.”<sup>581</sup>

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<sup>579</sup> Minute APS/Min(AF) and APS1/Min(DP) to APS1/SofS [MOD], 26 October 2006, ‘Helicopters’.

<sup>580</sup> Minute APS/SofS [MOD] to APS/Min(AF) and APS1/Min(DP), 10 November 2006, ‘Helicopters’.

<sup>581</sup> Report Everard to PJHQ – J3, 15 December 2006, ‘HQ 20 Armd Bde Op TELIC 8 Post Operational Tour Report’.

**1099.** Lord Drayson told the Inquiry that he had asked Mr Browne to authorise him “to explore whether helicopters could be found quickly and to worry about how they would be funded after we had identified a possible solution”.<sup>582</sup>

**1100.** Lord Drayson wrote:

“I held a series of meetings with the military to try to reach agreement on the requirement and then I pursued a number of paths to try and obtain additional helicopters as quickly as possible. This included the decision to revert the Chinook Mk3s to Mk2s following my review of the project, asking the Pentagon and other allies if they had spare Chinooks we could lease or purchase and negotiating to take over the contract for new Merlins built for Denmark ...”

**1101.** Addressing the effectiveness of the MOD’s response, Lord Drayson added:

“The Department’s response was mixed. Great efforts were made to provide enhanced flying hours through the provision of trained crews, rotor-blade improvements, improved defensive aid suites etc but it was difficult to get the Department to agree on which type of helicopters were needed. The Joint Helicopter Command suffered from not being ‘owned’ and therefore championed by any particular service.”

**1102.** Officials in the Private Offices of Mr Ingram and Lord Drayson wrote to Lieutenant General Andrew Figgures, DCDS(EC), on 19 December 2006 to thank him for his work investigating the helicopter requirement.<sup>583</sup> The minute concluded:

“Separately, the Ministers remain concerned regarding the lack of robustness of the Support Helicopter fleet given the UK’s current operational commitments. They would be grateful if you could ensure that options to make the fleet more robust, such as the acquisition of the Danish Merlins, are considered in the EP/STP 07 discussions.”

**1103.** On 31 January 2007, Mr Blair met Air Chief Marshal Glenn Torpy, Chief of the Air Staff.<sup>584</sup> A record of the meeting from No.10 to Mr Browne’s Private Secretary stated that ACM Torpy had said:

“The air transport force was ... under real pressure, with an aging airfleet, and new A400 that would only come on stream in 2010/11. There was also a shortage of helicopters. Sir Glenn noted the poor procurement processes and software problems for the Chinook Mark 3. More was needed on intelligence and surveillance. The Predator UAVs would be a major innovation.”

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<sup>582</sup> Statement, 15 December 2010, page 8.

<sup>583</sup> Minute APS/Min(DP) and APS/Min(AF) to MA/DCDS(EC), 19 December 2006, ‘Helicopters’.

<sup>584</sup> Letter from No.10 to MOD, 31 January 2007, ‘Prime Minister’s Meeting with the Chief of the Air Staff 31 January’.

## THE INCREASING THREAT OF INDIRECT FIRE ATTACKS

**1104.** The deterioration of security in Iraq from August 2003 is referred to earlier in this Section and in Section 9.2. In addition to the introduction of IEDs, there were also indirect fire (IDF) attacks on Coalition Forces, using mortars, man-portable surface-to-air missiles and small arms fire.

**1105.** The solution was considered to be a combination of hardening structures and improving surveillance.

**1106.** Concerns about the safety of civilian personnel as the IDF risk increased are detailed in Section 15.1.

**1107.** In his post-tour report, Major General Andrew Stewart, GOC MND(SE) from December 2003 to July 2004, stated:

“We have been extremely fortunate that we have not suffered casualties in bases from indirect fire. Attacks against them are sure to increase. Hardening, in some form or other, has to take place.”<sup>585</sup>

**1108.** The MOD provided accommodation to personnel in theatre according to one of three types, depending on the capability required:

- Tier 1 tented structures;
- Tier 2 cabin structures; and
- Tier 3 hard structures made from concrete, steel and masonry.<sup>586</sup>

**1109.** On 14 March 2005, Air Marshal Glenn Torpy, CJO, advised General Sir Michael Walker, CDS, that CITADEL, a hardened form of accommodation, should not be introduced to Iraq and that the risk of IDF should be managed through a combination of continued enhancement of accommodation compartmentalisation and force protection Tactics, Techniques and Procedures (TTPs).<sup>587</sup>

**1110.** AM Torpy explained that, since June 2003, UK camps in Iraq had suffered attacks from mortars and rocket IDF. The attacks tended to occur without warning and between “1200 and 0300 hrs local”. They had led to 43 UK casualties but no fatalities.

**1111.** AM Torpy continued that, following an increase in threat to UK camps, force protection trials had been initiated to analyse the effectiveness of compartmentalisation and to test the design for CITADEL.

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<sup>585</sup> Report Stewart, 13 July 2004, ‘Post Operation Report Operation TELIC 3/4 – 28 December 2003 – 13 July 2004’.

<sup>586</sup> National Audit Office, *Support to High Intensity Operations*, 14 May 2009, HC 508.

<sup>587</sup> [Minute CJO to PSO/CDS, 14 March 2005, ‘Force Protection of UK Camps in Iraq’.](#)

**1112.** There were four “bands” of physical protection that could be added incrementally to camps to counter the IDF threat:

- Compartmentalisation – found in “most camps” in Iraq and undergoing “enhancement work”. Its effectiveness was partially restricted by the layout of camps but overall offered 10 to 80 percent lower casualty rates.
- Ballistic refuge shelter – for personnel to occupy when a warning of attack was given and used as accommodation during the height of the August 2004 attacks. It was assessed that the shelters were “of little value” in the current improved security situation.
- Hardened temporary accommodation – provided permanently occupied, purpose-built but improvised sleeping accommodation with air conditioning and lighting. CITADEL was an example. Providing CITADEL for all UK troops in Iraq would cost £35m, would take “in excess of 12 months” to complete and would require significant amounts of logistical and construction assets. The quality and comfort of CITADEL would be “significantly lower than that currently occupied” and the investment in the first two bands of accommodation would be wasted.
- Purpose-built protected building – not considered appropriate for use in Iraq because of “cost, time to build and permanence”.

**1113.** AM Torpy wrote that it was “possible to mitigate against the likelihood and significance” of IDF attacks “through a package of mutually supporting TTPs and engineering force protection measures”. He stated that events had shown that the level of attacks would “oscillate”. Compartmentalisation was “suitable” protection “in light of the risk across Iraq” but those measures should be “constantly reviewed” in relation to changes in or development of the threat.

**1114.** Gen Walker introduced AM Torpy’s paper at the Chiefs of Staff meeting on 23 March.<sup>588</sup> The Chiefs were invited to consider the recommendation not to introduce CITADEL “in view of the risk to our forces and the degree of additional protection that might be afforded by CITADELS; the length of time that UK forces will remain in Iraq; the cost of procuring and setting up CITADELS; the message that might be sent by building CITADELS this far into the campaign; and the consequences of an AIF [anti-Iraqi forces] attack similar to that which the US have experienced”.

**1115.** The Chiefs of Staff noted that:

“... in view of the potential to draw down to SS [“steady state”] by mid-05, providing CITADELS would mean fortifying our camps just as troops were ready to leave Iraq; only if the campaign were to be drawn out would this investment be worthwhile. It was also considered that fortifying camps at this stage would send the wrong message to all parties and run counter to any announcements on drawdown. The unanimous view was that compartmentalisation and active force protection

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<sup>588</sup> [Minutes, 23 March 2005, Chiefs of Staff meeting.](#)

measures would provide a significant reduction in the risk to UK forces but that the provision of CITADELs would not be of great benefit at this stage of the campaign.”

**1116.** Gen Walker directed AM Torpy to prepare a Ministerial note on the force protection of UK camps with “a clear explanation of both compartmentalisation and the CITADEL concept” and with the statistical analysis from the trials.

**1117.** On 30 March, a PJHQ official sent a slightly revised copy of AM Torpy’s paper to Mr Hoon, asking him to note the Chiefs of Staff’s decision.<sup>589</sup>

**1118.** The official advised Mr Hoon that the improved level of protection afforded by CITADEL had been weighed against:

- “the relatively low frequency of and threat from indirect fire attacks”;
- the hazards inherent in implementing CITADEL, such as the large number of predictable road movements to transport materials to each UK camp;
- the “perceived diminution in the quality of life that would result from insisting that our troops adopt a CITADEL solution”;
- the investment in existing accommodation; and
- the “fact that protection is only provided [...] one third of the day”.

**1119.** On presentation, the official advised Mr Hoon that there was “a risk that, in the event of a sudden and unexpected upturn in violence”, the MOD “could be accused of not having done ‘everything possible’ to ensure the safety of our personnel”. The official wrote that “no measures” could offer “an absolute guarantee of safety” and that force protection consisted of TTPs as well as physical measures:

“In this case, as with most aspects of operations, we have to make a judgement on what is sensible and practicable.”

**1120.** Mr Hoon endorsed the minute the following day.<sup>590</sup> He asked for press lines to be prepared to defend the MOD’s position “against the accusation that this decision was taken on cost grounds rather than balanced and pragmatic advice”.

**1121.** The issue of hardening accommodation arose again in September 2006 after a gradual increase in the number of IDF attacks.

**1122.** General Sir Richard Dannatt, CGS, visited Iraq from 26 to 28 September 2006.<sup>591</sup> In his visit report to Air Chief Marshal Sir Jock Stirrup, CDS, he wrote that difficulties

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<sup>589</sup> [Minute PJHQ \[junior official\] to PS/SofS \[MOD\], 30 March 2005, ‘Iraq: Force Protection at UK Camps’.](#)

<sup>590</sup> [Minute APS/SofS \[MOD\] to PJHQ \[junior official\], 31 March 2005, ‘Iraq: Force protection at UK Camps’.](#)

<sup>591</sup> Minute Dannatt to Stirrup, 2 October 2006, ‘CGS’ Visit to Iraq: 26-28 Sep 06’.

with the Iraq Ministry of Interior would benefit from greater UK assistance but that was determined by the physical security risk to civilian staff. He wrote:

“Given that the indirect fire threat seems to pose the greatest risk ... our Counter Indirect Fire (C-IDF) measures assume even greater importance. Hardening accommodation is ... one important aspect ... but by no means a panacea. What is more important is to deter or defeat those who would prosecute these attacks rather than rely on mitigating the consequences. And to do this we need greatly improved ISTAR.

“This is hardly new. We have known about the paucity of UK ISTAR in both operational theatres for some time now and I welcome the steps we have made with Predator. But this is far from being the complete answer. We need an integrated and layered approach, which provides dedicated manned and unmanned surveillance capability at battlegroup, brigade and divisional level. It is imperative, therefore, that we do not let the Project Watchkeeper ISD slip further to the right and we should investigate the possibility of an interim contracted solution to cover the next four years. Rotary wing MAS [Manned Airborne Surveillance] is equally important and we should ensure Project Stockwell<sup>592</sup> remains adequately funded. I urge early decision and action in this area.”

**1123.** The record of actions from ACM Stirrup’s “O” Group meeting on 3 October stated:

“While ‘Tier 1 Enhanced’ was an acceptable level of immediate Force Protection, every effort needed to be made to establish hardened bases in those areas of Basra where our presence was likely for the medium term, and to minimise manning commensurate with the tasks in hand.”<sup>593</sup>

**1124.** On 10 October, a PJHQ official advised Mr Browne, at his request, on the implications for force protection if troops were moved to Basra Air Station (BAS).<sup>594</sup>

**1125.** Operational analysis had indicated that there was a “negligible difference in the threat posed to a larger base”. A single base would allow a concentration of anti-IDF resources and reduce the need for vulnerable road moves that currently placed a drain on other valuable assets, “particularly aviation”.

**1126.** The official explained that there was a combination of Tier 1, Tier 2 and Tier 3 at BAS, all of which were vulnerable to overhead attack. Trials of an overhead system that “may partially mitigate against shrapnel” from an overhead blast continued but in the “immediate term” it was “most important to contain the lateral threat from IDF”.

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<sup>592</sup> Project Stockwell aimed to deliver a deployable, robust and versatile rotary wing Manned Airborne Surveillance. It later became the Rotary Wing MAS Project.

<sup>593</sup> Note SECCOS, 5 October 2006, ‘Record of Actions and Decisions from CDS O Group – 3 Oct 06’.

<sup>594</sup> [Minute PJHQ \[junior official\] to APS/SofS \[MOD\], 10 October 2006, ‘Iraq: Force Protection’.](#)

**1127.** According to the official, this was achieved through a programme of “compartmentalisation” which was under way and should be in place within seven weeks for all personnel at BAS or Shaibah Logistics Base (SLB). It was estimated that that would reduce the overall threat by 60 percent.

**1128.** It would cost “approximately \$130m” to replace all tented accommodation with containerised accommodation throughout MND(SE) and it would take “about 12 months” to complete. That would also have implications for the timeframe within which the UK could withdraw from SLB. The official advised that it was “arguable whether it would result in net reduction in risk to our people (though it might overcome some presentational issues)”.

**1129.** The official stated:

“In the longer term, anticipating an increasingly serious IDF threat and recognising quality of life, we are also examining the options for providing Tier 2 or Tier 3 accommodation for the enduring proportion of the force (beyond 2008). Initial work indicates that hardened accommodation for a reduced force would cost some \$60m to implement.”

**1130.** The official wrote that there was a need “to keep the threat posed to date by IDF attacks in perspective to the wider challenges faced by MND(SE)”. There had been two UK personnel<sup>595</sup> and one US State Department employee killed by IDF, all since 1 August 2006, compared with 25 fatalities by direct fire and 27 by IEDs. IEDs were still considered “to be the greatest challenge”. The official advised that, despite that, “recent experience” had suggested IDF attacks were “becoming more accurate”.

**1131.** The official concluded that the incremental force protection plan in hand would:

“... ameliorate but not eliminate the risk. More could be done, but would mean delay and significant additional cost. There is a case to be made for hardened accommodation for our longer term residual presence, and work is in hand to define this.”

**1132.** A manuscript comment on the paper indicated that Mr Browne noted the advice provided by PJHQ.<sup>596</sup>

**1133.** The MOD told the Inquiry that in October 2006 US National Guard attack helicopters were deployed to Basra for an extended period to provide a deterrent to the increasing levels of IDF being experienced.<sup>597</sup>

**1134.** On 29 November, Lieutenant General Nicholas Houghton, CJO, briefed the Chiefs of Staff on “continued efforts” to counter the IDF threat in Basra.<sup>598</sup> The level of

<sup>595</sup> Corporal Matthew Cornish and Lance Corporal Dennis Brady.

<sup>596</sup> [Manuscript comment Browne on Minute PJHQ \[junior official\] to APS/SofS \[MOD\], 10 October 2006, 'Iraq: Force Protection'.](#)

<sup>597</sup> Paper [MOD], 20 January 2011, 'Iraq Inquiry: Request for Evidence'.

<sup>598</sup> Minutes, 29 November 2006, Chiefs of Staff meeting.

IDF in Basra amounted to “harassing fire” by theatre standards but it had “assumed strategic significance following the events at Abu Naji<sup>599</sup> and the civilian drawdown from Basra Palace”.

**1135.** Lt Gen Houghton reported that accommodation now had “lateral” protection in place but that overhead ballistic protection would not be complete until the end of June 2007 because of “a capacity issue”.

**1136.** The ongoing efforts to counter IDF included:

- increased patrolling;
- ISTAR and the use of attack helicopters;
- the surging of [UK theatre forces]; and
- the potential use of a US “Sense and Warn” system.

**1137.** In discussion the Chiefs of Staff noted:

“The long term corrosive effect of IDF on coalition operations in Basra, and the difficulty in quantifying the potential impact of counter IDF measures in the near to medium term; the critical impact of the threat on the future civilian force posture in the city; and the potential opportunity afforded by planned force withdrawals from Basra ... to leverage local deals to reduce the IDF threat.”

**1138.** Lt Gen Houghton was tasked with investigating options to improve the procurement timelines for fixed force protection in theatre.

**1139.** Gen Granville-Chapman visited Iraq and Afghanistan from 27 November to 2 December 2006.<sup>600</sup> One of the points about Iraq highlighted in his visit report was:

“The indirect fire threat needs urgent attention, not only to save life, but also because it is probably a pre-condition for PIC [Provincial Iraqi Control] and an essential information operations issue if the opposition is not to claim it has bombed us out of Basra ... Action is in hand.”

**1140.** Separately, General Sir Redmond Watt, Commander in Chief Land, visited Iraq and the Al Udeid air base in Qatar from 27 to 28 November.<sup>601</sup>

**1141.** In Qatar, Air Commodore Clive Bairsto, Air Officer Commanding 83 Expeditionary Air Group, told Gen Watt that he had “made the case” for more manned airborne surveillance, particularly in Iraq where current and planned UAV deployments were “more limited than Afghanistan”.

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<sup>599</sup> UK forces handed over Camp Abu Naji in Maysan province to the Iraqi Security Forces in August 2006 (see Section 12.1). Before August, the camp had come under regular rocket attacks from insurgents.

<sup>600</sup> Minute VCDS to CDS, 4 December 2006, ‘VCDS’s Visit to Afghanistan and Iraq 27 Nov – 2 Dec 06’.

<sup>601</sup> Letter CINC LAND to CGS, 6 December 2006, ‘Visit to Al Udeid and Basrah – 27-28 November 2006’.

**1142.** In Iraq, Gen Watt met Maj Gen Shirreff and reported:

“Richard also commented that some are making too much of the indirect fire attacks in Basra, which skews perceptions in Whitehall. We should encourage other government departments to see these attacks for what they are – harassing fire – and get on with redevelopment ...”

**1143.** Gen Watt also remained “concerned about the paucity of ISTAR assets”:

“Everywhere I went I was briefed that a lack of ISTAR asset availability was constraining operations. As we move towards PIC and over-watch the problem will become more acute.”

**1144.** On 14 December, a PJHQ official advised Mr Browne that three 105mm Light Guns<sup>602</sup> would be deployed to Basra from early January 2007 at Maj Gen Shirreff’s request.<sup>603</sup> That was in response to “a heightened and sustained IDF threat against Multi-National Force bases in Basra City” which had resulted in the temporary withdrawal of FCO and DFID personnel from Basra Palace.

**1145.** The Light Guns would significantly enhance Maj Gen Shirreff’s options in “the ongoing counter-IDF operation, augmenting the support already available such as helicopter and fast air capabilities”.

**1146.** The movements associated with the move to BAS would “temporarily increase MND(SE)’s vulnerability to insurgent attack”. The official wrote: “Of critical concern are the IDF threat, and the perceptions thereof of both the Iraqi people, and the MNF chain of command.”

**1147.** The official wrote that although the deployment of the guns was an enduring requirement, there were no immediate resource implications.

**1148.** Further advice from PJHQ on 20 December stated that Counter Rocket Artillery and Mortar (C-RAM) “Sense and Warn” systems loaned from the US would deploy to the BAS Contingency Operating Base (COB) in “late January/early February”.<sup>604</sup> Again, that was following a request made by Maj Gen Shirreff.

**1149.** The system “comprises a network of radars working together to provide early warning of IDF”. The DEC was investigating options to provide a UK C-RAM system that could combine UK assets and UORs.

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<sup>602</sup> The 105mm Light Gun is a tactically portable, highly versatile, accurate gun that fires explosives, illumination and smoke rounds. It can be moved by road or air.

<sup>603</sup> Minute DJC [junior official] to PS/SofS [MOD], 14 December 2006, ‘Iraq: Deployment of 105mm Light Guns’.

<sup>604</sup> Minute PJHQ J9 Pol/Ops 5, 20 December 2006, ‘Op TELIC: Deployment of the US Counter Rocket Artillery and Mortar (C-RAM) Sense and Warn System to MND(SE)’.

**1150.** On the same day, a USUR for an “active interdict capability” was generated from theatre, which was endorsed by PJHQ on 29 December.<sup>605</sup>

**1151.** On 15 December, Brig Everard wrote in his post-operation tour report that “the IDF threat to base locations remained substantial throughout the tour”.<sup>606</sup>

**1152.** Brig Everard also wrote:

“Despite considerable effort we failed to win the Counter-Indirect Fire (C-IDF) battle, with strategic implications as OGD [other government departments] reduced their footprint.”

**1153.** On 19 January 2007, Maj Gen Shirreff wrote in his post-operation tour report:

“... we have missed the boat on the ISTAR front. I commented in my first weekly letter six months ago: ‘it beggars belief, that after 3 years here, the British Army possesses no tactical UAV capable of flying in the heat of the summer.’ I was told no more staff effort could be put into resolving the problem, but despite this it will be sometime before anything is in service in theatre. Contrast this grindingly slow and ponderous response to the Americans’ generous support with Raven or the Australians who have shown the agility and forethought to lease 6 Scan Eagles from Boeing, together with 3 ground stations ... It took a couple of weeks to clear the decision, two weeks to train the soldiers and Boeing technicians have deployed to maintain the systems. As a result, contrast what we know about events in As Samawah with what we do not know about al-Amarah. As for strike operations, more than anything else, this battle is about day and night long loiter capability ... tracking the target – for days if necessary ... then striking to detain him. This has been a critical factor in the successful battle against AQI [Al Qaida in Iraq] and until we have the same capability we will continue to strike relatively blind against militant JAM.

“If our procurement system were capable of similar agility we would have UAVs on station tracking targets now.”<sup>607</sup>

**1154.** On IDF, Maj Gen Shirreff wrote that attacks in Basra had “increased throughout the year, approximately doubling every 2 to 3 months”. He added later in the report that protection against IDF had “become a primary concern”.

**1155.** Lt Gen Richard Shirreff told the Inquiry that he thought the ability to see and identify indirect fire threats and strike them quickly was “the critical problem” that UK forces faced in Iraq.<sup>608</sup> He said that that required “a series of capabilities which we simply didn’t have”.

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<sup>605</sup> Minute Smith to PS/Min(AF), 16 February 2007, ‘Iraq: Countering Indirect Fire Attacks’.

<sup>606</sup> Report Everard to PJHQ – J3, 15 December 2006, ‘HQ 20 Armd Bde Op TELIC 8 Post Operational Tour Report’.

<sup>607</sup> Report Shirreff to PSO/CDS, 19 January 2007, ‘Post Operational Report – Operation TELIC’.

<sup>608</sup> Public hearing, 11 January 2010, pages 35-36.

**1156.** Lt Gen Shirreff said that the Americans had those capabilities, as did the UK, but the UK did not have them in MND(SE).

**1157.** On 8 February, Lt Gen Houghton provided ACM Stirrup with an Op TELIC force protection assessment.<sup>609</sup>

**1158.** Lt Gen Houghton asked ACM Stirrup to note that there was a “presentational difficulty” around the move to the COB because it only provided Tiers 1 and 2 level protection, but that the risk should be viewed “in the context of the aggregate threat”. That threat included IDF, surface-to-air missiles, IEDs, direct fire and the ability of the enemy to gain information about UK vulnerabilities. The move to BAS would lead to a “safer overall force posture” because UK forces would “become less exposed to the most effective means of attack”, IEDs, and would allow a concentration of resources to ameliorate risk.

**1159.** Lt Gen Houghton wrote that the “most likely” way insurgents would disrupt operations from the COB was through IDF. The frequency of attacks was increasing and the likelihood of a successful attack had “increased to an estimated 95 percent probability within the next three months”.

**1160.** Lt Gen Houghton suggested that the most effective ways of reducing the potential scale of a successful IDF attack was through physical compartmentalisation of communal areas, and procedures to limit the number of people in “any given area”. Existing construction work would conclude in June, but “only a move to suitable protected structures” would offer “a notably higher level of protection”.

**1161.** The priority was for Tier 3 infrastructure in communal areas:

“... we have decided in principle to provide hardened dining facilities (estimated at \$14m and 20 months to complete) and to begin expansion of our Tier 3 footprint (current estimate additional \$60-70m and an additional 10 months) ... We should now form a judgement on the cost/benefit of proceeding with a more extensive Tier 3 build in the context of our enduring Overwatch posture.”

**1162.** The use of C-RAM promised (subject to proof of capability trials) to provide “a significant enhancement” to force protection, although there would be some integration issues to overcome.

**1163.** Lt Gen Houghton continued:

“We are not fully confident the requirement for increased persistency of ISTAR coverage around the COB and over Basra City can be achieved. The UOR programme to deliver TUAV [Tactical UAV] is on track to deliver an ISD of July 2007, although the funded provision may not fully meet our original statement of requirement ...”

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<sup>609</sup> [Minute CJO to PSO/CDS, 8 February 2007, ‘OP TELIC – Force Protection \(FP\) Assessment’.](#)

**1164.** The programme to deliver the Scan Eagle UAV (see Box, ‘An interim solution – Scan Eagle’) by April was “progressing well” and it was intended to expand ISTAR capability “through further TUAV or Scan Eagle support which may involve UOR action”. Lt Gen Houghton wrote that it made “no operational sense to be parsimonious in the provision of ISTAR” when it was such an important element of force protection.

**1165.** Lt Gen Houghton concluded:

“We cannot guarantee absolute FP [force protection] integrity or the complete mitigation of the array of dynamic threats that face us. The enemy only requires one lucky day. It is our judgement however that *reposturing* at the COB will allow us to further exploit the technical advantages of improvements to ISTAR and infrastructure as well as the opportunities of centralised location and the layered FP that the Op ZENITH<sup>610</sup> force posture allows us ... “

### **An interim UAV solution – Scan Eagle**

On 17 January 2007, Vice Admiral Charles Style, DCDS(C), briefed the Chiefs of Staff on his impressions from a recent visit to Iraq, including that the “critical lack” of tactical UAVs in MND(SE) “could have a significant effect over the forthcoming period”.<sup>611</sup>

On 12 March, VAdm Style gave Lord Drayson an update on attempts to address the tactical UAV capability gap as part of advice to the Minister ahead of his visit to Iraq.<sup>612</sup>

Following discussions with the Australian Department of Defence, a solution had been agreed whereby the UK would lease Scan Eagle from the Australian Defence Force. It would be available from April 2007 to 30 June 2007 at a cost of £4.12m and the option to extend the contract beyond June remained open.

Leasing additional UAV capability through Scan Eagle had been identified as “the only option” that would deliver ahead of the initial operating capability of Hermes 450 and avoid the delays associated with other options.

A minute to Lord Drayson on 19 April confirmed that the Scan Eagle initial operating capability was achieved on 15 April 2007 and PJHQ had endorsed the requirement to extend the contract until November 2007.<sup>613</sup> Lord Drayson was advised:

“The original requirement ... to provide Operational and Formation level airborne ISTAR capability for MND(SE) remains extant and is not met or replaced by this proposal. In order to meet pressing requirements and cover operations during the intervening period, PJHQ have endorsed an MND(SE) addendum to the original USUR [Urgent Statement of User Requirement] which seeks to fill the capability gap between now and Jun 07 with sub-optimal but available capability.”

<sup>610</sup> The operation to reduce UK forces on the ground in a combat role and return them to bases, the number of which would progressively reduce.

<sup>611</sup> Minutes, 17 January 2007, Chiefs of Staff meeting.

<sup>612</sup> Minute MA/DCDS(EC) to APS1/Min(DES), 12 March 2007, ‘Update on Issues Following Minister’s Visit to Iraq’.

<sup>613</sup> Minute EC ISTAR to PS/Minister(DES), 19 April 2007, ‘Provision of an Operational and Formation Level Airborne ISTAR Capability to Op TELIC’.

**1166.** On 16 February, Mr Stephen Smith, Deputy Command Secretary at PJHQ, sought Mr Ingram’s approval to deploy additional weapons on counter-IDF operations, in addition to the Light Guns and C-RAM systems.<sup>614</sup> He wrote that IDF was responsible for “inflicting the second highest number of casualties against the UK after IEDs” and the threat was likely to increase when UK forces re-postured to the COB.

**1167.** Physical protection measures were “approaching their practical limit” until a Tier 3 solution was delivered and Maj Gen Shirreff had reported that IDF was “having a detrimental psychological effect on our troops”.

**1168.** Mr Ingram replied on 19 February, agreeing that the extra weapons could be deployed.<sup>615</sup>

**1169.** In a Force Level Review on 26 February, Lt Gen Houghton advised that there was “scope to re-task” up to two Sea King helicopters to other operations by mid-June because of “MND(SE) force dispositions and Merlin SH capacity”.<sup>616</sup>

**1170.** Lt Gen Houghton suggested that the four remaining Sea King helicopters would be dedicated to ISTAR, but it might be possible to withdraw some of them with the arrival of other UAVs anticipated later in the year, including Hermes 450 in mid-June.

**1171.** Lt Gen Houghton wrote that “the very best case ISD” for the UK C-RAM capability to protect the COB was 31 May and it seemed “highly likely” to slip. He added: “The battle procedure to deliver this is ongoing and the system will require up to 100 personnel to support it.”

**1172.** On 7 March, Mr Browne sent “a personal memo” to Mr Ingram and Lord Drayson about IDF.<sup>617</sup> He wrote:

“IDF is an issue we have all been aware of, and striving to address, for some months now.”

**1173.** Mr Browne noted that “significant improvements” had been made but “also, with real concern, the new estimate of the likelihood of a successful indirect fire attack” and its consequences:

“IDF must be one of our very highest priorities. I am not convinced that our current plans are ambitious or decisive enough.”

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<sup>614</sup> Minute Smith to PS/Min(AF), 16 February 2007, ‘Iraq: Countering Indirect Fire Attacks’.

<sup>615</sup> Minute Johnson to PS/Minister(AF), 19 February 2007, ‘Iraq: Countering Indirect Fire Attacks’.

<sup>616</sup> Minute Houghton to Chiefs of Staff, 26 February 2007, ‘Op TELIC 10/11 Force Level Review – Feb 07’.

<sup>617</sup> [Minute SofS \[MOD\] to Min\(AF\), 7 March 2007, ‘Iraq – Force Protection Risks – Indirect Fire, Personal Memo from SofS’.](#)

**1174.** Mr Browne acknowledged that, for more to be done, “people need some guidance within which to work, particularly in relation to timescales and force levels”. He suggested agreement on the following assumptions:

- current plans for force levels and posture will hold for the next six months;
- for the period 6-12 months from now we will be at 4,500 in COB only;
- for the period 12-24 months from now we will be at 3,000 in COB only.”

**1175.** Mr Browne wrote:

“I would welcome rapid agreement from all parties on this. Once agreed I am content we programme on this basis, including finance, accepting that it is a planning assumption for the purposes of this exercise alone.”

**1176.** Mr Browne questioned whether hardened accommodation for communal areas could be delivered earlier than the estimated timescale of 16-20 months and whether shorter-term improvements could be made in the interim: “3-6 months, preferably sooner”. Options for different timings and costs should be provided quickly, “disregarding bureaucracy and standard assumptions about financial constraints”.

**1177.** Mr Browne wrote that the Phalanx capability<sup>618</sup> was “a major step in the right direction” and that they should do “everything in our power, including Ministerial intervention with the US” to meet the May timescale. He asked whether that should be pursued for Basra Palace as well as the COB.

**1178.** Lord Drayson visited Iraq on 8 March and discussed various equipment issues in theatre, including force protection.<sup>619</sup> His report is detailed earlier in this Section with regard to how the UOR process worked in Iraq and protected mobility.

**1179.** Lord Drayson was informed by 19 Light Brigade that Merlin was performing well, “although it was not yet hot”. The Lynx helicopters were unable to fly in the summer heat in Iraq and the top cover role they provided for convoys could be filled with a UAV.

**1180.** The visit report stated that, after visiting Basra Rural South Brigade:

“It was made very clear that the IDF was having a significant impact on the morale of forces based at the COB ... The element of chance in where IDF landed significantly increased stress level, and two people had already been sent home as a result.”

**1181.** Lord Drayson had been told that there was no off-the-shelf design for hardened accommodation that could be applied and that there were challenges to building in Iraq. If “process impediments” were removed, then the first hardened buildings could “probably be in place in around 10 months”. The US presently took 7-8 months to build hardened accommodation.

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<sup>618</sup> A type of C-RAM system.

<sup>619</sup> Minute APS/MIN(DES) to PSSC/SofS [MOD], 26 March 2007, ‘Minister(DES) Visit to Iraq’.

**1182.** In the meantime, theatre was about to subdivide dining areas, which would reduce the threat of a mass casualty event, and the US Sense and Warn system was “seen as a real positive” for the warning time it provided.

**1183.** Lord Drayson had been told how FMV surveillance was “crucial to situational awareness and counter IDF operations” but the UK was reliant on US assets. The US had recently withdrawn Apache helicopters from Basra as they had not “been used kinetically”.

**1184.** Lord Drayson’s report stated:

“Overall there was a clear perception in theatre that UK MOD was not taking account of the rate of change. UORs too often sought to deliver a perfect capability, but in doing so delivered so late the requirement had changed or theatre were without any capability for too long. It was suggested that if there were greater dialogue between theatre and the ECC/ABW [Equipment Capability Customer/Abbey Wood<sup>620</sup>] on individual UORs then trades ... could be made. The example quoted was of UAVs. Hermes was seen as a Rolls Royce solution to a requirement that would now be met (in a bridging capacity) by Scan Eagle, and might better have been met sooner in that way. Equally deployment of the Desert Hawk UAV was being delayed by the UK approach to airworthiness,<sup>621</sup> and the Raven system might have been bought more quickly. It was felt that more visits from DECAs and IPTs would help ...”

**1185.** Lord Drayson met the Commander of JHF-I and the aircrew:

“This was a sobering meeting with the aircrew clearly very busy ... and with a number of concerns about their equipment and the levels of support.”

**1186.** Some of the concerns raised were:

- Sea King was fundamentally an old aircraft and the lift capability it provided declined in the summer.
- With Lynx and Merlin, there was a problem of spares supply and the DSPs for Merlin were still unfunded.

**1187.** The report ended:

“Lord Drayson would be grateful for advice from DCDS(EC) on what can be done to improve communication between UK and theatre, and for him and CDM to reinforce the urgency that everyone should attach to delivering UORs.”

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<sup>620</sup> Abbey Wood is the location of the Defence Procurement and Support Agency (DE&S).

<sup>621</sup> References to Desert Hawk from 2007 onwards refer to Desert Hawk 3 – a different model to that deployed in January 2004. Desert Hawk 3 was eventually withdrawn for technical problems.

### Upgrading battlefield helicopters to “theatre entry standard”

Following his visit to Iraq in March 2007, Lord Drayson sought advice on why a proposal to equip more helicopters to “Theatre Entry Standard” had been deferred.<sup>622</sup>

An MOD official reported on 12 March that the Defence Management Board (DMB) had reserved decisions on a package of savings and enhancements until after the Comprehensive Spending Review was settled. The package included the option “to equip more battlefield helicopters with theatre entry equipment” at a cost of £260m over 10 years.

Further advice sent to Lord Drayson on 16 March explained that the proposal was to upgrade 10 Chinook, 3 Apache, 11 Lynx, 8 Merlin and 17 Sea King.<sup>623</sup> The increase in capability was estimated to take between six and 24 months to deliver.

Following the DMB’s January decision, the proposal had not been developed further.

The Inquiry has seen no further references about taking the proposal forward.

**1188.** On 22 March, Lt Gen Houghton wrote to Lord Drayson requesting approval to adopt an “unusual contracting mechanism” quickly to deliver Tier 3 hardened structures at BAS.<sup>624</sup> That involved using a “single, trusted Prime Contractor and using proven nominated sub-contractors for discrete, complex elements of the work”; the contract would not go through a tendering process.

**1189.** The timescale for delivery was still 18 months but Lt Gen Houghton thought this was “a pessimistic figure” that could be reduced to 12 months once a detailed design had been agreed. There were no existing proven designs for structures that provided the level of protection sought, so design work was “breaking new ground”. That also made it unwise to shorten the design and trials period, but time would be saved by adopting the single tender process.

**1190.** Costs were estimated at US\$28m for hardening dining facilities and US\$145m for hardening “accommodation etc” for 4,500 personnel.

**1191.** A note from Lord Drayson’s Private Office on 26 April formally approved the contracting mechanism proposed by Lt Gen Houghton, but suggested that Lord Drayson had agreed it informally before that date.<sup>625</sup>

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<sup>622</sup> Minute MA/DCDS(EC) to APS1/MinDE&S, 12 March 2007, ‘Update on Issues Following Minister’s Visit to Iraq’.

<sup>623</sup> Minute DCDS(EC) to APS1/MinDE&S, 16 March 2007, ‘Further Update on Issues Following Minister’s Visit to Iraq’.

<sup>624</sup> Minute CJO to PS/Min(DE&S), 22 March 2007, ‘Hardened Accommodation at Basrah COB’.

<sup>625</sup> Minute APS/Minister(DES) to MA/CJO, 26 April 2007, ‘Hardened Accommodation at Basrah COB’.

**1192.** On 29 March 2007, Mr Browne wrote to Mr Timms to outline UOR funding requirements for financial year 2007/08.<sup>626</sup> That included:

- an additional £15m plus for ECM (see earlier in this Section);
- £50m for a C-RAM system; and
- £87m plus for intelligence and surveillance capabilities for both Iraq and Afghanistan, including ISTAR enhancements.

**1193.** That request was sent amidst the discussions between the Treasury and the MOD on the sustainability of the UOR process, which is addressed earlier in this Section in the context of protected mobility, and in detail in Section 13.1.

**1194.** On 24 April, Lt Gen Houghton briefed the Chiefs of Staff that the security situation in MND(SE) had been “dominated” by an IDF attack against Basra Palace.<sup>627</sup> Work continued on IDF protection and Phalanx was scheduled to be in place at the COB by 31 May.

**1195.** In discussion, the Chiefs noted:

“The critical need for measures to mitigate the IDF threat, both against people and equipment remained an issue of strategic importance. The risk to helicopters on the ground in particular was of concern, and while rear basing (where possible) could minimise the risk, the better option was to ensure that effective physical protection measures were in place. **CJO was to conduct a rapid investigation into the provision of additional physical protection for helicopters at the COB.**”

**1196.** The Chiefs of Staff also noted that the C-RAM capability had been off-line during the IDF attack, undergoing repairs after an earlier attack. The introduction of Phalanx could not be advanced. It was agreed that Scan Eagle cover should be extended until Hermes was operational in theatre.

**1197.** On 11 May, Dr Sarah Beaver, Command Secretary at PJHQ, updated Lord Drayson on the procurement process for hardened accommodation at BAS.<sup>628</sup> She asked Lord Drayson to approve the first tranche of building work and to write to Mr Timms seeking the Treasury’s agreement in principle that funding for the project could be met from the Reserve.

**1198.** The proposals received from the contractor quoted “some £95m” for the work, excluding VAT. The build would be done in three tranches: the first providing dining and welfare facilities for 4,500 personnel and the later two providing sleeping accommodation for up to 2,000, a hospital and gym facilities.

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<sup>626</sup> Letter Browne to Timms, 29 March 2007, [untitled].

<sup>627</sup> Minutes, 24 April 2007, Chiefs of Staff meeting.

<sup>628</sup> Minute Beaver to PS/Min(DES), 11 May 2007, ‘Iraq – Force Protection – Hardened Accommodation at Basra COB’.

**1199.** The first tranche could be delivered between 31 May and 31 August 2008 and would cost £40m. The date for overall completion of the project was estimated as “by December 2009”. Achieving those timescales was dependent on “long lead items” for the first tranche at a cost of £14m. That expenditure would be at risk on the core Defence budget unless the Treasury approved a call on the Reserve.

**1200.** Mr Browne wrote to Mr Timms on 21 May.<sup>629</sup> He stated that the MOD was proceeding with the £14m purchase of long lead items but would not commit further without Treasury agreement to fund from the Reserve. He added that the MOD would “negotiate a contract with suitable break clauses to allow us to reduce the project should circumstances allow and keep the overall requirement under review”.

**1201.** Mr Timms replied on 30 May.<sup>630</sup> He agreed that the £14m could be taken from the Reserve but added:

“In considering further funding, the business case for the project will need to demonstrate the continued requirement for the build once current UORs that seek to address the same indirect fire issue ... are deployed and operational in the COB. In addition, we will need to be convinced that the long construction time for the project is coherent with the UK strategic timeline for maintaining troops in Iraq, and the concept of operations for troops in the COB after withdrawal from Basra City.

“... We should treat this initial funding as a net additional cost of operations, but it is explicitly **not** a UOR, and should not be classified as such, given that it is investment in infrastructure and not equipment ...”

**1202.** A Land Command paper produced on 31 August 2010 stated that, between June and September 2007, the three months before Basra Palace was handed over in September 2007 (see Section 9.6), it received over 1,000 rounds of IDF.<sup>631</sup>

**1203.** On 5 June, Lt Gen Houghton briefed the Chiefs of Staff that the next six to eight weeks would see the introduction of a number of additional C-IDF capabilities:

- UK C-RAM at BAS would reach full operating capability by 10 June.
- The US had agreed to loan five AH64 attack helicopters for an initial period of 30 days starting on 10 June.
- Counter-battery fire would be enhanced by the arrival of capability in mid-June.<sup>632</sup>

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<sup>629</sup> Letter Browne to Timms, 21 May 2007, ‘Urgent operational requirement: Hardened accommodation in Iraq’.

<sup>630</sup> Letter Timms to Browne, 30 May 2007, ‘Hardened Accommodation in Iraq’.

<sup>631</sup> Report Land Command, 31 August 2010, ‘Operations in Iraq: An Analysis from a Land Perspective’.

<sup>632</sup> Minutes, 5 June 2007, Chiefs of Staff meeting.

**1204.** Lt Gen Houghton was asked to provide the Chiefs of Staff with an analysis of the effectiveness of the counter-IDF measures one month after the UK C-RAM became fully operational.

**1205.** On 12 June, Lord Drayson was advised that initial operating capability for Hermes 450 would be achieved in Iraq on 25 June.<sup>633</sup> Additionally, 45 ground terminals had been delivered to theatres in Iraq and Afghanistan to enable FMV viewing.

**1206.** An annex on ISTAR UORs stated that initial operating capability for Desert Hawk 3 had been achieved in Iraq on 6 June.

**1207.** On 9 July, an official confirmed that the Hermes 450 had reached initial operating capability.<sup>634</sup>

**1208.** On 10 July, Lt Gen Houghton briefed the Chiefs of Staff that, between April and July 2007, there had been a “marked increase” in attacks to the COB with over 200 IDF attacks in a three-month period.<sup>635</sup>

**1209.** In his post-operation tour report, Major General Jonathan Shaw, GOC MND(SE) from January to August 2007, described the fielding of UAVs as delivering a “step change in capability” although he warned that MND(SE) still required Corps level assistance.<sup>636</sup> He continued:

“... the imperative is now to integrate effectively our new UK UAVs to reduce this dependency.”

**1210.** On 4 September, the Chiefs of Staff were briefed that the US attack helicopter had returned to Baghdad but was “available if required”.<sup>637</sup>

**1211.** Major General Graham Binns, GOC MND(SE) from August 2007 to February 2008, told the Inquiry:

“By late 2007, we had a very sophisticated method of protecting ourselves against rocket attack, which was the predominant form of attack.”<sup>638</sup>

**1212.** When asked about the threat of IDF, Maj Gen Binns said it had “reduced significantly” because of the improvement in surveillance:

“Our ability to engage those who were firing rockets at us from the air improved to such an extent that we forced them back into the town and the further away they are, the more inaccurate they are. So the whole threat of indirect fire reduced.

<sup>633</sup> Minute DEC ISTAR to PS/Min(DES), 12 June 2007, ‘ISTAR UORs’.

<sup>634</sup> Email MOD [junior official] to APS/Minister(DES), 9 July 2007, ‘Hermes 450’.

<sup>635</sup> Minutes, 10 July 2007, Chiefs of Staff meeting.

<sup>636</sup> HQ MND(SE) report, 14 August 2007, ‘Post Operation Tour Report Shawforce Jan – Aug 07’.

<sup>637</sup> Minutes, 4 September 2007, Chiefs of Staff meeting.

<sup>638</sup> Public hearing, 15 January 2010, page 33-34.

It was still an irritant, but the number of casualties sustained by indirect fire reduced dramatically from August onwards.”

**1213.** In September, the DOC undertook an “extensive review and analysis” of the UK’s force protection capability in order to “expose risk, provide assurance and present strategic recommendations” to the Chiefs of Staff.<sup>639</sup>

**1214.** The review is addressed earlier in this Section with regards to protected mobility but specific points were also made about countering the IDF threat.

**1215.** The DOC wrote that units should have access to force protection equipment prior to pre-deployment training if possible to ensure that all personnel were adequately trained in force protection procedures and equipment (particularly UOR equipment) before arriving in theatre. The “recent Treasury decision to permit UOR procured equipment to include an allocation for training” was already having an effect but it was noteworthy that “several Commands were not aware of this significant development”.

**1216.** On accommodation, the DOC stated that the current Tier system was “based on permanence (rather than the provision of FP)” and the nature of contemporary operations suggested that that approach might be “sub-optimal” for force protection:

“Recent experience has indicated that the decision to move from tents to more resilient steel/concrete structures tends to be delayed by the understandable desire to limit the deployed footprint, but this should be balanced against the nature of the threat and type of operation (as well as other criteria such as FPE [Force Protection Engineering] effort, cost and the logistic burden).”

**1217.** Considering the IDF threat, the DOC wrote that “the most effective way of reducing the potential scale of a successful IDF attack is through a mix of good ISTAR, physical compartmentalisation and infrastructure protection together with active measures such as dominating the likely firing area through regular patrols and C-RAM-type systems”.

**1218.** The DOC recommended: “ISTAR capability should continue to be developed to provide a consistent 24/7 stream of fused intelligence to force protection decision makers.”

**1219.** The DOC noted that investigations into the US Sense and Warn system were under way. The Phalanx system had been deployed into theatre in May 2007 and, after “initial teething problems”, its performance was improving. The likelihood of IDF being a significant threat to deployed forces in current and future operations suggested that a C-RAM capability needed to be taken into the core Equipment Programme as an enduring requirement. C-RAM measures should be included in the design phase of building a deployed base.

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<sup>639</sup> Report DOC, September 2007, ‘Directorate of Operational Capability Protection of the Deployed Force Operational Audit Report 1/07’.

## CONSIDERING WHETHER TO DEPLOY REAPER TO IRAQ

**1220.** ACM Stirrup visited Iraq from 13 to 16 May 2007.<sup>640</sup> Considering the IDF threat, the report of his visit stated:

“CDS believed an armed UAV would provide the ideal platform to deliver a precision, time sensitive response whilst minimising the risks of collateral damage.”

**1221.** Lt Gen Figgures was tasked to investigate how an armed UAV might be acquired.

**1222.** On 25 May, Lt Gen Figgures advised ACM Stirrup that there were three options for providing a weaponised UAV in Iraq:

- extending the Reaper programme (a UK version of Predator B) to purchase extra airframes for Iraq (the funding at this time was for three airframes all to be delivered to Afghanistan);
- asserting pressure on the US to apportion a greater proportion of Predator A hours to MND(SE); or
- investigating the possibility of weaponising Hermes 450.<sup>641</sup>

**1223.** On 12 June, Air Cdre Gordon advised Lord Drayson that the option to purchase a further nine Reaper as part of the 2007 Equipment Programme had been delayed until the outcome of the Comprehensive Spending Review was known.<sup>642</sup>

**1224.** The Inquiry asked ACM Stirrup if there were decisions he wished had been taken differently during his time as DCDS(EC).<sup>643</sup> He replied that one of the difficulties had been that pressures on the defence programme and equipment plan had meant that money was taken out of areas that needed increased investment.

**1225.** ACM Stirrup told the Inquiry that, up until 2002, funding in ISTAR had increased by 15 percent but some of that was removed in subsequent years through savings measures. He added:

“I also felt that we were far too slow to improve our capabilities in persistent surveillance, particularly through unmanned vehicles, and when I became CDS, one of the first things I did was to stop the arguing about whether we should purchase Reaper from the United States and tell people to go and buy it, and it is now in operation as a consequence.”

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<sup>640</sup> Minute PSO/CDS to PSSC/SofS [MOD], 17 May 2007, ‘CDS Visit to Iraq 13-16 May 07’.

<sup>641</sup> Minute DCDS(EC) to PSO/CDS, 25 May 2007, ‘CDS Visit to Iraq 13-16 May 07 – Equipment Issues’.

<sup>642</sup> Minute DEC ISTAR to PS/Min(DES), 12 June 2007, ‘ISTAR UORs’.

<sup>643</sup> Public hearing, 1 February 2010 page 64.

**1226.** On 12 December, a USUR for an “armed long loiter, long range capability” was raised by MND(SE).<sup>644</sup> It stated that existing measures to protect against IDF and IEDs were reactive:

“MND(SE) therefore needs a pro-active SENSE capability that will also INTERCEPT IED and IDF attacks before they can launch their attack. Rapid and decisive disruption of IED and IDF teams will also be a potential deterrent.”

**1227.** The USUR stated that between January and October 2007:

- IED attacks had caused 21 deaths and 81 casualties.
- IDF attacks had caused five deaths and 127 casualties. The rate of attacks had abated since September but the sustained level of attacks by insurgents in the first part of the year indicated “their capability and capacity to sustain high rates of fire when the intent exists”.

**1228.** The operational requirement was:

“... to observe insurgents and their weapon systems (IDF/IED) across the AO [Area of Operations] over long durations and long range, which is integrated with a rapid, precision capability to engage targets once identified.”

**1229.** The solution proposed by MND(SE) was an armed Predator B UAV.

**1230.** The Inquiry asked the MOD to confirm that the Predator B (Reaper) was never deployed to Iraq. The MOD stated that it was “available to the UK as a Coalition asset” but was never deployed to Iraq.<sup>645</sup>

## THE DRAWDOWN OF UK FORCES

**1231.** From July 2007, the further hardening of accommodation was complicated by uncertainty surrounding the UK’s position in Iraq. Mr Gordon Brown, the Prime Minister, announced plans for the military drawdown in Basra in October.

**1232.** On 29 July 2007, Mr Browne wrote to Mr Andy Burnham, Chief Secretary to the Treasury, requesting an additional £32m from the Reserve for hardened accommodation.<sup>646</sup>

**1233.** Mr Browne explained that the estimated total cost of the work at Basra Air Station would be £186m and work would be complete by March 2011. Due to “uncertainties on future force levels”, it was proposed to approve the structures in “up to six tranches”.

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<sup>644</sup> Minute MND(SE) EC [junior officer] to PJHQ – DACOS J3 EC, 12 December 2007, ‘Operation TELIC – Urgent Statement of User Requirement (USUR) for an Armed Long Loiter, Long Range Capability’.

<sup>645</sup> Letter Duke-Evans to Hammond, 4 February 2016, [untitled].

<sup>646</sup> Letter Browne to Burnham, 29 July 2007, ‘Tier 3 Hardened Accommodation at the Basra Contingent Operating Base’.

**1234.** Mr James Quinault, Head of the Defence, Diplomacy and Intelligence spending team in the Treasury, advised Mr Burnham to “hold off” replying until September, pending decisions about the scale and duration of the UK’s commitment in Basra.<sup>647</sup>

**1235.** Mr Burnham replied on 11 September 2007.<sup>648</sup> He recognised that the case for hardening accommodation was “compelling” if UK troops were to remain at Basra Air Station for a prolonged period, but that “the scale of additional resources committed to the project” should be agreed once there was greater clarity on the UK’s posture in Basra, expected at the end of that month. He concluded:

“It is clearly desirable that you continue to take the decisions necessary to ensure that suitable accommodation can be provided as soon as possible should UK troops remain in theatre for the foreseeable future. I understand that you are currently taking such decisions at risk of around £10m to your own budget. I think this is prudent and you should be reassured that, in the event of a decision for an early withdrawal, these sunk costs will be admissible against the Reserve.”

### Moving JHF-I to Kuwait

On 5 October 2007, a PJHQ official sought Mr Browne’s agreement for the UK to establish a logistic support facility in Kuwait.<sup>649</sup> It would include the relocation of JHF-I. The minute stated:

“The proximity of Camp Buehring to Basra (around 30 minutes flying time) allows us to de-risk the force protection of our helicopters without affecting their ability to undertake their operational tasking. A forward helicopter detachment will however remain in the COB as the Incident Response Team (IRT).”

Mr Browne agreed on 9 October.<sup>650</sup>

**1236.** On 2 October, Major General James Dutton, DCJO(Ops), briefed the Chiefs of Staff that the Tier 1 and Tier 2 builds at Basra Air Station were complete and the full Tier 3 programme would be finished in December 2009.<sup>651</sup> The “Enhanced Personal Bunkers project, an intermediate Tier1/2 solution” had commenced on 17 September and was known as Stonehenge.

**1237.** On 7 December, Mr Ian Gibson, Deputy Command Secretary at PJHQ, recommended that Mr Browne write to Mr Burnham requesting a further £65m from

<sup>647</sup> Minute Quinault to Burnham, 21 August 2007, ‘Hardened Accommodation for UK Troops in Basra’.

<sup>648</sup> Letter Burnham to Browne, 11 September 2007, ‘Hardened Accommodation in Basra’.

<sup>649</sup> Minute PJHQ [junior official] to PS/Secretary of State [MOD], 5 October 2007, ‘Op TELIC: Logistic Support Facility in Kuwait’.

<sup>650</sup> Minute APS/Secretary of State [MOD] to PJHQ J9 Hd Pol/Ops 1, 9 October 2007, ‘Op TELIC: Logistics Support Facility in Kuwait’.

<sup>651</sup> Minutes, 2 October 2007, Chiefs of Staff meeting.

the Reserve for Tranche 2 of the hardened accommodation programme.<sup>652</sup> Tranche 2 comprised a hardened medical facility and three hardened accommodation blocks, housing a total of 900 personnel.

**1238.** Mr Gibson wrote that force level planning for spring 2008 suggested there would be 2,830 UK military personnel, along with supporting civilians, contractors and other “multi-national military elements”, bringing the total number of personnel at Basra Air Station to 5,321. A further 745 UK military personnel would be based at the Kuwait support facility.

**1239.** To avoid “a situation where we failed to provide protection for personnel should UK forces remain at the COB longer than we might originally have anticipated”, PJHQ’s work assumed an “enduring military force of around 2,500”.

**1240.** Mr Gibson recommended that Mr Browne should also seek £30m of the £32m currently carried at risk for the first tranche and the subject of Mr Browne and Mr Burnham’s correspondence in September. The £2m “delta” reflected Treasury uncertainty that an element of the dining facility protection was required.

**1241.** Officials in Mr Browne’s Private Office replied on 12 December, stating that Mr Browne agreed with Mr Gibson’s proposal and had written to Mr Burnham accordingly.<sup>653</sup>

**1242.** The reply also highlighted that Sir Bill Jeffrey had written to Mr Browne on 11 December confirming his view that to proceed with Tranche 2 was “justifiable” but the position should be considered in the New Year, with the MOD ready to “scale the plans down” if it seemed “right to do so”.

**1243.** On 18 December, Mr Burnham agreed to fund both elements of the request but wrote:

“We will, however, want to think together about the balance of investment decisions to be taken on this project before I can commit to further funding ... We will need to be convinced that the long construction time ... is coherent with the UK strategic timeline for troop levels in Iraq, and the total numbers of people ... that will be based at the COB and require protection.”<sup>654</sup>

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<sup>652</sup> Minute Gibson to PS/SofS [MOD], 7 December 2007, ‘Tier 3 – Update Submission for Secretary of State’.

<sup>653</sup> Minute APS/Secretary of State [MOD] to DCS(RES) PJHQ, 12 December 2007, ‘Tier 3 – Update Submission for Secretary of State’.

<sup>654</sup> Letter Burnham to Browne, 18 December 2007, [untitled].

**1244.** Mr Bob Ainsworth, the Minister of State for the Armed Forces, visited Iraq from 17 to 21 December 2007.<sup>655</sup> The visit report stated:

“The Minister saw for himself the effect of Operation Stonehenge – the hardening of personal bed spaces. This, like C-RAM, appeared initially to have been greeted with mixed feelings but was now generally considered to be a positive development, both in terms of protection and morale.”

**1245.** On 15 January 2008, Lt Gen Houghton told the Chiefs of Staff that Project Stonehenge had “progressed well” and would be complete by February.<sup>656</sup> The third tranche of the Tier 3 hardening project was progressing and 2,100 hardened bunks would be complete by 2009, although the final decision point on this for Ministers was 20 March 2008.

**1246.** On 20 March, Mr Gibson advised Mr Browne to place Tranche 3 of the hardened accommodation programme on hold because of uncertainty about the UK’s future presence in Iraq.<sup>657</sup> That tranche would have brought 1,500 further hardened bed spaces, bringing the total to 2,400. He noted that the IDF threat had recently increased and provided an analysis of the options, finally stating:

“This is a fine call, involving judgements about force levels over a year away. It represents a significant change in emphasis in our approach to this project: in essence, rather than continuing with Tier 3 until it is proven no longer to be required, we would be deciding only to proceed with Tranche 3 once it has been demonstrated that it was required, and in doing so for the first time accepting that we will not provide Tier 3 accommodation for all at the COB as quickly as possible.”

**1247.** Officials in Mr Browne’s Private Office replied on 27 March.<sup>658</sup> Following discussion with ACM Stirrup and Sir Bill Jeffrey, Mr Browne had noted:

- The ongoing work on future options for the UK’s long-term presence in southern Iraq was unlikely to conclude before the summer.
- There were options “under consideration” which would render Tranche 3 “unnecessary”.

**1248.** Mr Browne agreed that the Tranche 3 programme should be placed on hold until the likely UK presence in 2009 was clearer.

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<sup>655</sup> Minute PS/Minister(AF) to APS 4/Secretary of State, 10 January 2008, ‘Minister(AF)’s Visit to Iraq, 17-21 December’.

<sup>656</sup> Minutes, 15 January 2008, Chiefs of Staff meeting.

<sup>657</sup> Minute Gibson to PS/SofS [MOD], 20 March 2008, ‘Tier 3 – Update Submission’.

<sup>658</sup> Minute APS/Secretary of State [MOD] to Gibson, 27 March 2008, ‘Tier 3 – Update Submission’.

**1249.** On 30 May, Mr Gibson advised Mr Browne that the MOD should “cease to plan on the basis that Tier 3 Tranche 3 will be required and take the steps necessary to reconfigure Tranches 1 and 2” to get best value for money from the project.<sup>659</sup>

**1250.** That was because the focus on training and mentoring of Iraqi Security Forces meant there was “greater confidence” that the UK would have completed the bulk of its mission in Iraq by early 2009. Against that background, it seemed unlikely to Mr Gibson that the UK would need or wish to retain a large base at Basra Air Station.

**1251.** While Ministerial decisions on the timing and pace of any drawdown in 2009 were yet to be agreed, approval for Tranche 3 would be needed “now” if it were to be delivered by “October-December 2009” (at the earliest). If a bid for funding was not made before the summer, the project would not be delivered until 2010.

**1252.** With “very limited time”, it was possible to adjust Tranches 1 and 2 into “a more coherent package, perhaps consisting of two feeding halls, the hospital plus five accommodation blocks, sufficient for a force of around 1,500”. Mr Gibson advised that that was “the most pragmatic, best value for money approach without taking excessive additional risk over and above the other options currently available to us”.

**1253.** On 26 July, Brigadier Julian Free, Commander of 4 Mechanised Brigade, assessed that the completion of enhanced individual overhead protection had “markedly increased the force protection afforded to troops on the COB” but warned that the risk of a mass casualty event still remained.<sup>660</sup> He implied that was because not all of the communal buildings had been hardened.

**1254.** On 17 October, a PJHQ official advised Mr Browne that the final structure of first tranche would be complete and operational by 20 October.<sup>661</sup> The other structures had come into use on 14 July, 14 August and 24 September.

**1255.** The second tranche was “to start coming on line in March-April 2009” but, given the plans for transition, it was unlikely that the UK would “derive significant benefit from these facilities”.

**1256.** The US had expressed an interest in taking over structures from the first two tranches as part of their plans to move to Basra Air Station in 2009. It was estimated that £4.9m could be saved from stopping the Tranche 2 programme “now” but PJHQ judged, subject to Ministerial and Treasury approval, “it would make sense to complete the structures as part of a wider arrangement with the US regarding the transfer of responsibility in MND(SE)”. That would still result in a £3.5m saving.

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<sup>659</sup> Minute Gibson to PS/Secretary of State [MOD], 30 May 2008, ‘The Tier 3 Programme at Basra COB’.

<sup>660</sup> Report Free, 26 July 2008, ‘Op TELIC 11: HQ 4 Mechanized Brigade Post Operational Report’.

<sup>661</sup> Minute PJHQ [junior official] to PS/SofS [MOD], 17 October 2008, ‘Iraq: Update on the Protected Structures Programme (Tier 3)’.

**1257.** While hardened accommodation would no longer be provided to 900 personnel from March to April 2009 as planned, forces would be living in the existing accommodation until drawdown. Personal overhead protection was “now fitted to every military, MOD civilian and OGD civilian’s sleeping bay” and the level of IDF remained “much reduced from previous levels”.

**1258.** On 18 November, Ms Cheryl Plumridge, Command Secretary at PJHQ, sent an update on the hardened accommodation programme to Mr John Hutton, the Defence Secretary.<sup>662</sup> The advice sought to re-address the issues raised in the 17 October minute, which had been withdrawn following questions from Mr Hutton’s Private Office.

**1259.** Ms Plumridge explained that the planned adjustments to Tranche 2, to create a medical facility and accommodation blocks, had been put on hold following discussions with the US who, for its own purposes, preferred the structures to be left empty.

**1260.** The UK would need an agreement with the Iraqi Government to reflect the transfer of any structures to the US instead of to Iraq, assuming standard terms were agreed in the Status of Forces Agreement (see Section 9.7).

**1261.** Ms Plumridge wrote: “Balance of risk has been at the heart of the Tier 3 project as it has developed and Ministers have previously accepted increased risk in this area.” She highlighted the cancellation of Tranche 3 and stated the revised plan would now only provide Tier 3 protection for the feeding halls.

**1262.** It was “extremely hard to predict the impact of not having Tier 3 accommodation” and instead relying on Stonehenge. Ms Plumridge laid out the different factors that could lead to a mass casualty event occurring and stated:

“To put this into context, as at today’s date, 45 days have passed since the last indirect fire attack on the COB – so we are currently a long way from the worst-case position.”

**1263.** Ms Plumridge proposed that PJHQ officials would seek Treasury approval for the structures to be treated as a gift to the US, in line with the arguments set out in the 17 October minute.

**1264.** Mr Hutton approved Ms Plumridge’s proposal on 25 November.<sup>663</sup>

## THE REMAINING LEVELS OF HELICOPTER AND ISTAR SUPPORT IN MND(SE)

**1265.** On 6 December 2007, Mr Browne wrote to Mr Brown with an update on “helicopter issues”.<sup>664</sup> He stated that there would always be demands for more

<sup>662</sup> Minute Plumridge to APS/SofS [MOD], 18 November 2008, ‘Iraq: Update on the Protected Structures Programme (Tier 3)’.

<sup>663</sup> Manuscript comment Hutton on Minute Plumridge to APS/SofS [MOD], 18 November 2008, ‘Iraq: Update on the Protected Structures Programme (Tier 3)’.

<sup>664</sup> [Letter Browne to Brown, 6 December 2007, ‘Update for the Prime Minister on Helicopter Issues’](#).

helicopters on operations given “the scale and intensity of our current operational commitments”.

**1266.** One of the principles underpinning the MOD’s approach to helicopters was “to rationalise our helicopters by theatre”. Mr Browne added:

“While we are clear about the imperative to provide increased support to operations in the short term, we are also concerned not to sacrifice the future sustainability of the helicopter fleet for the immediate needs of today.”

**1267.** Mr Browne wrote that helicopter support to operations in Iraq was “generally assessed as satisfactory” and therefore additional capability for Afghanistan was the priority.

**1268.** The update noted that there were five Merlin and six Lynx in Basra and there were seven helicopters in Baghdad. The Sea King fleet had been withdrawn earlier than planned because of the reduction in troop levels and the helicopters were being switched to Afghanistan, four having already been deployed.

**1269.** The requirement for the six Danish Merlins procured to enable the release of the Sea King fleet from Iraq had “fallen away along with our reduction in force levels there” so the possibility of deploying them to Afghanistan was under consideration.

**1270.** Mr Browne explained:

“It may seem counter-intuitive that, despite the fact we have so many more helicopters in our inventory, we are able to deploy a relatively small number on operations. We are limited by the need to keep our burden on our airframes, crews and ground support staff at a sustainable level over time. As a rule of thumb, it takes three or four additional helicopters to enable the deployment of a single helicopter on operations with the remaining aircraft used for training and to enable us to rotate our deployed helicopters in and out of maintenance and to carry out essential modification programmes.”

**1271.** Mr Browne concluded:

“To borrow a line from David Cameron, there is no ‘magic pot’ of money into which we can dip in order to buy all the helicopters we might like to. We do not have access to the Treasury Reserve for the procurement of such enduring capabilities, and helicopters must compete with other pressing requirements within our hard-pressed equipment programme. Equally neither are there any helicopters currently readily available on the market which would be an obvious aspiration for us; most order books are full, and the procurement of a new helicopter type would be both costly and time-consuming.

“That said, I can give you an assurance that, while we continue to make the most of what we have got ... This is not an area where we can afford complacency.

We shall continue to seek out opportunities to improve and enhance our deployed helicopter fleets ... but I believe that we are on the right path towards an enduring and sustainable capability which will allow us to fulfil our key tasks, delivering upon our important commitments in Iraq and Afghanistan.”

**1272.** A report of Mr Ainsworth’s visit to Iraq in December 2007 stated:

“Concerns were raised with regard to ISTAR provision, which had decreased over recent months, but which would become increasingly important in the overwatch posture; there had been successes – such as Hermes 450 – but the withdrawal of capabilities such as the Danish ... helicopter and Scan Eagle were significant losses.”<sup>665</sup>

**1273.** Mr Ainsworth was briefed by key personnel involved in manning and operating the C-RAM system:

“He was reassured to hear that its success rate in interdicting IDF rounds continued to improve although he noted that there was still some way to go. He was particularly struck by the extent to which the general perception of C-RAM’s capability had turned around since his last visit, with personnel at all levels praising its hugely positive impact on morale.”

**1274.** On 9 January 2008, a junior officer in MND(SE) produced a review of ISTAR capability within MND(SE) for PJHQ.<sup>666</sup> He explained that the move to Provincial Iraqi Control (PIC) in the UK’s AOR had:

“... necessitated a wholesale review of ISTAR capability to support the MND(SE) mission. This has occurred at a time when there is a noticeable reduction in the ISTAR assets and capabilities provided by organic and MNC-I/Theatre platforms. This is now affecting MND(SE)’s ability to prosecute operations against irreconcilable Shia extremists and will constrain MND(SE) in delivering its missions and tasks ...”

**1275.** The officer made a number of recommendations including bringing forward the Astor and Raptor programmes, introducing an aircraft such as Defender to enable low-level support to ground forces and the introduction of a weaponised UAV capability.

**1276.** The officer stated that MND(SE) could find no record of “a formal ISTAR Estimate” having been conducted and “rather an iterative approach” had been adopted, “resulting in a fragmented approach to ISTAR” that had led to capability gaps.

**1277.** Considering the FMV capability, the officer explained that there were “a number of Corps assets” but MND(SE) was having “less success in securing these” and two assets

<sup>665</sup> Minute PS/Min(AF) to APS/SofS [MOD], 10 January 2008, ‘Minister(AF)’s Visit to Iraq 17-21 December’.

<sup>666</sup> Minute COS MND(SE) to ACOS J2 PJHQ, 9 January 2008, ‘Review of ISTAR Capability Within MND(SE)’.

would be withdrawn by March 2008. He described the only assets that could be “tasked with a degree of certainty”:

- Hermes 450 which suffered from technical and spares issues. It was recommended that its maintenance contract was re-negotiated to expedite the release and availability of spare parts.
- Desert Hawk 3 was heavily used and any reduction as a result of drawdown work would have a significant impact.
- Iraqi Security Forces (ISF) assets which were limited.

**1278.** Manned aerial surveillance assets were “extremely limited”. Nimrod MR2 had been withdrawn and the use of helicopters in this role had a cost to their “lift” role.

**1279.** An annex to the review provided a “snapshot” of the existing MND(SE) ISTAR capability:

Table 3: ISTAR availability in MND(SE), January 2008

UK	Quantity	Provision
Broadsword	3 x [Helicopter]	[...] hours per month
Hermes 450 UAV	3 (2 more expected in January 2008)	800 hours per month
Desert Hawk 3 Mini UAV	64	10 x 1hr each day
Nimrod MR2	Principally in support of Op HERRICK, not Coalition asset	Not MND(SE) dedicated

**1280.** On 15 January, the Chiefs of Staff were advised that the first Hermes 450 had crashed during bad weather two days earlier and the next two were not due in service until the end of January.<sup>667</sup>

**1281.** Gen Dannatt visited Iraq from 13 to 15 January.<sup>668</sup> He reported:

“I am aware that CJO is conducting a comprehensive review of ISTAR but the 25% reduction of support to MND(SE) is completely counter-intuitive at a time when we need even greater situational awareness. I think the time has come for some original thinking about how to increase our RW MAS [rotary-wing manned airborne surveillance] capability – if the Danes were able to introduce the Fennec as a low cost solution within a three month period, surely we could produce a similar package?”

<sup>667</sup> Minutes, 15 January 2008, Chiefs of Staff meeting.

<sup>668</sup> Minute, CGS to PSO/CDS, 21 January 2008, ‘CGS Visit to Iraq 13-15 Jan 08’.

**1282.** An internal Army lessons learned report was published on 31 August 2010, known as the “Barry Report”.<sup>669</sup> It stated that one of the lessons for future transitions was to increase, not decrease, the ISTAR requirement:

“As transition progresses and UK boots and eyes on the ground decrease, so there is an increased requirement for ISTAR in order to maintain the same overall level of situational awareness. The Iraq experience demonstrated that once we withdrew to the COB we lost a very large part of our situational awareness. Supporting indigenous forces with our ISTAR also enhances effectiveness and commanders’ prestige and thereby maintains our ability to influence.”

**1283.** On IDF, the Barry Report stated:

“In 2004 MND(SE) had predicted that the IDF threat would increase ... the threat was acknowledged but did not seem to result in structural force protection of our bases for some time. Although some were in very robust buildings, such as Basra Palace, the majority of troops on the COB remained in tented accommodation until very late in the campaign ...”

**1284.** The DOC’s final Op TELIC lessons report was endorsed by the Chiefs of Staff on 17 March 2010.<sup>670</sup> It stated that there had been a lack of an enduring intelligence picture for “at least the first four years” of the campaign and that perhaps that stemmed from “the very widely held view that, up to and throughout 2006 and into 2007, there were insufficient ISTAR assets available to MND(SE), and hence by necessity they were focused on maintaining as much of the day-to-day tactical picture as possible”.

**1285.** The DOC wrote that it had also been suggested “that rather than there not being enough, the Coalition as a *whole* had sufficient ISTAR assets; but that due to a lack of in-depth understanding of the capability”, the effort was “mistakenly focused on requesting ISTAR platforms rather than their product”. It continued:

“The situation was exacerbated by the lack of effective engagement by MND(SE) with MNC-I via the coalition chain of command. The result was increased requests from theatre directly to the UK for additional national ISTAR assets, which were eventually provided. Had the correct engagement of the in-theatre chain of command been followed this might have delivered the required increase in ISTAR capability far sooner.”

**1286.** The DOC report offered the following lessons:

- “When tasking limited ISTAR assets sources, consideration of the creation and maintenance of the strategic through to the tactical picture must be undertaken.”
- “When operating as part of a coalition, understanding the procedures to gain access to coalition ISTAR assets are vital; defaulting to the national route, whilst potentially easier, will probably not deliver as quickly.”

<sup>669</sup> Report Land Command, 31 August 2010, ‘Operations in Iraq: An Analysis From a Land Perspective’.

<sup>670</sup> Report DOC, 17 March 2010, ‘Operation TELIC Lessons Study Vol. 4’.

**1287.** In his review of the land operation in Iraq, Brig Barry wrote that “there was no effective single land sponsor for ISTAR”.<sup>671</sup> He stated:

“There is overwhelming evidence of a comprehensive failure to generate an adequate tactical intelligence capability to meet the requirements of tactical commanders. What capability was fielded was almost always too little too late. This appears to have resulted from significant weaknesses in almost every area of intelligence direction, collection, analysis, dissemination ...”

**1288.** Comparing the ISTAR assets across the coalition, Brig Barry wrote that senior US officers were “astonished to find the UK so lacking” in that capability. The US were able to field platforms capable of both persistent ISTAR and armed action which improved the ability to engage fleeting targets and act as deterrent “top cover” for ground troops. The UK never had sufficient assets to do the same.

**1289.** On the lack of UAVs, Lt Gen Shirreff told the Inquiry that he had been told that “no more staff effort could possibly be put into deploying UAVs to South-East Iraq”.<sup>672</sup> He thought that that was not because of the intention to draw down forces, but because the MOD “was incapable of generating the drive and energy to deliver them”.

**1290.** Maj Gen Shaw told the Inquiry that there was always a worry that UK forces would find it difficult to respond if security in MND(SE) deteriorated.<sup>673</sup> He said that the problem was not so much the number of UK troops available but “it was more to do with situational awareness and intelligence”.

**1291.** Maj Gen Shaw told the Inquiry that ISTAR was “the major issue” and that “we never got as much as we wanted”. While the UOR system was a responsive one, and new equipment arrived “at a remarkable rate”, Maj Gen Shaw said that UAVs were “the big equipment shortage and problem”.

**1292.** Sir Peter Spencer, Chief of Defence Procurement from May 2003 to April 2007, told the Inquiry that ISTAR was “a classic example” of where incremental procurement was necessary.<sup>674</sup> He stated that anybody who “tried to envisage a big bang project which will deliver everything you need will get it wrong, because the time it takes to develop will be such that during that period all of your assumptions would have been tested and some will have changed”.

**1293.** Sir Peter said that he thought the MOD went about trying to understand the requirement “quite well”, by putting “some really good people in place who concentrated on it quite hard”. The testing point came where the MOD “was invited to cancel a major project platform to pay for it”.

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<sup>671</sup> Report Land Command, 31 August 2010, ‘Operations in Iraq: An Analysis From a Land Perspective’.

<sup>672</sup> Public hearing, 11 January 2010, pages 35-36.

<sup>673</sup> Public hearing, 11 January 2010, pages 33-35.

<sup>674</sup> Public hearing, 26 July 2010, pages 62-63.

**1294.** The difficulty with Watchkeeper was that “it became very political”.<sup>675</sup> Sir Peter referred to Lord Bach’s evidence before the House of Commons Defence Committee, in which Sir Peter said that Lord Bach gave an In Service Date “under political pressure” and before the requirement was properly understood.

**1295.** Sir Peter said that “you have to be thick-skinned enough to stand up to that pressure politely, but in a way which informs Ministers that ... a short term gain here is going to lead to a lot of grief later”.

**1296.** At the time that the MOD was debating whether to bring in the Hermes 450 UAV as a “gap filler”, Sir Peter said: “there were some quite hard decisions which needed to be made in London by the military customer to decide what they want to spend the money on, because they could not have both simultaneously”.<sup>676</sup>

**1297.** Sir Peter concluded:

“The compelling lesson from all of this is if you want something quickly to work, you go for something which is available apart from anything you might need to do to integrate it to work inside your own organisation, because there will be some aspects of the way we operate UK military forces which will be different, say, from the Americans.”<sup>677</sup>

**1298.** The Inquiry asked Lt Gen Figgures whether, if the Reaper UAV that was sent to Afghanistan had instead been sent to Iraq, it would have made a difference to the UK’s ability to defend itself against the indirect fire threat at Basra Air Station.<sup>678</sup> He replied that it “could potentially have made a difference. Indeed the Hermes in 2007 and Desert Hawk I think had some success.”

**1299.** Lt Gen Fulton acknowledged to the Inquiry that the UK should have procured its own UAV sooner than the Hermes 450 in 2007.<sup>679</sup>

**1300.** The Watchkeeper UAV was never deployed to Iraq. The MOD told the Inquiry that it came into service in August 2014 and was deployed in Afghanistan.<sup>680</sup>

**1301.** Asked when Watchkeeper had been scheduled to come into service, Lt Gen Fulton replied that he thought a date of 2009 to 2010 was “what people had in mind”, but referred to Lord Bach’s evidence to the House of Commons Defence Committee in June 2003 that it would be 2005 to 2006.<sup>681</sup> He added:

“I think what that showed was not so much that they got it wrong, but a reflection of the keenness to get it in, and the wish to put pressure on not only us to work

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<sup>675</sup> Public hearing, 26 July 2010, pages 65-67.

<sup>676</sup> Public hearing, 26 July 2010, pages 67-68.

<sup>677</sup> Public hearing, 26 July 2010, pages 68-69.

<sup>678</sup> Public hearing, 27 July 2010, pages 109-110.

<sup>679</sup> Public hearing, 27 July 2010, pages 100-107.

<sup>680</sup> Letter Duke-Evans to Hammond, 4 February 2016, [untitled].

<sup>681</sup> Public hearing, 27 July 2010, page 100.

harder but equally ... we were absolutely determined that Watchkeeper was one programme that was not going to get derailed by people changing their minds midway through ...”

**1302.** Speaking about the areas of capability in which it was not possible to invest to the extent he would have liked, Lt Gen Figgures said of ISTAR:

“Did we anticipate the requirement we would need [to] provide coverage of areas as big as southern Iraq or as big as Afghanistan? No we didn’t and therefore we had to develop that.”<sup>682</sup>

**1303.** The Inquiry asked Gen Dannatt about his visit report from October 2006 where he had raised the need for greater ISTAR capability.<sup>683</sup> He referred to the Watchkeeper programme and said that was another example of where savings were made to the programme only to be added back later as a UOR or emergency programme:

“Once a real operational requirement for UAVs was derived for Iraq and Afghanistan, surprise, surprise, energy was then put back into the Watchkeeper programme. Money was added back into the Watchkeeper programme. Hermes 450 ... was brought forward.”

**1304.** Gen Dannatt told the Inquiry that it was difficult to have a balanced programme of capability for future when the present was “staring you very bloodily in the face”.<sup>684</sup> He added:

“The trick is not to be so wrong that you can’t adjust when the future reveals itself. That’s what I think we should be working towards at the present moment. Absolutely funding properly what is staring us in the face, which today is Afghanistan and previously was Afghanistan and Iraq. I don’t think we did that.”

**1305.** The DOC report in March 2010 also recognised “the profound and fundamental impact” that running two medium scale operations concurrently had on resources afforded to Iraq.<sup>685</sup>

**1306.** The DOC considered the impact of the UK’s decision in 2005 to return to Afghanistan and stated as a key lesson that “knowingly exceeding Defence Planning Assumptions requires the most rigorous analysis”.

**1307.** The DOC wrote that running two concurrent, enduring medium scale operations, in excess of the Defence Planning Assumptions, had a “profound and fundamental impact on the progression of Op TELIC between 2006 and 2009”. It added:

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<sup>682</sup> Public hearing, 27 July 2010, pages 21-22.

<sup>683</sup> Public hearing, 28 July 2010, pages 68-69.

<sup>684</sup> Public hearing, 28 July 2010, pages 71-72.

<sup>685</sup> Report DOC, 17 March 2010, ‘Operation TELIC Lessons Study Vol. 4’.

“The challenges of prioritising insufficient resource, in terms of personnel, equipment, funding, planning and decision making effort, between Iraq and Afghanistan, have had a direct and negative effect on the UK’s ability to carry out all its tasks and responsibilities in both campaigns. These pressures of prioritising resources between the assumed, but ultimately not achieved, rapid drawdown in requirements of Op TELIC, and the increases required over and above the initial estimate of troop numbers for Op HERRICK, were significant ...”

**1308.** The DOC stated that the growing casualty rates in Basra in 2006 and 2007 increased public pressure on politicians to devote more resources to Iraq but by that point “there was very limited scope to reverse, or even stop troop drawdown in Iraq:

“There had been a considerable hollowing out of capability in Basra over this period, as a consequence of the need to meet the increasing demands of Afghanistan.”

**1309.** Speaking about balancing the two commitments in Iraq and Afghanistan, General Sir Nicholas Houghton told the Inquiry:

“I felt in Iraq, we could deliver the strategy, with risk, with the means that were available, but it became relatively quickly evident that within Afghanistan we were not militarily in a position of strategic coherence. We did not have the means to deliver on objectives, and, therefore the requirement ... to make us strategically rebalanced in Afghanistan.”<sup>686</sup>

**1310.** Gen Houghton said that it was not “troop numbers per se” that was the problem, but rather the “strategic and operational enablement of them through what are rare breed capabilities” such as strategic lift, ISTAR, aviation and attack helicopters.

**1311.** Sir Kevin Tebbit told the Inquiry that he was “very concerned” about the discussions in 2004 to deploy an additional force to Afghanistan because the UK was still “heavily engaged in Iraq” and was still recuperating from its large scale operation during the invasion.<sup>687</sup> The view of the Chiefs of Staff was that “they could do it and it was manageable” and so Sir Kevin did not press his “objections fully”.

**1312.** The “planning assumption” was that the UK should put itself forward because “if the UK didn’t come forward, nobody else was going to”. If the UK came forward, it was hoped that would create “a snowball effect”, with other countries providing “support forces, helicopters, the things that we were relatively lacking in”. Sir Kevin recognised that it was not possible to predict at that time, mid-2005, whether the UK would secure those commitments.

**1313.** Gen Jackson was asked by the Inquiry whether Ministers were advised, when they took the decision in 2004 to deploy UK forces to Afghanistan, that it would reduce their options in Iraq.<sup>688</sup>

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<sup>686</sup> Public hearing, 5 January 2010, pages 35-38.

<sup>687</sup> Public hearing, 3 February 2010, pages 14-17.

<sup>688</sup> Public hearing, 28 July 2010, pages 65-67.

**1314.** Gen Jackson replied that it was “not unreasonable” at that time to have forecast the UK’s drawdown “to probably a few hundred” but the difficulty was that the timetable for Iraq did not go as planned. He said it was not possible, when the timetable did go awry, to “suddenly put up our hand and say, ‘We can’t do this in Afghanistan’”, because it would have “severely disrupted” the whole NATO effort.

**1315.** Gen Jackson said the fact that the Defence Planning Assumptions “were not upheld by events” and were “almost overturned by events” demonstrated how difficult it was to predict what future capabilities were necessary.<sup>689</sup>

**1316.** The Inquiry heard evidence about how running two medium scale operations concurrently had an impact on the provision of support helicopters.

**1317.** Lt Gen Dutton told the Inquiry:

“Nobody wanted to deploy any more troops ... or any more helicopters. In fact, I can recall a conversation with DCDS(C) [Lt Gen Rob Fry], perhaps a slightly light-hearted one which was ‘Don’t, whatever you do, ask for any more helicopters’. Of course, we did end up asking for lots more helicopters and we got some more helicopters ...”<sup>690</sup>

**1318.** Lt Gen Dutton added:

“Given the circumstances at the time and the helicopters that we had in the inventory, I certainly felt that they [PJHQ] ... were doing their best to provide, if not more helicopters and crews, more hours because ... that’s just as valuable if you can fly the aircraft for longer and have the spares to allow you to do the servicing to allow that.”<sup>691</sup>

**1319.** The Inquiry asked Lord Drayson what advice he had received on the ability of the UK’s support helicopter force to support the operations in Iraq and Afghanistan. Lord Drayson wrote:

“I was advised that, although the UK’s helicopter force was under pressure due to the decision taken in 2004 under Medium Term Workstrand to remove funding, increased provision of flying hours and the deployment of additional aircraft, the battlefield helicopter requirements in Iraq and Afghanistan were being met (e.g.VCDS minute to SofS 7 Sept [2006] refers.). This however was not the impression I gained following my visits to theatre. Again I found myself having to get senior officers together to try to reach agreement on whether there was a requirement, and if so, what it was. Even when we were in the process of strengthening our helicopter capability in 2006/7 the view of the military was there

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<sup>689</sup> Public hearing, 28 July 2010, page 88.

<sup>690</sup> Public hearing, 12 July 2010, page 31.

<sup>691</sup> Public hearing, 12 July 2010, pages 33–34.

was no requirement in Afghanistan for more helicopters at the time, just a utility to having more helicopters so we could meet future requirements. The military view was also that there was no requirement for a new small helicopter.”<sup>692</sup>

**1320.** Asked if he was concerned whether the MOD had an insufficient number of support helicopters capable of being deployed in the threat environment of Iraq, Lord Drayson wrote:

“Yes ... However it was difficult to get the military to agree on the requirement. Helicopters specifically were not seen as the responsibility of any particular service and therefore suffered from the lack of a ‘service champion’. It was not believed that helicopters could be procured quickly ...”

**1321.** ACM Torpy disagreed with Lord Drayson’s view on helicopter ownership and prioritisation. He told the Inquiry that the Joint Helicopter Command did have advocates and champions:

“Actually it was owned by a single service. It was operational command CINC Land Forces ... So there was an advocate for Joint Helicopter Command, and if I look at the interest that the three Chiefs took in Joint Helicopter Command it was pretty key.”<sup>693</sup>

**1322.** The Inquiry asked ACM Stirrup for his view of the helicopter situation during his time as Chief of the Air Staff, from 2003 to 2006. He replied that it “was not a significant issue” in Chiefs of Staff discussions during that time.<sup>694</sup> There was a requirement to make modifications as lessons were learned, but “there was no sense that ... we needed – urgently needed twice as many helicopters than we had, although it was quite clear that we could always have used more”.

**1323.** ACM Stirrup told the Inquiry that, between 2006 and 2009, when he was Chief of the Defence Staff, the constraint on the helicopter fleet was twofold:

“First was we had eight Chinooks sitting in a shed unable to fly. That is a significant percentage of the total Chinook force ...

“Secondly, we were operating in two theatres, which was well beyond our planning assumptions and although it was a strain to generate sufficient infantry battalions for the rotation between the two theatres, the really critical elements were the enablers. They were the strategic and tactical mobility. They were the helicopters, they were the ISTAR, they were all of those specialist areas that are so important for any operation, wherever it is and whatever it is.”<sup>695</sup>

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<sup>692</sup> Statement, 15 December 2010, page 8.

<sup>693</sup> Public hearing, 18 January 2011, page 81-82.

<sup>694</sup> Public hearing, 1 February 2010, pages 17-18.

<sup>695</sup> Public hearing, 1 February 2010, pages 66-67.

**1324.** The Inquiry asked Gen O’Donoghue whether increasing the flying hours of helicopters sooner would have made sure that more were available in Iraq. Gen O’Donoghue replied that it took time to do because more spares would have to be acquired to fly the helicopters and maintenance schedules had to be adjusted.<sup>696</sup>

**1325.** Gen O’Donoghue said that there were a number of factors to consider when looking at whether to procure a new type of helicopter, including the procurement cost, the cost of certifying airworthiness, what changes were necessary to meet the theatre entry standard and what was best to bring into service alongside existing models.

### **The £1.4bn reduction in helicopter spending**

The majority of witnesses to the Inquiry said that the decision to reduce helicopter funding by £1.4bn in 2004 had not had an effect on what was available for Iraq.

Mr Hoon told the Inquiry that he did not believe that earlier funding decisions about the Equipment Programme were “relevant” to helicopter availability in Iraq.<sup>697</sup> That was because of the lead time for any new helicopters to come into service.

Speaking about the Spending Review settlement in 2004, Sir Kevin Tebbit told the Inquiry that the MOD preserved resources for Iraq and made cuts in the areas considered least likely to be called upon.<sup>698</sup> He said that it was “very difficult” to say that it had had a long-term impact on operations in Iraq and Afghanistan because the savings were made in forward programmes, such as with helicopters.

The Inquiry asked Sir Peter Spencer if the £1.4bn reduction in 2004 had affected the number of helicopters available in Iraq.<sup>699</sup> Sir Peter replied that he was unable to comment on that specifically because he was not involved in the support of those helicopters but did state that it was an example of how the MOD had to decide what its priorities were:

“[It] goes back to the fundamental issue at the heart of all of this, which is being more realistic about what the money would actually buy you and to just accept that you can’t have every toy in the shop.”

Lt Gen Fulton indicated that the spending reduction did not have an impact on Iraq as it affected amphibious and light helicopter procurement rather than support helicopters which is what commanders relied upon for troop transport:

“So for very good reasons, all the reasons you identify, whilst the £1.4bn cut to the helicopter budget was profoundly unwelcome, it had no effect at all on anything to do with Iraq.”<sup>700</sup>

Gen Jackson said of the 2004 funding cut that he thought “some of the difficulties with helicopters stem from that decision” as well as the procurement difficulties with the eight Chinook Mk3s.<sup>701</sup>

<sup>696</sup> Public hearing, 14 July 2010, pages 73-79.

<sup>697</sup> Public hearing, 19 January 2010, page 197.

<sup>698</sup> Public hearing, 3 February 2010, pages 9-12.

<sup>699</sup> Public hearing, 26 July 2010, pages 59-61

<sup>700</sup> Public hearing, 27 July 2010, page 96.

<sup>701</sup> Public hearing, 28 July 2010, page 86.

In March 2011, the MOD told the Inquiry:

“Had SABR [Support Amphibious Battlefield Helicopter programme] continued, the earliest delivery of new Chinooks would have been after the end of UK operations in Iraq, so the Department does not assess that the removal of £1.4 billion from the helicopter programme affected the availability of support helicopters for operations in Iraq.”<sup>702</sup>

**1326.** The Inquiry was told that the Treasury was not an obstruction in the UOR process but there were difficulties with the flexibility of the MOD’s budget.

**1327.** Mr Ingram told the Inquiry:

“... everything had to be finely justified and there was constant tussles with the Treasury in all of that as to whether it was a UOR or whether it should come from core expenditure ...”<sup>703</sup>

**1328.** Lt Gen Fulton told the Inquiry this process was one whereby “we had to try to find the money ourselves and if we couldn’t find the money then we went to the Treasury for UORs once Iraq had started”.<sup>704</sup>

**1329.** Lt Gen Figgures described a process of rigorous scrutiny of requirements which involved “some tough negotiation”.<sup>705</sup> He told the Inquiry:

“We were given considerable sums of money over the period of time that I filled my appointment to make that case. Whether it was helicopters or protective mobility, defensive aid suites, all of those where we made the case were funded, but it was – they were very rigorous in their scrutiny of the case we put forward, and you could as a taxpayer say, well, yes, they should be. As a soldier it was hard work producing the evidence to get past that scrutiny.”<sup>706</sup>

**1330.** Lt Gen Figgures added:

“When it came to the urgent operational requirements, if we could identify requirement, justify it, have a reasonable idea of what it might cost, deliver it in an acceptable time-frame, then the Treasury would give us the money for it ...”

**1331.** Asked whether he had sufficient resources to fund the equipment he thought was relevant to operations in Iraq, Lt Gen Fulton told the Inquiry that the starting point was that *The Strategic Defence Review* was not properly funded to deliver what it was supposed to.<sup>707</sup> That meant that the MOD was left with “an equipment capability that existed within but did not fill the defence planning requirement”.

<sup>702</sup> Paper [MOD], 1 March 2011, ‘Request for Evidence, Support Helicopters’.

<sup>703</sup> Public hearing, 16 July 2010, page 29.

<sup>704</sup> Public hearing, 27 July 2010, page 25.

<sup>705</sup> Public hearing, 27 July 2010, page 27.

<sup>706</sup> Public hearing, 27 July 2010, pages 23-26.

<sup>707</sup> Public hearing, 27 July 2010, pages 19-20.

**1332.** Lord Drayson told the Inquiry:

“I actively stressed the importance of addressing the deficiencies of equipment on operations following my visits to theatre and feedback from front line reports. However the opportunities to redirect resources from core Equipment Programme were limited by the inherent resistance in the system to changes to the core Equipment Programme outside the annual planning rounds. It was very difficult to reach agreement on the re-prioritisation of resources as there was no flexibility in the budget. It required a push from me to do this. I also asked for the Department to look at rationalising the equipment programme to create a 10-15% head-room for reprioritisation to meet short-term operational requirements.”<sup>708</sup>

**1333.** Asked how effective the MOD’s efforts were to draw on core Equipment Programme funding to support ongoing operations, Lord Drayson wrote:

“... the Services were concerned that their long term programmes would be cannibalised and lose funding to short term operational needs ... it was quite unusual for core equipment funding to be redirected to operational needs. This only happened when the military had a strong desire for it ...”

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<sup>708</sup> Statement, 15 December 2010, page 7.

## SECTION 14.2

# CONCLUSIONS: MILITARY EQUIPMENT (POST-CONFLICT)

### Contents

Introduction .....	228
Addressing post-invasion capability gaps .....	229
Countering the IED threat .....	229
Requirement for a medium weight PPV .....	231
A failure to articulate the requirement .....	232
Attempts to improve the process for identifying requirements .....	234
Funding and the Future Rapid Effect System (FRES) .....	235
Intelligence, Surveillance, Target Acquisition and Reconnaissance (ISTAR) .....	236
The pressure of running two medium scale operations concurrently .....	238
Support helicopters .....	239
Lessons .....	240

## Introduction

1. This Section addresses conclusions in relation to the evidence set out in Section 14.1, including:

- where there was a failure to address capability gaps in equipment; and
- the impact of running two medium scale operations concurrently.

2. This Section does not address conclusions in relation to:

- how equipment was funded, which is addressed in Section 13.2;
- the failure to ensure that the UK was adequately prepared for post-conflict Iraq contingencies, which is addressed in Section 6.5;
- MOD operational policy, or judgements on the specific circumstances in which individuals lost their lives in Iraq; and
- the MOD's procedure for supporting those killed or injured in Iraq, which is addressed in Section 16.4.

### Key findings

- Between 2003 and 2009, UK forces in Iraq faced gaps in some key capability areas, including protected mobility, Intelligence, Surveillance, Target Acquisition and Reconnaissance (ISTAR) and helicopter support.
- It was not sufficiently clear which person or department within the MOD had responsibility for identifying and articulating capability gaps.
- Delays in providing adequate medium weight Protected Patrol Vehicles (PPVs) and the failure to meet the needs of UK forces in Multi-National Division (South-East) (MND(SE)) for ISTAR and helicopters should not have been tolerated.
- The MOD was slow in responding to the developing threat in Iraq from Improvised Explosive Devices (IEDs). The range of protected mobility options available to commanders in MND(SE) was limited. Although work had begun before 2002 to source an additional PPV, it was only ordered in July 2006 following Ministerial intervention.
- Funding was not a direct barrier to the identification and deployment of additional solutions to the medium weight PPV gap. But it appears that the longer-term focus of the Executive Committee of the Army Board (ECAB) on the Future Rapid Effect System (FRES) programme inhibited it from addressing the more immediate issue related to medium weight PPV capability.
- The decision to deploy troops to Afghanistan had a material impact on the availability of key capabilities for deployment to Iraq, particularly helicopters and ISTAR.

## Addressing post-invasion capability gaps

### Defining the capabilities required

The 1998 *Strategic Defence Review* (SDR) defined the military capabilities needed by the Armed Forces. It concluded that the UK needed a more effective expeditionary capability, including “deployable and mobile” forces, with “sufficient protection and firepower for war-fighting”.<sup>1</sup> As a result, the MOD established a requirement for a family of vehicles to replace existing medium weight armoured vehicles. That was to be delivered through the Future Rapid Effect System (FRES) programme which was expected to be in service towards 2010.

The 1998 SDR also emphasised the importance of developing an enhanced Intelligence, Surveillance, Target Acquisition and Reconnaissance (ISTAR) capability.

In 2002, the MOD published *The Strategic Defence Review: A New Chapter*; an update on the SDR’s progress and a consideration of the “UK’s defence posture and plans” in light of the 9/11 attacks.<sup>2</sup> *A New Chapter* again stressed the importance of ISTAR assets: the MOD would accelerate the Watchkeeper programme which was designed to deliver an Unmanned Aerial Vehicle (UAV). That capability was expected in “2005-06”.<sup>3</sup> There were very few similar capabilities that could be deployed in the interim. By 2003, the expeditionary capability defined by the 1998 SDR was not yet in place.

A number of witnesses suggested to the Inquiry that the MOD had not been given the resources to acquire the full range of capabilities specified by the SDR. The Inquiry has not reached a view on that point. Decisions made by the MOD on the balance of investment between immediate operational requirements and future defence programmes in delivering the capabilities set out in the SDR fall outside the Inquiry’s Terms of Reference.

### Countering the IED threat

**3.** By the end of April 2003, barely a month after the invasion, UK forces began to face a threat from Improvised Explosive Devices (IEDs). In July and August, more sophisticated devices were being used with increasing frequency against Coalition Forces.

**4.** The Joint Intelligence Committee (JIC) predicted that the IED threat was likely to increase and continue to evolve rapidly. That was clearly indicated in its Assessments of 3 September 2003, 25 September 2003 and 5 November 2003.

**5.** On 1 September, a Forces and Resources Review reported that the IED threat was being “countered by the use of stripped-down Land Rovers with top cover sentries”.<sup>4</sup> It recommended that protection would be improved by the deployment of armoured 4x4 vehicles.

<sup>1</sup> Ministry of Defence, *Strategic Defence Review: Supporting Essays*, July 1998.

<sup>2</sup> Ministry of Defence, *Strategic Defence Review: A New Chapter*, July 2002.

<sup>3</sup> Third Report from the House of Commons Defence Committee, Session 2003-04, Lessons of Iraq, HC 57-I, para 235.

<sup>4</sup> Paper MND(SE) [junior officer], 1 September 2003, ‘HQ MND(SE) Forces and Resources Review’.

**6.** The Protected Patrol Vehicle (PPV) Working Group discussed how to meet that requirement on 5 September 2003. It was clear that the MOD had few options for the rapid supply of an armoured 4x4 vehicle. Large numbers of Snatch Land Rovers were already in service in Northern Ireland and were therefore available for deployment. There was no other vehicle that could be readily deployed without modification or without considerable cost. The MOD therefore decided to dispatch 180 Snatch Land Rovers to Iraq.

**7.** Several witnesses to the Inquiry referred to working with “what you’ve got” and told the Inquiry that the Snatch Land Rover was preferable to a completely unprotected vehicle. The Snatch Land Rover had not been designed, however, for the conditions found in Iraq; and by 2002 it was at the end of its planned life in service. No programme to replace it had been agreed.

**8.** The Snatch Land Rover was therefore not an optimal solution to the urgent requirement for an armoured PPV, but was the best available stop-gap. Given the need for rapid replacement of completely unprotected vehicles, the decision to deploy 180 Snatch Land Rovers was fully justifiable. However; this should have been recognised as no more than an interim solution. Work to find a more effective vehicle for Iraq and similar environments in the longer term should have been put in hand.

**9.** The Snatch Land Rover was modernised and made more suitable for the weather and terrain of Iraq in several conversion programmes. Because the chassis was incapable of carrying the weight of additional armour the enhancements which could be made to its level of physical protection were limited.

**10.** The hardening of a vehicle, or any other type of equipment, is only one component of its protection. Throughout Operation TELIC, the UK also deployed a suite of other measures to counter the IED threat, including aerial surveillance, electronic countermeasures, the deployment and up-armouring of heavier tracked vehicles, tactical changes and intelligence-based targeting of the perpetrators.

**11.** The first IED attack using an Explosively Formed Projectile (EFP) took place in May 2004. In July 2004, the Defence Intelligence Staff stated that the presence and use of EFPs in attacks against the Multi-National Force in Iraq was “a significant force protection issue”.<sup>5</sup>

**12.** The MOD’s Directorate of Operational Capability (DOC) concluded in February 2005 that the Snatch Land Rover conversion programme had been “a belated reaction” to the IED threat and that sustained investment was necessary to “provide sufficient protected mobility for operations in hostile environments such as Iraq”.<sup>6</sup>

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<sup>5</sup> Report DIS, 26 July 2004, ‘Further Evidence of Lebanese Hizballah produced weapons in Iraq’.

<sup>6</sup> Report DOC, 22 February 2005, ‘Operation TELIC Lessons Study Vol. 2’.

**13.** By May 2005, the IED threat had increased significantly. Commanders in Multi-National Division South-East (MND(SE)) had a choice of two vehicles in which they could conduct routine patrols: the Snatch Land Rover or the Warrior Armoured Fighting Vehicle. Those two vehicles were at opposite ends of the protected mobility spectrum, with very different characteristics and availability.

**14.** Lieutenant General James Dutton, General Officer Commanding MND(SE) from June 2005 to December 2005, explained to the Inquiry that towards the end of 2005 all movement was conducted by air or in convoys protected by armoured vehicles. That constrained wider UK operations, including the Security Sector Reform (SSR) effort, because military personnel, police officers and civilian personnel were frequently not able to move around MND(SE).

**15.** The impact of limited mobility on SSR was regularly raised in meetings of the Chiefs of Staff and the reports of those who visited Iraq (see Section 12.1). The impact of protective security measures on civilians' ability to carry out their jobs effectively is described in Section 15.1.

**16.** In June 2006, Lieutenant General Nicholas Houghton, Chief of Joint Operations, reported that troops could “manage Snatch – just, but they have no inherent confidence in it”.<sup>7</sup> Questions were asked in Parliament about what the MOD was doing to ensure the best possible protection of its troops.

**17.** The Inquiry recognises that there is not always a solution to an evolving threat and that, depending on the sophistication of the device and the way in which a vehicle is hit, any vehicle can be vulnerable to attack.

### **Requirement for a medium weight PPV**

**18.** In June 2006, Mr Des Browne, the Defence Secretary, commissioned a review of armoured vehicles in Iraq. The review led to the identification of a requirement for a medium weight PPV for deployment to Iraq.

**19.** The MOD decided to procure 108 Cougar vehicles which were modified for use on UK operations. The modified vehicle was called the Mastiff.

**20.** The Cougar vehicle had been in service with the US Army since 2004. The British Army had also deployed a Cougar variant to Bosnia in 2003/04.

**21.** The Mastiff was a wheeled PPV offering better protection than Snatch, but, because of its size, was not suitable for all patrol tasks. Although it was not an ideal solution, Mastiff was positively received by troops in Iraq. The first four Mastiffs had reached Iraq by 30 December 2006.

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<sup>7</sup> Minute Houghton to PSO/CDS, 16 June 2006, ‘Visit to Iraq 13 – 15 Jun 06’.

**22.** In April 2008, the Equipment Capability branch (EC) in MND(SE) (the formation of which is described below) produced an Urgent Statement of User Requirement (USUR) for an “Urban PPV”. The Ridgback (which was also a variant of Cougar) was ordered to meet the requirement but did not enter service in time for use in Iraq.

**23.** Neither vehicle was a replacement for the Snatch Land Rover and Ministers continued to receive advice that Snatch remained “mission critical”<sup>8</sup> in Iraq and Afghanistan because of its profile, manoeuvrability and carrying capacity. Lt Gen Houghton considered that removing it from theatre would have a significant impact on operations by reducing patrols’ situational awareness and restricting movement.

#### A FAILURE TO ARTICULATE THE REQUIREMENT

**24.** MOD officials explained to Mr Browne on 21 July 2006 that work was ongoing within the department to source a medium weight PPV and that the armoured vehicle review had accelerated the work by securing additional funding.

**25.** The Inquiry has considered why it took so long to fill a capability gap that was apparent from the end of 2003.

**26.** Within the MOD and the Armed Forces the responsibility for meeting an equipment capability gap during Op TELIC was clear: USURs for new equipment were forwarded to the Permanent Joint Headquarters (PJHQ), which retained ownership of the USUR until it was signed off.

**27.** What was unclear was where responsibility lay for identifying and articulating capability gaps. Because a USUR could be raised by “any user”,<sup>9</sup> there was no single individual or team accountable if an essential USUR was not raised. That was a failure of the system. In a statement to the Inquiry, the MOD said that there was “no simple answer to the question where the primary responsibility for identifying capability gaps and raising USURs lay” during the post-invasion phase.

**28.** The evidence suggests that this was not a problem in every instance. When a gap was clearly identified and there was an appetite to address it, action was taken. That was demonstrated by the deployment of electronic countermeasures and enhancements for the protection of Warrior and FV430 vehicles.

**29.** An analysis of the land operation in Iraq published in August 2010 (known as “the Barry Report”) stated that a requirement was more likely to be identified, and the subsequent Urgent Operational Requirement (UOR) to succeed, where there was “a strong coherent sponsor in the Army or MOD”.<sup>10</sup>

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<sup>8</sup> Note CJO to PSO/CDS, 7 November 2008, ‘Limiting the Deployment of Snatch Outside Secure Bases’.

<sup>9</sup> [Letter Duke-Evans to Aldred, 26 June 2015, ‘Procuring Military Equipment’.](#)

<sup>10</sup> Report Land Command, 31 August 2010, ‘Operations in Iraq: An Analysis From a Land Perspective’.

**30.** The Barry Report suggested that, where UORs succeeded, “some of these were the result of ‘pull’ from theatre, others the result of ‘push’ from equipment staff in the MOD. The latter was the case with Mastiff, the requirement for which was formulated in London.”<sup>11</sup>

**31.** As the Box ‘Attempts to articulate the PPV requirement’ below describes, there were repeated references within the MOD to lack of a coherent strategy and the absence of what was known as a “Customer Two lead”:<sup>12</sup> someone whose role it was to identify such a requirement from the perspective of a ‘user’. In the absence of a strong sponsor, defining the PPV requirement failed to make progress for three years.

**32.** Before June 2006, the MOD’s consideration of protected mobility lacked the leadership that was ultimately injected by Mr Browne’s armoured vehicle review and driven forward by Lord Drayson, Parliamentary Under Secretary of State and Minister for Defence Procurement.

### Attempts to articulate the PPV requirement

The 1998 *Strategic Defence Review* did not identify a requirement for a light or medium weight PPV for expeditionary operations.

The PPVs in service with the Army in 1998, primarily to meet the requirements of operations in Northern Ireland, were Tavern and the Snatch Land Rover. The Out of Service Date for the Snatch Land Rover was 2002.

**January 2002** – A draft Urgent Statement of User Requirement (USUR) for the replacement of the Snatch Land Rover was produced (Project DUCKBOARD).

**July to September 2003** – The MOD held two workshops and produced an operational analysis of the requirement but stated that further work was needed to articulate it.

**February 2004** – Funding re-profiled to bring forward the delivery of 80 vehicles from 2007 to 2004.

**31 March 2004** – A requirement for an expeditionary vehicle to be deployed to the “rest of the world” was identified but the MOD stated further work was needed to define it. It became known as the Type B vehicle.

**June 2004** – The Executive Committee of the Army Board (ECAB) was advised of a need for a coherent plan to deliver protected mobility for both Iraq and Afghanistan.

**7 July 2004** – The MOD identified a requirement for three separate vehicle projects, including the Type B vehicle, but described the way forward as “beset with unresolved issues”<sup>13</sup> including a lack of definition over the capabilities required and number of vehicles needed.

**15 October 2004** – A strategy for delivering the three projects was produced but there was still no concept of operations or a clear Customer Two lead.

<sup>11</sup> Report Land Command, 31 August 2010, ‘Operations in Iraq: An Analysis From a Land Perspective’.

<sup>12</sup> [Minute MOD \[junior officer\] to D Jt Cap \(AD Jt Mvre\), 15 October 2004, ‘Strategy for delivery of protected patrol and combat support mobility – Project DUCKBOARD’.](#)

<sup>13</sup> [Paper DEC\(SP\) to D Jt Cap, 7 July 2004, ‘Project DUCKBOARD – Way Forward’.](#)

**27 October 2004** – A Statement of Requirement (SOR) for all three projects was raised, including the number of vehicles required.

**21 February 2005** – A revised SOR for a Type B vehicle was raised as a result of funding allocated through the Equipment Programme.

**7 July 2005** – The Investment Approvals Board (IAB) approved a business case to upgrade the remaining Snatch Land Rovers to the latest variant but cautioned that it had still not seen any operational analysis to support a way forward.

**November 2005** – ECAB discussed concerns about the state of protected mobility for UK forces.

**January 2006** – ECAB decided to approach Lord Drayson with concerns about the armoured vehicle fleet following a meeting that had focused on further delays to the FRES programme.

**3 March 2006** – A USUR and business case for the first tranche of Type B expeditionary Vector vehicles was submitted. Those vehicles were intended for deployment to Afghanistan.

**26 June 2006** – Mr Browne announced an armoured vehicle review.

**5 July 2006** – Lord Drayson sought clear confirmation from Lt Gen Houghton as to whether there was a requirement for a medium weight armoured PPV.

**7 July 2006** – Lt Gen Houghton confirmed the requirement for a medium weight PPV. Lord Drayson sought further advice that same day about the number of vehicles necessary to meet current operational requirements.

**19 July 2006** – Lt Gen Houghton produced the USUR for a medium weight PPV.

**24 July 2006** – Mr Browne announced the outcome of the review.

## ATTEMPTS TO IMPROVE THE PROCESS FOR IDENTIFYING REQUIREMENTS

**33.** The Inquiry recognises that, during the period covered by its Terms of Reference, there were a number of attempts to improve the process through which equipment requirements were identified and articulated.

**34.** Attempts to make improvements to the process began in 2005.

**35.** In February 2005, an Equipment Capability (EC) branch was created in theatre. It enhanced communication between those in need of new capabilities and those who helped to articulate the requirements, although there was some lack of clarity regarding the EC cell's precise role.

**36.** In November 2006, Lt Gen Houghton recognised that the UK needed “to improve our processes for identifying the EC dimension of emerging theatre CONOPS [concept of operations] which lay in the domain of the early years of the EP [Equipment Programme] rather than in the UOR process.”<sup>14</sup>

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<sup>14</sup> Minute CJO to MA/VCDS, 9 November 2006, ‘Emerging Capability Requirements’.

- 37.** In March 2007, the report of a visit to Iraq by Lord Drayson, then the Minister of State for Defence Equipment and Support, prompted work to improve communication channels between the MOD and theatre.
- 38.** Lord Drayson reported that “overall there was a clear perception in theatre that the UK MOD was not taking account of the rate of change. UORs too often sought to deliver a perfect capability, but in doing so delivered so late the requirement had changed or theatre were without any capability for too long”.<sup>15</sup> He suggested that “greater dialogue” between theatre and the Equipment Capability Customer could help to address the issue.
- 39.** In September 2007, following an “extensive review and analysis”<sup>16</sup> of the UK’s force protection capability, the DOC concluded that management of force protection risk must be based “on a thorough identification of strategic and operational threats to ensure that a balance of research, investment and training was achieved commensurate with the threat”.
- 40.** As a result, a force protection policy was produced in November 2007 which sought to apply a standard approach to the risk assessment of force protection and lay out the respective roles and responsibilities across the MOD.
- 41.** The MOD told the Inquiry that the force protection policy in use in 2015 “defines risk ownership and governance more clearly than its predecessors”<sup>17</sup> and that the policy had been integrated into wider MOD risk management processes which had also been revised.

#### FUNDING AND THE FUTURE RAPID EFFECT SYSTEM (FRES)

- 42.** Lord Drayson told the Inquiry that he believed “the Army’s difficulty in deciding upon a replacement to Snatch was in part caused by their concern over the likelihood of FRES budgets being cut to fund a Snatch replacement vehicle”.<sup>18</sup>
- 43.** Although the Inquiry has identified issues concerning clarity of responsibility and communication, it has not found evidence to suggest that funding was a direct barrier to the identification and deployment of additional solutions to the PPV capability gap.
- 44.** It is possible, however, that the need to preserve funding for the Future Rapid Effect System (FRES) programme influenced decisions on the requirement for PPVs.
- 45.** The FRES programme remained distinct from meeting the requirement for an appropriate PPV in Iraq. FRES was never intended to be in service until towards 2010. However, a number of witnesses to the Inquiry made the point that, within a finite budget, resources for an additional requirement would have to be found from elsewhere

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<sup>15</sup> Minute APS/MIN(DES) to PSSC/SofS [MOD], 26 March 2007, ‘Minister(DES) Visit to Iraq’.

<sup>16</sup> Report DOC, September 2007, ‘Protection of the Deployed Force Operational Audit Report 1/07’.

<sup>17</sup> [Statement MOD, 26 June 2015, ‘Procuring Military Equipment’](#).

<sup>18</sup> Statement, 15 December 2010, page 4.

in the defence programme (except when provided from UORs or USURs funded by a claim on the Reserve – see Section 13.1). Sir Peter Spencer, Chief of Defence Procurement from May 2003 to April 2007, told the Inquiry that using money from the capital Equipment Programme to deal with the short term had “a fratricidal effect”<sup>19</sup> on the ability to move the FRES programme forward.

**46.** The focus of the Executive Committee of the Army Board (ECAB) on the FRES programme may therefore provide a partial explanation for the lack of urgency in addressing the more immediate problem of the PPV capability gap. Another likely factor was an over-optimistic assumption about the timing of withdrawal from Iraq. The expectation of an early withdrawal from Iraq inhibited action on an expensive programme that might not be completed before troops left.

### **Intelligence, Surveillance, Target Acquisition and Reconnaissance (ISTAR)**

**47.** The MOD was aware before 2003 that it needed to broaden the capabilities available for collecting strategic, operational and tactical intelligence. A clear capability gap for an Unmanned Aerial Vehicle (UAV) to be directed by commanders on the ground had been identified. The longer-term solution was a programme known as Watchkeeper, expected to be introduced in 2005 to 2006.

**48.** From March 2003, the Phoenix UAV was available to commanders in theatre. It performed well during the invasion but could only be used between November and April because it was not designed to operate in high temperatures.

**49.** For the first four years of Op TELIC, the lack of ISTAR capabilities constrained military operations. The final DOC report on Op TELIC in March 2010 stated that an enduring intelligence picture had been lacking for “at least the first four years”<sup>20</sup> because “up to and throughout 2006 and into 2007, there were insufficient ISTAR assets available to MND(SE), and hence by necessity they were focused on maintaining as much of the day-to-day tactical picture as possible”.

**50.** There is evidence that the MOD took two steps which did not adequately meet the capability gap:

- A “mini UAV”, Desert Hawk 1, was introduced in December 2003. Because of technical limitations it was only in theatre for a very short period.
- A Combined Joint Predator UAV Task Force (CJPTF) was created with the US in January 2004 but the UK’s requests for access to the capability were often not met.

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<sup>19</sup> Public hearing, 26 July 2010, pages 40-50.

<sup>20</sup> Report DOC, 17 March 2010, ‘Operation TELIC Lessons Study Vol. 4’.

- 51.** As Major General William Rollo, General Officer Commanding MND(SE) (GOC MND(SE)) from July 2004 to December 2004, reported at the end of his tour, the consequence of that capability gap was that operations were “planned around ISTAR availability, rather than ISTAR being available for operations”.<sup>21</sup>
- 52.** The DOC raised the problem in its three reports covering the post-conflict phase, each of which was discussed by the Chiefs of Staff.
- 53.** In February 2005, the DOC stated that ISTAR was “the most significant capability shortfall” of the post-conflict phase and it was “likely to remain an enduring requirement, particularly for asymmetric warfare”.<sup>22</sup>
- 54.** In April 2006, the DOC stated that “a serious gap in current ISTAR capability” had been “a regular DOC observation” that had “been highlighted on all recent operations”.<sup>23</sup> That prompted a more wide-ranging debate across the MOD about how the ISTAR capability gap could be addressed.
- 55.** As in the case of protected mobility, the MOD was slow to respond to the deficiencies identified in ISTAR and showed a lack of understanding of the requirement for an enduring operation. The provision of ISTAR capabilities also suffered from the absence of a clearly identified sponsor addressing the capability gap.
- 56.** Lt Gen Houghton’s review of ISTAR shortfalls in May 2006 stated that the UK was “only beginning to develop a full understanding of the national ISTAR requirements” for transition in both Iraq and Afghanistan.<sup>24</sup>
- 57.** Major General Richard Shirreff, GOC MND(SE) from June 2006 to January 2007, wrote in his post-operation report that the UK’s response was “grindingly slow and ponderous” when compared with the US and Australia. They had shown more “agility and forethought” in identifying solutions.<sup>25</sup>
- 58.** The position improved when the Scan Eagle UAV was leased from Australia in April 2007 as a temporary measure until Hermes 450 came into service in July 2007.

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<sup>21</sup> Report Rollo to PJHQ MA to CJO, 4 December 2004, ‘Post Operation Report Operation TELIC 4/5 – 14 July – 1 December 2004’.

<sup>22</sup> Report DOC, 22 February 2005, ‘Operation TELIC Lessons Study Vol. 2’.

<sup>23</sup> Report DOC, 4 April 2006, ‘Operation TELIC Lessons Study Volume 3’.

<sup>24</sup> Minute CJO to VCDS, 18 May 2006, ‘Quantifying ISTAR Shortfalls on Current Operations’.

<sup>25</sup> Report Shirreff to PSO/CDS, 19 January 2007, ‘Post Operational Report – Operation TELIC’.

## The pressure of running two medium scale operations concurrently

**59.** In 2002, an MOD review of the 1998 *Strategic Defence Review* (SDR) reaffirmed that the UK's Armed Forces were not equipped to support two enduring medium scale military operations at the same time:

“Since the SDR we have assumed that we should plan to be able to undertake either a single major operation (of a similar scale and duration to our contribution to the Gulf War in 1990-91), or undertake a more extended overseas deployment on a lesser scale (as in the mid-1990s in Bosnia), while retaining the ability to mount a second substantial deployment ... if this were made necessary by a second crisis. We would not, however, expect both deployments to involve war-fighting or to maintain them simultaneously for longer than 6 months.”<sup>26</sup>

**60.** Between 2004 and 2006, the MOD regularly made reference to the impact that an additional deployment would have on key capabilities available for Iraq. Choices would have to be made in deploying a finite level of capability.

**61.** When the Defence and Overseas Policy Sub-Committee of Cabinet agreed in July 2005 to deploy around 2,500 personnel to Helmand province, Afghanistan, the UK was still engaged in a medium scale operation in Iraq. As set out in Section 9.8, the assumptions about when personnel might be withdrawn from Iraq were high risk.

**62.** In March 2010, the DOC recognised that running two medium scale operations concurrently had had a “profound and fundamental impact” on resources afforded to Iraq.<sup>27</sup> It concluded that “knowingly exceeding Defence Planning Assumptions requires the most rigorous analysis”. The Inquiry has not seen evidence of such analysis.

**63.** It is difficult to determine whether or not Ministers adequately appreciated what the July 2005 decision to deploy to Helmand meant for the capabilities available for Iraq. There were discussions about the over-stretch and pinch-points in provision but those were no substitute for the “rigorous analysis” to which the DOC referred.

**64.** Decisions were not based on a realistic assessment of the likely duration of either operation and were consequently flawed.

**65.** One example was the decision not to harden accommodation for British troops in Iraq in March 2005. That decision was supported by balanced and pragmatic advice but the UK's optimistic assessment of how soon operations in Iraq would conclude affected its analysis of the requirement. That meant that the issue had to be re-opened three years later when it was too late for the matter to be addressed in an appropriate and cost-effective way.

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<sup>26</sup> Ministry of Defence, *Strategic Defence Review: A New Chapter*, July 2002.

<sup>27</sup> Report DOC, 17 March 2010, ‘Operation TELIC Lessons Study Vol. 4’.

## SUPPORT HELICOPTERS

**66.** The availability of support helicopters in MND(SE) was constantly stretched because of two factors.

**67.** The first was that support helicopters were used to supplement other shortfalls. Support helicopters were needed to move personnel by air when circumstances were too dangerous for ground transport. However, the same helicopters were also required for surveillance in the absence of sufficient ISTAR capability.

**68.** That meant that commanders were faced with a conflict between two requirements, and the need to compromise effectiveness.

**69.** As General Sir Richard Dannatt, Commander in Chief Land Command, wrote, there is an “inextricable” link between ISTAR, protected mobility and helicopters: “When the two former capabilities are under stress ... we invariably place a higher call on the latter.”<sup>28</sup>

**70.** The second factor was Afghanistan. Air Chief Marshal Sir Jock Stirrup, Chief of the Air Staff, anticipated in February 2004 that support helicopters would be “seriously stretched”<sup>29</sup> by increased involvement in Afghanistan. His prediction was borne out.

**71.** Reports from Iraq in the second half of 2005 stressed the need for more helicopters. General Sir Mike Jackson, Chief of the General Staff, stated in October that the fleet was “creaking badly”.<sup>30</sup> In December, Major General James Dutton, GOC MND(SE) between June 2005 and December 2005, wrote that “the simple fact is that we need more helicopters (and aircrew) urgently”.<sup>31</sup>

**72.** The DOC wrote in April 2006 that capacity had “become parlous at times during 2005”.<sup>32</sup> It added that the Joint Helicopter Force (Iraq) had “struggled to meet its tasks even with rigorous prioritisation” and the UK’s battlefield helicopter force “was stretched to meet the requirement of the current operation”.

**73.** In June 2006, Lt Gen Houghton stated that there was an endorsed requirement to increase helicopter provision for Afghanistan but not for Iraq. He acknowledged that operations had at times been constrained by a lack of helicopter support. Lt Gen Houghton concluded:

“With no reductions on the horizon in Op TELIC and escalating requirements in Op HERRICK [Afghanistan], our national aviation requirements now need

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<sup>28</sup> [Letter Dannatt to Jackson, July 2006, ‘The Level of Operational Risk on Current Operations’.](#)

<sup>29</sup> Minute CAS to PSO/CDS, 6 February 2004, ‘Operational Tempo’.

<sup>30</sup> Report CGS to CDS, 18 October 2005, ‘CGS Visit to Iraq: 10-13 Oct 05’.

<sup>31</sup> [Report Dutton to CJO, 12 December 2005, ‘June to December 2005 – Hauldown Report’.](#)

<sup>32</sup> Report DOC, 4 April 2006, ‘Operation TELIC Lessons Study Volume 3’.

departmental scrutiny to determine the concurrent requirement to resource both theatres and define how our national aviation resources should be realigned.”<sup>33</sup>

**74.** Mr Browne and Lord Drayson intervened in August 2006. Lord Drayson told the Inquiry that he had asked Mr Browne to authorise him “to explore whether helicopters could be found quickly and to worry about how they would be funded after we had identified a possible solution”.<sup>34</sup>

**75.** An exchange between Mr Browne and General Sir Timothy Granville-Chapman, Vice Chief of the Defence Staff, on 7 September illustrated how Ministers injected urgency into addressing equipment shortfalls. When Gen Granville-Chapman suggested that options to add capability would be considered in October, Mr Browne responded: “No: it should happen tomorrow!”<sup>35</sup>

**76.** That prompted a review of what short-term relief could be offered to improve helicopter availability. In December 2007, Mr Browne wrote that helicopter support to Iraq was “generally assessed as satisfactory”<sup>36</sup> and that the priority was therefore Afghanistan. The Inquiry has not seen any evidence to suggest that that assessment was reconsidered for the remainder of Op TELIC.

## Lessons

**77.** In deciding to undertake concurrent operations in Iraq and Afghanistan, the UK knowingly exceeded the Defence Planning Assumptions. All resources from that point onwards were going to be stretched. Any decision which commits the UK to extended operations in excess of the Defence Planning Assumptions should be based on the most rigorous analysis of its potential implications, including for the availability of relevant capabilities for UK forces.

**78.** At the start of Op TELIC, the MOD knew that it had capability gaps in relation to protected mobility and ISTAR and that either could have a significant impact on operations. Known gaps in such capabilities should always be clearly communicated to Ministers.

**79.** The MOD should be pro-active in seeking to understand and articulate new or additional equipment requirements. The MOD told the Inquiry that there was no simple answer to the question of where the primary responsibility for identifying capability gaps lay during Op TELIC. That is unacceptable. The roles and responsibilities for identifying and articulating capability gaps in enduring operations must be clearly defined, communicated and understood by those concerned. It is possible that this has been addressed after the period covered by this Inquiry.

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<sup>33</sup> Minute Houghton to MA/VCDS, 12 June 2006, ‘Quantifying Battlefield Helicopter (BH) Requirements on Operations’.

<sup>34</sup> Statement, 15 December 2010, page 8.

<sup>35</sup> [Manuscript comment Browne on Minute VCDS to SofS, 7 September 2006, ‘Helicopter Capability’.](#)

<sup>36</sup> [Letter Browne to Brown, 6 December 2007, ‘Update for the Prime Minister on Helicopter Issues’.](#)

**80.** Those responsible for making decisions on the investment in military capabilities should continually evaluate whether the balance between current operational requirements and long-term defence programmes is right, particularly to meet an evolving threat on current operations.

**81.** During the first four years of Op TELIC, there was no clear statement of policy setting out the level of acceptable risk to UK forces and who was responsible for managing that risk. The MOD has suggested to the Inquiry that successive policies defining risk ownership and governance more clearly have addressed that absence, and that wider MOD risk management processes have also been revised. In any future operation the level of force protection required to meet the assessed threat needs to be addressed explicitly.



## SECTION 15.1

### CIVILIAN PERSONNEL

#### Contents

Introduction .....	245
Civilian outreach event .....	245
Pre-invasion planning and preparation .....	246
ORHA.....	247
DFID humanitarian advisers .....	249
The British Embassy Baghdad .....	250
MOD civilian support to Op TELIC .....	252
UK civilian presence during the Coalition Occupation of Iraq .....	255
UK civilian deployments to ORHA .....	255
The CPA and the return to a “war footing” .....	263
The impact of deteriorating security .....	272
The British Offices in Baghdad and Basra .....	291
Preparations for the transfer of sovereignty .....	294
The post-CPA UK civilian presence in Iraq .....	301
Departmental reviews of staffing levels .....	310
The Basra Provincial Reconstruction Team .....	314
Reassessment of risk and duty of care .....	317
The move from the Basra Palace site to Basra Air Station .....	326
Sustaining the UK civilian presence during 2007 .....	331
The Charge of the Knights and the UK military drawdown .....	339
Attracting volunteers .....	343
Seniority .....	351
Skills .....	355
Tour length and continuity .....	360
Learning operational lessons .....	363
Staff welfare .....	365
The Iraq Reconstruction Service Medal .....	378

Locally engaged staff .....	383
The Locally Engaged Staff Assistance Scheme .....	386
UK civilian deployments to Iraq: statistics .....	391
The UK civilian deployment during the CPA period, May 2003 to June 2004 .....	394
The post-CPA UK civilian deployment, July 2004 to July 2009 .....	397
UK share of the Coalition civilian deployment .....	401
UK civilian contractors .....	404

## Introduction

### 1. This Section addresses:

- planning and preparation for the deployment of UK civilian personnel to Iraq;
- the recruitment and deployment of civilian personnel between 2003 and 2009;
- duty of care and protective security measures;
- recognition of service;
- support to locally engaged (LE) staff; and
- skills and seniority.

### 2. This Section does not consider:

- the recruitment, deployment or impact of UK police officers in Iraq, addressed in Section 12;
- the contribution of civilian personnel to the reconstruction of post-conflict Iraq, addressed in Section 10;
- the funding of civilian deployments, including the cost of protective security measures, addressed in Section 13; or
- the Government's review of the UK approach to post-conflict reconstruction and stabilisation, and the creation of a deployable UK civilian standby capability, addressed in Sections 10.3 and 10.4.

### Terms used in this Section

**UK-based staff.** UK Government employees deployed to Iraq for a defined period, usually between six months and one year.

**Locally engaged (LE) staff.** Staff recruited and employed in Iraq by the UK Government. Sometimes referred to as “locally employed staff” or “locally engaged civilians”.

**Contractor.** Used in this report for all personnel hired by UK (and US) government departments on fixed-term contracts, including those referred to in contemporary documents as “consultants”.

**Consultant.** Usually refers to contractors providing specialist technical advice. Widely used in contemporary documents and by witnesses to the Inquiry in place of “contractor”.

**Personnel.** All staff and contractors.

**Seconded.** An individual deployed temporarily to another organisation.

## Civilian outreach event

3. In June 2010, the Inquiry held an outreach event for civilians who had served in Iraq between 2003 and 2009. A total of 48 people took part from a range of departments, including the Foreign and Commonwealth Office (FCO), the Ministry of Defence (MOD) and the Department for International Development (DFID). No contractors responded to the invitation.

4. Participants were divided into three working groups:
  - the Coalition Provisional Authority (CPA) period (18 participants);
  - mid-2004 to mid-2007 (21 participants); and
  - mid-2007 to mid-2009 (nine participants).
5. Each working group discussed two themes: “Strategy and Delivery” and “Support to Staff”.
6. Views expressed during the event appear where appropriate in this Section.

## Pre-invasion planning and preparation

7. Sections 6.4 and 6.5 address the shortcomings in the UK Government’s planning and preparation for a post-Saddam Hussein Iraq.
8. When the invasion of Iraq began overnight on 19/20 March 2003, there had been no systematic analysis of the availability of civilian personnel to meet the UK’s likely obligations in post-conflict Iraq.
9. Factors shaping the Government’s pre-conflict approach to civilian deployments included:
  - inadequate planning machinery;
  - the absence of a comprehensive strategy for post-conflict Iraq, which could have informed a cross-Whitehall assessment of the civilian requirement;
  - an assumption that, after a short transitional phase led by the US, the post-conflict administration and reconstruction of Iraq would be run and staffed by the international community, led by the UN, allowing the UK to limit its contribution to provision of financial resources and targeted advice delivered by a small number of civilian specialists;<sup>1</sup>
  - DFID’s limited operational capacity;
  - concerns about the legal status of UK secondees working for the US-led Office for Reconstruction and Humanitarian Assistance (ORHA) in Iraq; and
  - failure to decide whether the UK should assume overall responsibility for a geographical sector of Iraq.
10. In the months before the invasion, the UK Government made preparations for civilian deployment to Iraq in four areas:
  - cross-government support to ORHA;
  - DFID humanitarian support to the UK military and international organisations;
  - FCO staff for the British Embassy Baghdad; and
  - MOD civilians supporting Operation (Op) TELIC.<sup>2</sup>

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<sup>1</sup> Paper FCO, [undated], ‘Scenarios for the future of Iraq after Saddam’; Letter Chilcott to Ward, 24 February 2003, ‘ORHA’.

<sup>2</sup> Operation TELIC was the codename for the involvement of UK Armed Forces in the military campaign in Iraq from 2003 to 2011.

## ORHA

**11.** ORHA was created by the US in January 2003.<sup>3</sup> It was led by retired US Lieutenant General Jay Garner and reported to the Department of Defense (DoD).

**12.** The UK's approach to ORHA in the weeks before the invasion of Iraq is described in Section 6.5. UK concerns during that period included:

- DoD's assumption of responsibility for all US post-conflict planning and the marginalisation of the State Department;
- the limited time available to ORHA to plan and prepare for the post-conflict phase of operations;
- persistent shortcomings in those preparations;
- legal concerns, in the absence of a UN mandate for the administration and reconstruction of Iraq, about the compatibility of certain post-conflict activities with the rules of military occupation, and the implications for any UK secondees serving with ORHA; and
- a shortage of information about ORHA's staffing requirements and, as a consequence, the contribution that should be made by the UK.

**13.** The UK Government's response to those concerns and the evolution of its policy towards ORHA during March and April 2003 are addressed in Sections 6.5 and 10.1.

**14.** In February 2003, the Government seconded a small number of officials and military officers to ORHA. The Inquiry has seen little evidence of formal inter-departmental discussion of the appointment process.

**15.** The first UK secondee, appointed in February 2003, and the senior UK member of ORHA was Major General Tim Cross.<sup>4</sup>

**16.** Maj Gen Cross had recent and relevant experience of planning for conflict in Iraq. In the second half of 2002 he had worked as Logistic Component Commander of the Joint Force being prepared for possible operations against Iraq. He returned to the UK in late 2002.

**17.** Maj Gen Cross told the Inquiry:

“I had been back only a short time at my desk, where I was the Director General of the defence supply chain, a couple of weeks and the phone rang literally out of the blue, and they<sup>5</sup> just said we want you to go. To be honest, I wasn't surprised.”<sup>6</sup>

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<sup>3</sup> Bowen SW Jr., *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>4</sup> Statement Cross, 2009, pages 6-7.

<sup>5</sup> Maj Gen Cross was unsure whether he had been phoned by the Military Secretary (Major General Peter Grant Peterkin) or the Chief of the General Staff (General Sir Mike Jackson).

<sup>6</sup> Public hearing, 7 December 2009, page 10.

- 18.** The record of the FCO Iraq Morning Meeting on 4 February 2003 stated that the US had requested “a broader UK team (in addition to our MOD representative [Maj Gen Cross])”.<sup>7</sup> FCO officials would check Personnel Directorate’s<sup>8</sup> progress in identifying “an FCO representative”. DFID was also considering sending a representative.
- 19.** Ms Clare Short, the International Development Secretary, was reluctant to second DFID officials to ORHA in the absence of a UN mandate for reconstruction (see Section 6.5). On 20 February, Ms Short agreed that one DFID representative should work with, but not in, ORHA “on a temporary basis” to “influence and help with the planning of the Office”.<sup>9</sup>
- 20.** A DFID official was appointed “temporary humanitarian adviser” to Maj Gen Cross later in February.<sup>10</sup>
- 21.** The record of the FCO’s Iraq Evening Meeting on 27 February stated: “ORHA needs strengthening – we are looking for a volunteer.”<sup>11</sup>
- 22.** On 27 February, Sir Christopher Meyer, British Ambassador to the US, warned that ORHA was “woefully understaffed”.<sup>12</sup> He suggested that officials earmarked for the British Embassy Baghdad should be sent to help.
- 23.** On 6 March, Maj Gen Cross informed the MOD, the FCO and DFID that he expected the requirements for Lt Gen Garner’s “Top Team” to become clear the following week.<sup>13</sup> In the meantime, he believed that two UK military officers might be able to join him from the US Central Command (CENTCOM) in Tampa. He reported that, on the civilian side, DFID’s humanitarian adviser continued “to explore how ORHA’s humanitarian plans are developing” and an FCO official had been identified as UK liaison officer for ORHA’s back office in the US.
- 24.** The record of the FCO Iraq Morning Meeting on 10 March stated that ORHA had been “strengthened with three further UK officers”, two from the FCO and one from British Trade International (BTI).<sup>14</sup>
- 25.** The British Embassy Washington reported on 16 March that five UK secondees had deployed with ORHA to Kuwait: Maj Gen Cross, a second military officer and the three civilians from the FCO and Trade Partners UK (TPUK), the division of BTI responsible

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<sup>7</sup> Minute Tanfield to PS/PUS [FCO], 4 February 2003, ‘Iraq Morning Meeting: Key Points’.

<sup>8</sup> Renamed Human Resources Directorate later in 2003.

<sup>9</sup> [Minute Bewes to Fernie, 20 February 2003, ‘Iraq: Meeting with General Cross’.](#)

<sup>10</sup> Minute Brewer to Secretary of State [DFID], 28 February 2003, ‘Iraq/UN: visits to New York and Washington, 26-27 February’.

<sup>11</sup> Minute MED to PS/PUS [FCO], 27 February 2003, ‘Iraq Evening Meeting: Key Points’.

<sup>12</sup> [Telegram 257 Washington to FCO London, 27 February 2003, ‘Iraq: Day After: UK Role in Post-Conflict Iraq’.](#)

<sup>13</sup> Minute Cross to DCDS(C), 6 March 2003, ‘ORHA feedback from Gen Cross 6 Mar 03’.

<sup>14</sup> Minute Tanfield to PS/PUS [FCO], 10 March 2003, ‘Iraq Morning Meeting: Key Points’.

for promoting UK exports.<sup>15</sup> DFID had also agreed formally to second an official to ORHA's humanitarian assistance division.

**26.** On 17 March, an official in the Cabinet Office Overseas and Defence Secretariat (OD Sec) informed Sir David Manning, Mr Blair's Foreign Policy Adviser and Head of OD Sec, that Maj Gen Cross had asked whether a suitable UK official was available to improve ORHA's capacity to handle Arabic-language media.<sup>16</sup>

**27.** Concerns about the adequacy of the UK contribution to ORHA began to grow soon after the start of the invasion and are addressed later in this Section.

## DFID humanitarian advisers

**28.** On 3 February, DFID officials recommended to Ms Short that DFID second six civil/military humanitarian advisers to the UK military and ORHA, in order "to take further forward our objective of refining the military planning options to ensure the humanitarian consequences of any conflict in Iraq are fully addressed".<sup>17</sup>

**29.** The Inquiry has not seen Ms Short's response to the advice, but DFID did second a number of staff over the following weeks.

**30.** On 7 March, DFID informed Mr Blair that, in addition to the DFID presence in ORHA, there was now a DFID staff presence in the 1st (UK) Armoured Division (1 (UK) Div) in Kuwait, with further deployments to the region and UN agencies imminent.<sup>18</sup>

**31.** DFID officials sent Ms Short an outline 'Humanitarian Strategy and Immediate Assistance Plan' for Iraq on 12 March (see Section 6.5).<sup>19</sup> The single page describing DFID's "Operational Plan" explained that: "In view of DFID's limited resources, we will retain **maximum flexibility to respond to changing scenarios and needs**". Actions planned or under way included:

- "Information Management". Staff from the Conflict and Humanitarian Affairs Department Operations Team (CHAD OT) would be deployed to Kuwait and Jordan to collate, analyse and disseminate field information. DFID was also evaluating the need to send staff to Turkey, Iran and Cyprus, and would retain a limited capacity to deploy assessment teams to localised crisis points.
- "Direct Support to the UN". DFID was seconding specialists to support the co-ordination and information activities of the UN's Humanitarian Assistance Centre (HIC) and Joint Logistics Centre (UNJLC).

<sup>15</sup> [Telegram 347 Washington to FCO London, 14 March 2003, 'Iraq Day After: ORHA Deploys To Kuwait'](#).

<sup>16</sup> Minute Dodd to Manning, 17 March 2003, 'Ad Hoc Group on Iraq'.

<sup>17</sup> [Minute Conflict & Humanitarian Affairs Department \[junior official\] to PS/Secretary of State \[DFID\], 3 February 2003, 'Iraq: Refining the Military Options'](#).

<sup>18</sup> [Letter Warren to Rycroft, 7 March 2003, \[untitled\] attaching Paper DFID, \[undated\], 'DFID Planning on Iraq'](#).

<sup>19</sup> [Paper Conflict and Humanitarian Affairs Department, 12 March 2003, 'Iraq: Humanitarian Strategy and Immediate Assistance Plan: Information Note'](#).

- “[Advice to the Military/Coalition](#)”. Two DFID secondees were advising 1(UK) Div and one DFID official was in ORHA, all contributing to DFID’s “information gathering system”. A DFID secondment to the National Component HQ in Qatar was under consideration.

**32.** On 21 March, two days after the start of the invasion, DFID reported that it had deployed seven humanitarian and civil/military advisers:

- a two-person team to Kuwait City;
- two advisers to join 1(UK) Div;
- one to join ORHA in Kuwait; and
- one each to Amman and Tehran.<sup>20</sup>

### The British Embassy Baghdad

**33.** In September 2002, the FCO began preparations for the reopening of a British Embassy in Baghdad.

**34.** On 27 September, Mr Peter Collecott, FCO Director General Corporate Affairs,<sup>21</sup> briefed Sir Michael Jay, FCO Permanent Under Secretary (PUS),<sup>22</sup> on plans for reopening the British Embassy:

“Based on the Kabul experience, we are planning for an Embassy of, initially, 11 FCO staff (plus 6 from OGDs [other government departments] and 12 Close Protection Officers). We have begun the process of identifying possible staff. On the technical side ... we have likely volunteers.”<sup>23</sup>

**35.** Mr Collecott emphasised the importance of committing immediately to the capital expenditure required, including for “armoured vehicles, portable accommodation and ICT equipment”. The lead time for armoured vehicles in particular was very long: 20 weeks, which would mean delivery in late February or early March 2003.

**36.** On public presentation, Mr Collecott advised:

“Our major, and most visible, expenditure will be on equipment for Baghdad. That is defensible on the grounds that this is prudent planning; re-establishment in Baghdad does not necessarily imply a military campaign or indeed regime change; and that we have a commitment to the FAC (Foreign Affairs Committee) to have a rapidly deployable Embassy for use anywhere.”

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<sup>20</sup> Paper DFID, 21 March 2003, ‘Iraq Humanitarian Situation Update: No 1 (INTERNAL)’.

<sup>21</sup> Until late 2002 the DG Corporate Affairs was known as the FCO Chief Clerk.

<sup>22</sup> In keeping with variations in use within departments, the Inquiry refers to the most senior civil servant in the FCO and the MOD as the Permanent Under Secretary (PUS), but in all other departments as the Permanent Secretary. The Permanent Under Secretaries and Permanent Secretaries are referred to collectively as Permanent Secretaries.

<sup>23</sup> [Minute Collecott to Jay, 27 September 2002, ‘Iraq Contingency Measures’](#).

**37.** The recruitment of staff for the new Embassy was part of a wider redeployment of FCO staff in response to developments in Iraq.

**38.** On 20 March 2003, Sir Michael Jay informed Mr Jack Straw, the Foreign Secretary, that “almost five percent of FCO staff in London” had been redeployed:

- 51 staff had been redeployed to the main Emergency Unit;
- 119 had been redeployed to the Consular Emergency Unit;
- the Iraq Planning Unit (IPU) had been established;
- the nucleus of a mission in Baghdad had been prepared; and
- FCO staff had been seconded to ORHA and “other bodies”.<sup>24</sup>

**39.** The creation of the IPU, based in the FCO, and the activation of the two FCO Emergency Units in London is addressed in Section 6.5.

**40.** Mr Collecott updated Mr Straw on preparations for the new Embassy on 21 March:

“Plans are in place for a two-phase re-occupation of the site [of the former British Embassy] as soon as hostilities are over, and military ordnance personnel have declared the site safe ... These plans have had to be made on the basis of worst case assumptions – an insecure environment; no secure office buildings or accommodation available off-compound; no available utilities.”<sup>25</sup>

**41.** Mr Collecott explained that, in phase one, five specially converted containers would arrive in Kuwait on 26 March to be transported to Baghdad as soon as the route was safe. The containers would provide living and office accommodation for a team of four, led by Mr Chris Segar, a senior FCO official, and would be self-sufficient in power and water. Mr Segar’s team would have secure communications from the outset.

**42.** Phase two would begin in the first week of May and involve installation of a protected prefabricated flat pack Embassy, with its own water, drainage and power supply, and secure living and working accommodation for 44 staff, including close protection officers. Construction of the Embassy would take 12 weeks.

**43.** Mr Collecott explained that the timetable was based on transport by sea and land. The FCO would be exposed to “a very awkward period” if Baghdad returned to “relative normality” quickly and pressure mounted rapidly to expand the UK presence. Two or three weeks could be saved if the flat pack containers and other equipment were flown into Baghdad. The FCO was “keeping open the option of calling in a debt with the Americans by asking them to transport the flat pack equipment and containers to Baghdad. (The RAF are not at all sure they can help.)”

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<sup>24</sup> [Minute Jay to Secretary of State \[FCO\], 20 March 2003, ‘Iraq Contingency Planning and Prioritisation’.](#)

<sup>25</sup> [Minute Collecott to Private Secretary \[FCO\], 21 March 2003, ‘A British Embassy in Baghdad’.](#)

**44.** On 11 April, Mr Charles Gray, Head of FCO Middle East Department, told Mr Straw that the plans were on course.<sup>26</sup> FCO Personnel Directorate was identifying a pool of staff at all grades willing to serve in Baghdad in the medium to long term. The aim was to deploy staff for one year “to avoid the rapid and disruptive turnover experienced in the early days of our redeployment to Kabul”. When permanent quarters were found, the flat pack Embassy would be returned to the UK for use elsewhere.

**45.** Mr Gray advised that security was a priority. Staff could not be put into a situation in which the FCO could not fulfil its duty of care. Before Mr Segar’s party and the close protection team travelled, the MOD and Assessments Staff needed to conclude that the situation was calm enough in the city as whole, not just in the area immediately surrounding the compound.

**46.** Mr Gray added that it had not been decided how to secure the compound perimeter. Relying on the US military or a private security company would be politically unacceptable and locally engaged (LE) Iraqi guards would not be a realistic option in the short term. The British Army was the only realistic alternative. The MOD was considering the issue, but would “take some persuasion to redeploy to Baghdad from the South in what would in effect be a full company, even for a short deployment (and the cost to the FCO will be high)”.

**47.** On 30 April, Mr Gray reported that planning for opening the mission in Baghdad, under the provisional name of “The British Office”, was in its final stages.<sup>27</sup> The staff, the flat pack Embassy and four armoured vehicles were scheduled to arrive in Baghdad on 5 or 6 May.

**48.** The British Office Baghdad was established on 5 May.<sup>28</sup>

## **MOD civilian support to Op TELIC**

**49.** The MOD deploys civilians in a wide range of support roles for military operations. A 2007 list of 15 different roles routinely performed by MOD civil servants on deployed operation, not specifically linked to Op TELIC, included:

- “Policy and Political Adviser (POLAD)” to the deployed Commander at brigade level or higher;
- “Civil Secretary (CIVSEC)”, the senior financial officer in theatre;
- “Finance Officer”;
- “Commercial Officer”, responsible for contracts and services with local suppliers;
- “Media Adviser”;
- “MOD Police”; and
- “Defence Fire and Rescue Service”, part of the force protection service.<sup>29</sup>

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<sup>26</sup> [Minute Gray to Private Secretary \[FCO\], 11 April 2003, ‘Baghdad: Preparing to Open’.](#)

<sup>27</sup> [Minute Gray to Private Secretary, 30 April 2003, ‘Baghdad: Reopening of the Mission’.](#)

<sup>28</sup> Minute Owen to MED [junior official], 7 May 2003, ‘Iraq Travel Advice’.

<sup>29</sup> [Minute \[unattributed\] to PS/PUS \[MOD\], 4 December 2007, ‘TELIC Visit – Support to Operations Brief’.](#)

**50.** In Iraq, the MOD also deployed civilians in advisory roles outside Op TELIC, including in the CPA and the UK’s bilateral diplomatic missions.

**51.** On 14 February 2003, Mr John Pitt-Brooke, MOD Director General Civilian Personnel, reported that the MOD had been “successful in getting people lined up for quick deployment into theatre”.<sup>30</sup> There were about 25 Permanent Joint Headquarters (PJHQ)-sponsored civilian posts across the Middle East. Some individuals had already deployed; others would do so over the following weeks. Other parts of the MOD would be deploying specialist staff to their own timetable.

**52.** Mr Pitt-Brooke expressed concern that the approach to deployments across departments within the MOD had not been as consistent or coherent as it should have been. Key issues were:

- Management information: there was no central record of those deployed, “which we need for tracking people in theatre, providing the appropriate medical and welfare support, etc. We are working on gripping this quickly”.
- Risk assessment: individuals needed more clarity about potential risks. A single source of guidance needed to be published urgently.
- Training: the approach had been inconsistent.
- Availability of equipment: current arrangements were “less than the individual has a right to expect”.
- Briefing and travel allowance arrangements.
- Medical, welfare and insurance issues: “The lack of consistent, readily available advice on medical issues ... and the lack of a single point of contact for advice may be aspects that we could improve upon.”

**53.** Mr Pitt-Brooke advised that a new “focal point” had been set up in PJHQ to address those issues. New arrangements would be in place on 19 February.

**54.** In response, Sir Kevin Tebbit, the MOD PUS, instructed officials to “bear in mind the need for wider post-conflict planning. OGDs sh[oul]d bear the brunt, but we are likely to need MOD people as well.”<sup>31</sup>

**55.** On 31 March, Mr Paul Flaherty, MOD Civil Secretary at PJHQ, informed Sir Kevin that 156 civilians had been deployed to theatre in support of Op TELIC, the largest number in the Warship Support Agency, and that numbers fluctuated from day to day.<sup>32</sup>

**56.** It had taken Mr Flaherty 18 days to compile the figures. He apologised that it had taken longer than he had hoped.

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<sup>30</sup> [Minute Pitt-Brooke to 2nd PUS, 14 February 2003, ‘Operation TELIC: Civilian Participation’.](#)

<sup>31</sup> Manuscript comment Tebbit, 17 February, on [Minute Pitt-Brooke to 2nd PUS \[MOD\], 14 February 2003, ‘Operation TELIC: Civilian Participation’.](#)

<sup>32</sup> [Minute Flaherty to PS/PUS \[MOD\], 31 March 2003, ‘Deployed Civilians in Support of OP TELIC’.](#)

**57.** Mr Flaherty reported that civilians had been deployed at all grades “in a range of roles including finance, administration, claims, salvage, RFA [Royal Fleet Auxiliary], communications, POLAD etc”.

**58.** Mr Flaherty confirmed that the MOD Civilian Deployment Co-ordination cell had been established at PJHQ. For the first time, co-ordinated guidance had been made available to civilians deployed on Op TELIC and a pre-deployment training strategy had been established.

**59.** Mr Flaherty added:

“There is a great deal for the new cell to do, but an important current priority is constructing a register of the names, and other relevant details, of civilians who are deployed. The new cell is working to render this sort of information as complete and reliable as possible.”

**60.** Sir Kevin Tebbit described 156 as “a significant number for deployed personnel, notwithstanding that just over half that number are Royal Fleet Auxiliaries”.<sup>33</sup> He attached importance to the provision of “proper support for families” and expressed the hope that the co-ordination cell would pay attention to morale, as well as training.

**61.** Sir Kevin also requested, as a matter of urgency, advice on arrangements for dealing with civilian deaths.

**62.** Mr Richard Hatfield, MOD Personnel Director, explained that any MOD civilians and accredited war correspondents killed in Iraq would be subject to the same overarching policy as service personnel.<sup>34</sup> Any MOD civilians would be returned to the UK alongside service personnel and would have the same treatment on arrival, including ceremonial, if that was the wish of the next of kin. MOD civilians were Crown servants operating in direct support of the military in a theatre of war. To offer less might cause offence or embarrassment to the families. For accredited journalists, it was proposed to confine the policy to flying the body home, with no ceremonial.

**63.** Mr Hatfield reassured Sir Kevin Tebbit that work was “in step” on wider Op TELIC-related civilian and service personnel issues.

**64.** Sir Kevin approved the repatriation proposals on 7 April 2003.<sup>35</sup>

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<sup>33</sup> [Minute Wilson to PJHQ – Civ Sec, 3 April 2003, ‘Deployed Civilians in Support of Op TELIC’.](#)

<sup>34</sup> Minute Hatfield to PS/PUS [MOD], 4 April 2003, ‘Deployed Civilians in Support of Op TELIC: Repatriation of Civilian Dead’.

<sup>35</sup> Minute Wilson to Personnel Director, 7 April 2003, ‘Deployed Civilians in Support of Op TELIC: Repatriation of Civilian Dead’.

## UK civilian presence during the Coalition Occupation of Iraq

**65.** The Inquiry estimates that, on the eve of the invasion, the UK had between 10 and 16 non-MOD civilians ready to deploy to Iraq:

- two DFID humanitarian experts to advise 1 (UK) Div;<sup>36</sup>
- four secondees to ORHA (a fifth remained in ORHA's Pentagon office; two other UK secondees were military officers),<sup>37</sup> with five or six more “in the pipeline”;<sup>38</sup> and
- a team of four to reopen the British Embassy Baghdad.<sup>39</sup>

**66.** In late March, the MOD deployed 156 civilians<sup>40</sup> to theatre in support of Op TELIC.<sup>41</sup>

**67.** Before the invasion, DFID also deployed a number of staff to locations outside Iraq:

- Four DFID staff were deployed to Kuwait, Jordan and Iran “to monitor and assess humanitarian needs and to liaise with UN agencies and NGOs”, with an undertaking to increase numbers “as circumstances dictate”.
- DFID seconded specialists to the World Food Programme (WFP) and the UN Office for the Co-ordination of Humanitarian Affairs (OCHA), and was “considering requests” from other parts of the UN system.<sup>42</sup>

**68.** By 7 April, DFID had also seconded a Liaison Officer and a Logistics Officer to the UN's HIC in Larnaca, an Air Movement Officer to the WFP's Operations Centre, and an Air Co-ordinator to the UNJLC in Larnaca.<sup>43</sup>

**69.** DFID deployed a second Air Movement Officer to the WFP Operations Centre in early May.<sup>44</sup>

## UK civilian deployments to ORHA

**70.** UK policy towards ORHA is addressed in detail in Sections 6.5 and 10.1. This Section considers the nature and scale of the UK contribution to the ORHA workforce.

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<sup>36</sup> [Minute Iraq Planning Unit \[junior official\] to PS \[FCO\], 24 March 2003, 'HMG Humanitarian Planning' attaching Paper Iraq Planning Unit, 'HMG Humanitarian Planning'](#).

<sup>37</sup> [Telegram 347 Washington to FCO London, 14 March 2003, 'Iraq Day After: ORHA Deploys To Kuwait'](#).

<sup>38</sup> [Paper Iraq Planning Unit, 28 March 2003, 'Iraq: Office for Reconstruction and Humanitarian Assistance \(ORHA\)'](#).

<sup>39</sup> [Minute Collecott to Private Secretary \[FCO\], 21 March 2003, 'A British Embassy in Baghdad'](#).

<sup>40</sup> The figure of 156, quoted by Mr Flaherty on 31 March 2003, is significantly lower than the 327 civilians deployed in Iraq in the calendar month of March 2003 according to the table submitted to the Inquiry by the MOD in May 2013 (see Table 7).

<sup>41</sup> [Minute Flaherty to PS/PUS \[MOD\], 31 March 2003, 'Deployed Civilians in Support of OP TELIC'](#).

<sup>42</sup> [Minute Iraq Planning Unit \[junior official\] to PS \[FCO\], 24 March 2003, 'HMG Humanitarian Planning' attaching Paper Iraq Planning Unit, 'HMG Humanitarian Planning'](#).

<sup>43</sup> Report DFID, 7 April 2003, 'Iraq Humanitarian Situation Update: No 12 (internal)'.

<sup>44</sup> Report DFID, 7 May 2003, 'Iraq Humanitarian Situation Update: No 28 (internal)'.

**71.** On 1 April, the IPU advised Mr Straw on the UK's future engagement with ORHA.<sup>45</sup> The IPU assessed that, while ORHA was "in many ways a sub-optimal organisation for delivering the UK's Phase IV<sup>46</sup> objectives", it was "the only game in town". There was, however, "ample scope" to use UK secondees to exert leverage over US Phase IV planning and implementation. The IPU recommended that the UK should continue to commit resources to ORHA where the UK "could add real value and exert influence over emerging US perspectives and plans".

**72.** The IPU also recommended that the UK should:

- continue to make clear to the US the limits within which the UK, including UK personnel within ORHA, could operate;
- seek close consultation on ORHA's plans, to ensure that they did not cross UK "red lines"; and
- subject to those points, confirm Maj Gen Cross as Deputy to Lt Gen Garner.

**73.** The IPU reported that ORHA, which at that stage was in Kuwait, had approximately 200 staff, expected to rise to over 1,000 by the time it deployed to Iraq. The UK and Australia each had six officers seconded to ORHA. Five more UK secondees were "in the pipeline" and one was working in ORHA's back office in the Pentagon. The UK secondees were "fully integrated" and "adding significant value". At ORHA's request, the IPU was considering whether to strengthen UK representation, particularly in the areas of public relations, civil administration and humanitarian operations.

**74.** On 2 April, Mr Peter Ricketts, FCO Political Director, sent Sir David Manning an earlier version of the IPU paper, which identified areas in which the UK was considering strengthening its representation: public relations, civil administration, humanitarian advice and administrative support for existing secondees.<sup>47</sup>

**75.** Mr Tony Brenton, Chargé d'Affaires at the British Embassy Washington, warned Sir David Manning on 3 April that the UK was "in danger of being left behind" on ORHA.<sup>48</sup> The list of senior officials to "shadow" ministries in Iraq was almost complete and those officials would start deploying soon. Australia had bid for a place. The UK had not, even though the US had said it would be open to such a bid. Mr Brenton advised that:

"Following our significant military efforts we surely have an interest in following through to the civilian phase. If so, given the advanced state of US preparations, it will be important that we vigorously pursue the point at next week's talks [at Hillsborough]."

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<sup>45</sup> [Minute Iraq Planning Unit to Private Secretary \[FCO\], 1 April 2003, 'Iraq: ORHA' attaching Paper IPU, 28 March 2003, 'Iraq: Office for Reconstruction and Humanitarian Assistance \(ORHA\)'](#).

<sup>46</sup> The military term for the post-conflict phase of operations in Iraq.

<sup>47</sup> [Letter Ricketts to Manning, 2 April 2003, 'ORHA' attaching Paper Iraq Planning Unit, 27 March 2003, 'Iraq: Office for Reconstruction and Humanitarian Assistance \(ORHA\)'](#).

<sup>48</sup> Letter Brenton to Manning, 3 April 2003, 'Post Conflict Iraq'.

**76.** Sir David commented: “We need to decide if we want a place. Do we?”<sup>49</sup> He asked Mr Matthew Rycroft, Mr Blair’s Private Secretary for Foreign Affairs, to discuss the issue with the FCO.

**77.** UK support for ORHA was the focus of the first meeting of the Ad Hoc Ministerial Group on Iraq Rehabilitation (AHMGIR), chaired by Mr Straw, on 10 April (see Section 9.1).<sup>50</sup>

**78.** Mr Straw visited ORHA in Kuwait on 14 April.<sup>51</sup> During the visit, Maj Gen Cross handed Mr Straw a copy of his ‘Must-Could-Should’ paper (see Section 10.1). The paper, which was sent to the MOD and the IPU on 15 April, identified ORHA posts that UK secondees must fill, should fill or could fill “to best help ORHA achieve success”.<sup>52</sup>

**79.** Maj Gen Cross advised that, if all the recommendations were accepted, the number of UK staff would rise from 19 to “about 100” within an ORHA total of 1,500 (including force protection and support staff).

**80.** On 15 April, Mr Straw recommended to Mr Blair:

“... a step change in the resources and personnel we offer ... We are working urgently to establish where we can best make a contribution and how this will be funded.

“We now need an immediate effort across government and with the private sector to get UK experts into key Iraqi ministries quickly. Patricia [Hewitt, the Trade and Industry Secretary] is particularly keen that we should appoint people to the economic ministries ...”

**81.** In his memoir, Mr Straw wrote:

“I could not believe the shambles before my eyes. There were around forty people in the room, who, somehow or other, were going to be the nucleus of the government of this large, disputatious and traumatised nation.”<sup>53</sup>

**82.** On 15 April, the IPU informed Mr Ricketts that it had requested extra staff to cover the “major surge of work” in managing the secondment of UK officials to ORHA, and was trying to identify funding.<sup>54</sup> It estimated that the first UK secondees would be required by early May.

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<sup>49</sup> Manuscript comment Manning, 4 April 2003, on Letter Brenton to Manning, 3 April 2003, ‘Post Conflict Iraq’.

<sup>50</sup> Minutes, 10 April 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>51</sup> Statement Cross, 2009, pages 17-18.

<sup>52</sup> Minute Cross to MA/DCDS(C), 15 April 2003, ‘ORHA posts UK manning: must/should/could’.

<sup>53</sup> Straw J. *Last Man Standing: Memoirs of a Political Survivor*. Macmillan, 2012.

<sup>54</sup> Minute Chatterton Dickson to PS/PUS [FCO], 15 April 2003, ‘Iraq: ORHA: PUS’s meeting with Permanent Secretaries, 16 April’.

**83.** Sir Michael Jay informed Mr Straw on 16 April that he had reached agreement with Sir Andrew Turnbull, the Cabinet Secretary, on “the modalities for deploying experts from central government, plus experts from eg the NHS and local government”.<sup>55</sup>

**84.** Sir Andrew Turnbull sent Mr Blair a copy of Sir Michael’s minute later the same day, commenting: “This is important and we will respond. But we will need the right collective decisions quickly if this project is to [get] under way.”<sup>56</sup> Sir Andrew identified two problems:

- It was not clear that ORHA had reached the right conclusions about what was needed, or that ORHA’s view of its role was shared by the UK.
- The UK needed to decide on the scale and precise roles of UK secondees and to reach agreement on how to finance the activity.

**85.** On 17 April, Mr Blair agreed that the UK should “increase significantly the level of ... political and practical support to ORHA, including the secondment of significant numbers of staff in priority areas”.<sup>57</sup> Mr Blair added that:

“As a general rule, our role in humanitarian aid and in the reconstruction of Iraq should be commensurate with our contribution to the military phase.”

**86.** The FCO, DFID and the Cabinet Office were instructed to provide Mr Blair with lists of secondees, their roles and dates of arrival in Iraq, by 25 April.

**87.** Lt Gen Garner, accompanied by Maj Gen Cross and other ORHA staff, left Kuwait to fly into Baghdad on 21 April.<sup>58</sup>

**88.** In his statement to the Inquiry, Maj Gen Cross commented that, during ORHA’s time in Kuwait, his UK team was “strengthened a little, including a very useful media team provided by Alastair Campbell [Mr Blair’s Director of Communications and Strategy]”, but efforts to secure significant numbers of additional UK personnel were “frustratingly slow”:

“I found myself ringing around lobbying my own contacts and then asking ‘formally’ for named individuals who I knew would add real value – usually with little or no ‘official’ agreement/response. I did however manage to get some ‘unofficial’ additional military support.”<sup>59</sup>

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<sup>55</sup> [Minute Jay to Secretary of State \[FCO\], 16 April 2003, ‘Iraq: ORHA: UK Support’.](#)

<sup>56</sup> [Letter Turnbull to Prime Minister, 16 April 2003, ‘Iraq: UK Civil Assistance to ORHA’.](#)

<sup>57</sup> [Letter Rycroft to McDonald, 17 April 2003, ‘Iraq: ORHA’.](#)

<sup>58</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009; Statement Cross, 2009, page 20.

<sup>59</sup> Statement, 2009, page 18.

**89.** In the absence of contingency preparations for the deployment of more than a handful of UK civilians to Iraq, officials urgently sought:

- cross-Whitehall agreement on the detailed arrangements for recruitment and deployment of individuals from a range of different organisations;
- agreement with ORHA on the level of support it would provide UK secondees; and
- detailed information on secondees' roles in Iraq.

**90.** Sir Michael Jay launched the recruitment process on 22 April, sending a request for volunteers to Sir Andrew Turnbull and all Whitehall Permanent Secretaries.<sup>60</sup>

**91.** Sir Michael included a list of priority positions for UK secondees based on recommendations from Maj Gen Cross (see Section 10.1). Sir Michael described in broad terms the personal qualities and skills volunteers should possess:

“The key to a successful secondment will be enthusiasm, personal impact, resilience, flexibility and the ability to take a wide top-down view of policy and priorities. The ability to deploy quickly is also essential: ideally we want the first volunteers to reach Baghdad by around 5 May to allow them to help shape ORHA's work and approach from the start. We expect secondments to last between three and six months, depending on the requirements of ORHA and the Iraqi ministry concerned.

“I hope you will take a broad view in looking for volunteers ... you might consider suggesting secondment of officials on your books but not currently employed ... I hope you will also consider drawing people from your wider pool of stakeholders – I would, for example, welcome volunteers from eg police authorities, quangos or NHS trusts.

“In all cases, enthusiasm and personal qualities are likely to be just as important as specific expertise ...”

**92.** Sir Michael explained that salaries would be paid by employing departments. Discussions were continuing on how other costs should be met. ORHA was expected to provide accommodation. Staff would not be deployed until ORHA and Maj Gen Cross were confident it was safe to do so. The “austere” living and working conditions would be compensated by an allowance package being finalised by the FCO.

**93.** On 25 April, FCO, DFID, MOD and Cabinet Office officials agreed a number of steps to co-ordinate departments' responses:

- Mr Dominick Chilcott, Head of the IPU, would lead a scoping visit to identify posts of greatest value to the UK (see Section 10.1).

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<sup>60</sup> [Letter Jay to Turnbull, 22 April 2003, 'Iraq: UK Support for the Office for Reconstruction and Humanitarian Assistance \(ORHA\)'](#).

- The UK would pay salaries, additional allowances and transport costs to and from theatre, on the assumption that ORHA would cover accommodation and all other in-country costs.
- All departments would pay the salaries of their own staff. The MOD, DFID and the FCO would pick up additional costs for their staff. Other departments' additional costs would be met through the allocation of a portion of the UK's reconstruction budget to the FCO (see Section 13.1).
- FCO security advisers would assess the security risk in Baghdad as soon as possible.
- The IPU would inform ORHA that the UK understood that its secondees would receive the same medical, evacuation and emergency response package as US staff.
- A similar understanding would be needed "in due course" between the MOD and other departments, covering Multi-National Division (South-East) (MND(SE)).
- The FCO, DFID and the MOD would be responsible for recruiting their own staff. The Cabinet Office, in liaison with IPU and DFID, would select staff put forward by other departments.
- The FCO would arrange medical examinations and inoculations for secondees and issue formal letters of appointment and terms and conditions.<sup>61</sup>

**94.** The FCO informed No.10 on 25 April that members of the 20-strong UK contingent with ORHA in Kuwait had arrived in Baghdad.<sup>62</sup> It explained that 12 more civilian and military secondees were expected to arrive in Baghdad by 5 May. Secondees' roles were still unclear, partly because of continuing uncertainty about ORHA's own role. The FCO was:

"... instructing them to take a flexible, pragmatic approach to their work, aiming to be proactive in identifying how they can best add value in support of Coalition Phase IV objectives. We are also requesting this first wave to report back with early recommendations for deeper UK engagement in specific areas."

**95.** Ms Emma Sky, CPA Governorate Co-ordinator for Kirkuk from June 2003 to February 2004, told the Inquiry that she was not given a briefing by the FCO before travelling to Iraq. Instead she had received a phone call telling her "You've spent a lot of time in the Middle East. You will be fine."<sup>63</sup>

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<sup>61</sup> [Minute Dodd to Manning, 25 April 2003, 'ORHA: Practical Arrangements for UK Secondees'](#).

<sup>62</sup> [Letter Owen to Rycroft, 25 April 2003, 'Iraq: ORHA'](#).

<sup>63</sup> Private hearing, 14 January 2011, page 2.

**96.** On 6 May, Mr Straw announced to Parliament the appointment of Mr John Sawers as the Prime Minister’s Special Representative on Iraq (see Section 9.1). Mr Straw explained that:

“Mr Sawers will work alongside Chris Segar, head of the newly opened British Office in Baghdad, particularly in relation to the political process and our work in the Office of Reconstruction and Humanitarian Assistance.”<sup>64</sup>

**97.** Sir John Sawers told the Inquiry that, although he was “the senior Brit on the ground” he was not Ambassador Bremer’s deputy, nor was he in the line management chain of ORHA or the CPA. Rather, he was a representative of the British Government and so his role was one of “exerting influence rather than exercising power”.<sup>65</sup>

**98.** By 14 May, the UK had still not reached agreement with the US on ORHA support for UK secondees.<sup>66</sup> The IPU explained to Mr Straw that:

“Since ORHA deployed to Kuwait we have been trying to obtain assurances from the Americans ... about the precise terms on which our contribution is being provided. So far, despite a good deal of pressing, we have not been successful ...”

**99.** Deployment of the additional secondees was delayed briefly by DFID concerns about security.

**100.** On 13 May, Mr Suma Chakrabarti, DFID Permanent Secretary, informed Sir Michael Jay that ORHA’s ‘Outline Brief for Potential International Partners’ did not cover security issues adequately.<sup>67</sup> The outline committed the US military to provide overall security and evacuation arrangements, but “it does not set out any security procedures or contingency plans, as we would normally require for any other UK mission in any other country”.

**101.** Mr Chakrabarti explained that the contractors forming the bulk of the DFID team recruited in response to Sir Michael Jay’s request for staff on 22 April, and due to travel to Iraq the next day, had said that their insurance cover would be invalid until there was an adequate security plan. The existing DFID secondee to ORHA had therefore been put on standby to withdraw if security arrangements were not resolved quickly, and the first two additional secondees had been stood down. Mr Chakrabarti proposed to send a DFID security team to Baghdad the next day and requested that an FCO security adviser accompany them.

**102.** Sir Michael Jay responded the same day, after discussing the issue with the UK military, Maj Gen Cross and Mr Sawers.<sup>68</sup> Sir Michael reported that Maj Gen Cross

<sup>64</sup> House of Commons, *Official Report*, 6 May 2003, column 515.

<sup>65</sup> Public hearing, 10 December 2009, pages 56-58.

<sup>66</sup> [Minute Chatterton Dickson to Private Secretary \[FCO\], 14 May 2003, ‘Iraq: ORHA: Security for UK Secondees’ attaching Paper, ‘Iraq: Ad Hoc Ministerial Group, 15 May: ORHA Secondees: Security’.](#)

<sup>67</sup> Letter Chakrabarti to Jay, 13 May 2003, ‘Iraq: Deployments to ORHA’.

<sup>68</sup> [Letter Jay to Chakrabarti, 13 May 2003, ‘Iraq: Deployments to ORHA’.](#)

considered the issue in Baghdad to be “protection rather than evacuation”. Sir Michael was “willing to accept the judgement of those on the ground that the arrangements in place adequately provide security for the military and civilian secondees already in ORHA and the augmentees we will be deploying from today”.

**103.** Sir Michael added:

“In briefing UK secondees ... we have stressed that Baghdad is an insecure environment and that security guidelines laid down by the US military must be followed at all times ... All secondees are deploying with a full suite of protective equipment including body armour, helmets and personal NBC [nuclear, biological, chemical] suits, and have been trained in their use by MOD.”

**104.** Sir Michael agreed, however, that it would be helpful to have a more detailed plan, “not least to meet the insurance requirements of contracted staff”. Depending on what the DFID security team concluded, the FCO might take up the suggestion that their work “form the basis for a security plan covering all UK secondees”. DFID and the FCO should continue to liaise closely.

**105.** The first joint FCO/DFID security visit took place at the end of June and is addressed later in this Section.

**106.** Before the AHMGIR on 15 May, the IPU advised Mr Straw that:

“Security for our secondees is a key concern ... The US military are committed to providing ORHA’s overall security and evacuation arrangements ... ORHA does not yet have a detailed evacuation plan, but the advice from theatre is that the key issue in Baghdad is protection rather than evacuation.

...

“Our own judgement, including that of Security Strategy Unit, has been to accept the view of those on the ground ... The UK civilians currently in ORHA ... have told us that they are content with the way the US arrangements work in practice ... We have therefore proceeded with the deployment of additional secondees, and the first group of 22 departed for Iraq on 14 May.”<sup>69</sup>

**107.** There is no record of the issue being discussed by the AHMGIR on 15 May.<sup>70</sup>

**108.** In the Annotated Agenda for the 22 May AHMGIR, officials explained that security experts had drawn up procedures that allowed DFID “to deploy fully in support of ORHA”.<sup>71</sup>

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<sup>69</sup> [Minute Chatterton Dickson to Private Secretary \[FCO\], 14 May 2003, ‘Iraq: ORHA: Security for UK Secondees’ attaching Paper, ‘Iraq: Ad Hoc Ministerial Group, 15 May: ORHA Secondees: Security’.](#)

<sup>70</sup> Minutes, 15 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>71</sup> Annotated Agenda, 22 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

**109.** The AHMGIR was also informed that 61 UK officials had been seconded to ORHA, five of them in Basra. Officials provided very basic information on the functions of 35 of the 61, explaining: “Some secondees have yet to be allocated specific roles.”

### The CPA and the return to a “war footing”

**110.** Section 10.1 describes ORHA’s absorption into the Coalition Provisional Authority (CPA) during May 2003.

**111.** Mr Blair visited Basra and Umm Qasr on 29 May. DFID and the FCO provided separate briefings for the visit.

**112.** DFID advised that it had stepped up its “staff support” for ORHA in Baghdad and Basra and was looking at additional areas to support.<sup>72</sup>

**113.** The FCO advised that the UK now had 61 secondees in ORHA (including in Basra), most of whom were working with Iraqi ministries.<sup>73</sup> In Basra, the UK had provided a Deputy to Mr Ole Olsen, the Danish Head of ORHA(South), and 10 other secondees, and planned to send more.

**114.** On 1 June, the Deputy to Ambassador Olsen reported that ORHA(South) had 21 staff (eight UK civilians, five UK military officers, five Danish civilians, two US military officers and one Japanese civilian). Additional staff were arriving “in trickles” but were mostly military officers and had been directed to ORHA(South) by 1 (UK) Div and Maj Gen Cross. Those officers were useful as “stopgaps”, but ORHA(Baghdad) needed to provide expert staff.<sup>74</sup>

**115.** On 3 June, Mr Blair called for Whitehall to return to a “war footing” in Iraq to avoid losing the peace (see Section 9.1).<sup>75</sup> He stated that the CPA lacked “grip and organisation” rather than money or numbers of staff. The UK needed to “beef up” its involvement and there needed to be “a strong civilian team in the South. In general, there needed to be a much stronger civilian grip”.

**116.** After the meeting, Baroness Amos, the International Development Secretary, told Mr Hilary Benn, Minister of State for International Development, and Mr Chakrabarti that “the Prime Minister’s thinking seemed to be that the UK would put in the people; US the money”.<sup>76</sup>

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<sup>72</sup> Letter Bewes to Cannon, [undated], ‘Iraq – Humanitarian Update’.

<sup>73</sup> Letter Sinclair to Cannon, 27 May 2003, ‘Prime Minister’s Visit to Iraq’.

<sup>74</sup> [Minute ORHA South \[junior official\] to Chilcott, 1 June 2003, ‘ORHA South – First Impressions’.](#)

<sup>75</sup> [Minute Cannon to McDonald, 3 June 2003, ‘Iraq: Prime Minister’s Meeting, 3 June’.](#)

<sup>76</sup> Minute DFID [junior official] to DFID [junior official], 3 June 2003, ‘PM Iraq meeting’.

**117.** In the Annotated Agenda for the AHMGIR on 12 June, officials informed Ministers that:

“... we continue to strengthen the CPA with a fluctuating contingent of UK secondees, currently numbering around 70. The bulk of those sent in May will return to the UK in mid-August. Their concluding reports will give us the information to decide where we can best target our resources ... in the medium term.”<sup>77</sup>

**118.** On 16 June, Ms Sally Keeble, who had been DFID Parliamentary Under Secretary of State until earlier that month, raised with Mr Blair her concerns about DFID’s planning and preparation for post-conflict Iraq and its performance since the invasion, including its slow engagement with the CPA after Ms Short’s resignation in May (see Section 10.1).<sup>78</sup>

**119.** Mr Rycroft told Mr Blair that: “From what DM [David Manning] and I have seen from here, Sally’s letter is accurate in highlighting DFID’s failure to pre-plan and to engage with CPA.”<sup>79</sup> Mr Rycroft recommended that Sir Andrew Turnbull pursue the issue with DFID.

**120.** On 4 July, Mr Chakrabarti told Sir Andrew Turnbull:

“DFID support to CPA has grown dramatically; and continues to do so. In early April when CPA (ORHA as was) moved to Baghdad, DFID had one official in CPA. That has grown to 16 today split between Baghdad and Basra, and will rise upwards of 30 over the coming weeks – some 30 percent of the total UK contingent ...

“DFID secondees into CPA have been successful in work areas ranging from food distribution to refugee returns. Their success is based on thorough groundwork done beforehand to ensure they have substantive roles, the skill set they bring to their tasks, and professional support and back up from London.”<sup>80</sup>

**121.** Ministers visiting Iraq in early July raised questions about the skills and seniority of secondees to the CPA.

**122.** On 2 July, Baroness Amos advised Mr Blair that the CPA contained “too many people with the wrong skill set – policy focus rather than operational expertise, and insufficient experience of post-conflict developing country situations”.<sup>81</sup>

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<sup>77</sup> Annotated Agenda, 12 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>78</sup> [Letter Keeble to Blair, 16 June 2003, \[untitled\]](#).

<sup>79</sup> [Minute Rycroft to Prime Minister, 23 June 2003, ‘DFID’s Performance on Iraq: Letter from Sally Keeble’](#).

<sup>80</sup> [Letter Chakrabarti to Turnbull, 4 July 2003, ‘DFID’s performance on Iraq – Letter from Sally Keeble MP’ attaching Paper, ‘Iraq: Areas of Concern Raised in Sally Keeble’s Letter’](#).

<sup>81</sup> [Letter Amos to Blair, 2 July 2003, \[untitled\] attaching Report, ‘Iraq: Visit Report’](#).

**123.** Baroness Amos made a number of broad recommendations for enhancing the UK contribution:

- “more UK people with political skills on the ground ... Arabic speakers, with knowledge of the region, to strengthen capacity in CPA(South) and CPA Baghdad”;
- “strengthen the senior management” in CPA(South) and “provide other staff as required”; and
- send “whatever additional staff are required with the right skill set to CPA [in Baghdad]”.

**124.** A week later, Ms Hewitt advised Mr Blair of the need “to ensure that we are seconding sufficiently senior people to the CPA”.<sup>82</sup> It was noticeable that the US was sending more senior people than the UK.

**125.** Ms Keeble told the Inquiry:

“... the numbers speak for themselves. I think there were two advisers embedded with the military, two others in Kuwait, one in Washington with ORHA, as it was then, one in Amman, one in Tehran, for a large part of the early stages of the action and, by the time I left DFID, I think there were – I think I’m right in saying about nine in Baghdad and six in Basra and presumably still one in Washington.

“... I think it is a matter of judgement as to whether that’s a large number or not. I didn’t think it was a very large number.”<sup>83</sup>

**126.** Participants at the Inquiry’s civilian outreach event who had served in Iraq in 2003 and 2004 commented on the additional responsibilities of Occupation. Many felt that Occupying Power status changed the nature of their job from simply working overseas to carrying an immense responsibility to Iraqis to do what was needed to get Iraq functioning. Many struggled to find defined roles and hold on to them in US-dominated Iraqi ministries. They commented that it was often difficult to influence the US because of the UK’s relative size and capacity.

**127.** The skills and seniority of civilian staff deployed to Iraq are considered later in this Section.

**128.** By June 2003, the security of civilian personnel in Iraq had become a major concern.

**129.** In Cabinet on 19 June, Baroness Amos said that the uncertain security situation in Iraq required the UK to keep the security of the people it deployed there under review.<sup>84</sup>

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<sup>82</sup> [Letter Hewitt to Prime Minister, 11 July 2003, ‘Report of My Visit to Baghdad’.](#)

<sup>83</sup> Public hearing, 5 July 2010, page 27.

<sup>84</sup> Cabinet Conclusions, 19 June 2003.

**130.** Baroness Amos reiterated the point on 2 July, after her visit to Iraq. She told Mr Blair:

“The overwhelming – and immediate – priority is security ... the situation appears to be worsening by the day.”<sup>85</sup>

**131.** The FCO and DFID carried out a joint security assessment of Baghdad and Basra between 29 June and 3 July.<sup>86</sup>

**132.** Mr Peter Millett, Head of FCO Security Strategy Unit (SSU), set out the key conclusions to Mr Collecott:

“We are failing to meet our duty of care to both FCO staff and those seconded to CPA through the FCO. The security situation is extremely dangerous and the CPA security resources are inadequate. The majority of secondees need to travel outside the secure zone where the threat is high and there is little or no control of the streets. The rules require secondees to travel in soft-skinned vehicles escorted by US military vehicles. This makes them extremely vulnerable since the US military are the target of daily attacks. The alternative to military escorts is a two-car convoy with ‘shooters’, ie armed escorts. There are not enough military personnel, so UK secondees are being asked to handle weapons, which does nothing to enhance their security.”<sup>87</sup>

**133.** Mr Millett listed the steps needed to allow CPA secondees to operate “effectively and safely” in Baghdad:

- a security manager in Iraq “to brief new arrivals, keep them up to date on security incidents, manage security assets (vehicles, flak jackets etc) and act as a focal point for communications”;
- a fleet of vehicles able to operate with or without US military escorts;
- a team of armed escorts to accompany secondees outside the secure zone; and
- a radio communications system to allow secondees to stay in touch with the security manager when outside the secure zone.

**134.** Implementation of the package required:

- agreement on the detail with DFID, which was already introducing better transport and equipment for its secondees;
- a calculation of the number of journeys required each week and therefore the number of vehicles and escorts needed;
- ordering vehicles for early delivery;

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<sup>85</sup> [Letter Amos to Blair, 2 July 2003, \[untitled\]](#).

<sup>86</sup> Minute Gillett to Brewer, 5 July 2003, ‘Iraq: Joint FCO/DFID Security Assessment Visit 29th June to 3rd July’.

<sup>87</sup> [Minute Millett to Collecott, 7 July 2003, ‘Iraq Security’](#).

- pursuing a commercial contract for the security manager and armed escorts;
- factoring additional costs into the Iraq Reserve claim; and
- agreeing with the IPU a script for briefing all UK secondees before they deployed.

**135.** Mr Millett described the situation in Basra as “different from Baghdad, partly because of the political context in the South and partly because UK civilians are not accompanied by military patrols”. The atmosphere was “more benign”, but could deteriorate. Security in Basra was enhanced by “the active involvement of a DFID team and a commercial contract that will provide armed guards and more vehicles”.

**136.** Mr Collecott advised Mr Straw:

“We will inevitably be faced with some very difficult prioritisation decisions: activity v. security in Iraq; activity in Iraq v. priorities elsewhere.”<sup>88</sup>

**137.** Mr Chakrabarti had already set in hand the first of the recommended improvements. On 9 July, he informed Sir Michael Jay that he had appointed Control Risks Group (CRG) to provide armed support to UK CPA secondees in Baghdad.<sup>89</sup> The contract had been let by DFID, in consultation with the FCO, with the intention of drawing up a joint DFID/FCO contract for the longer term. Mr Chakrabarti also undertook to send a first batch of “appropriate vehicles” and hand-held communications equipment from DFID’s stockpile for use by UK staff in Iraq.

**138.** In late June, DFID asked the MOD to provide a military close protection team for DFID staff in Baghdad.<sup>90</sup>

**139.** In its response on 17 July, the MOD explained that Royal Military Police (RMP) close protection resources were “very heavily committed ... in support of the FCO presence in Baghdad and on other tasks elsewhere”. Steps had been taken to bring the RMP commitment down to sustainable levels. That included a reduction in RMP support for FCO staff, which would limit their freedom of movement in Baghdad. MOD Ministers had agreed that the only way the RMP could provide resources to DFID staff would be if DFID shared the resources available to the FCO:

“We recognise that this is far from ideal for you and is likely to further constrain HMG’s [Her Majesty’s Government’s] diplomatic activity in Baghdad, but it may be an improvement on your current arrangements.”

**140.** Separately, the MOD informed DFID that medical procedures were being updated to ensure that all UK civilians and contractors received the same standard of care as those in the MOD, including evacuation to the UK or Germany as appropriate.<sup>91</sup>

<sup>88</sup> Minute Collecott, 11 July 2003, on Minute Millett to PS [FCO], 11 July 2003, ‘Iraq: Security’.

<sup>89</sup> [Letter Chakrabarti to Jay, 9 July 2003, ‘Safety and Security of UK Secondees in Iraq’.](#)

<sup>90</sup> [Letter Kernahan to Miller, 17 July 2003, ‘Close Protection for DFID Staff in Baghdad’.](#)

<sup>91</sup> Letter Ferguson to DFID [junior official], 17 July 2003, ‘DFID Personnel Deployed in Iraq’.

Locally employed contractors working for DFID would receive the same level of care as locally employed civilians working for the MOD or the military: emergency care in theatre at UK medical facilities.

**141.** On 18 July, as part of a wider bid to the Treasury to cover additional Iraq-related costs incurred by the FCO in financial year 2003/04, Mr Straw requested £20.2m to improve security for FCO staff and UK secondees to the CPA in Iraq.<sup>92</sup> He advised Mr Paul Boateng, the Chief Secretary to the Treasury:

“To meet our duty of care to staff, we need to provide armoured vehicles, armed escorts and a communication system for UK civilian secondees to CPA. This expenditure is unprecedented, unforeseen and cannot be funded by reprioritisation, nor I understand, in part from the money we have received for CPA econdes’ costs.”

**142.** Mr Boateng approved the majority of Mr Straw’s request on 9 September.<sup>93</sup>

**143.** Mr Straw’s request and the Treasury response are addressed in more detail in Section 13.1.

**144.** On 10 July, the AHMGIR agreed that:

- Secondments to the CPA should be maintained at “approximately the current level”, but matched more closely to requirements, with more specialist than policy staff.
- Secondments should be extended from three months to six.
- Ministers and Sir Andrew Turnbull should help identify and release suitable staff from departments, including a senior oil expert and senior economist.
- The UK “effort” in CPA(South) should be increased “as required”, including through the appointment of a “suitably strong UK figure” to replace Ambassador Olsen.
- The UK should continue to send small numbers of staff to other CPA regional offices.<sup>94</sup>

**145.** The IPU prepared more detailed proposals for the AHMGIR on 17 July.<sup>95</sup> It based its recommendations on the principle that the UK should seek to exert influence at “all levels”, from national input provided by the Prime Minister’s Special Representative to working level appointments in selected policy areas. The IPU recommended:

- filling gaps, including at a senior level in UK coverage of Security Sector Reform (SSR), the economic ministries and the oil ministry;

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<sup>92</sup> [Letter Straw to Chief Secretary to the Treasury, 18 July 2003, ‘Iraq-Related Costs’.](#)

<sup>93</sup> [Letter Boateng to Straw, 9 September 2003, ‘Iraq Reserve Claim’.](#)

<sup>94</sup> Minutes, 10 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>95</sup> Annotated Agenda, 17 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting attaching Paper Iraq Policy Unit, 14 July 2003, ‘Ad Hoc Ministerial Meeting: 17 July, (Annex C) Future Staffing of the CPA’.

- targeting secondments to other CPA ministry teams more precisely;
- increasing working level support for CPA governance and the foreign, health and culture ministries;
- appointing a senior figure to lead CPA(South), where there were already 15 UK secondees;
- continuing provision of two officials to CPA(North), including the Chief of Staff;
- continuing provision of the Chief of Staff in CPA(South Central) and a cultural expert at the Babylon archaeological site; and
- leadership of four of the 18 CPA Governorate Teams (GTs) scheduled to begin operations in September, with deployment starting in late August.

**146.** The IPU reported that Mr Andy Bearpark, CPA Operations Director and senior UK secondee to the CPA, advised against concentrating the UK contribution to GTs in the four southern governorates on the grounds that an all-UK sector might have more difficulty in accessing funds from Baghdad. He advised that a spread of representation would also give the UK sight of developments across Iraq.

**147.** The AHMGIR agreed that the UK should shift emphasis over time from regional areas of operation to governorates. Ministers requested firm recommendations for the following week.<sup>96</sup>

**148.** The briefing for the 24 July meeting of the AHMGIR explained that GT security was the responsibility of the local Coalition military, but that the UK was likely to have to provide additional security to fulfil its duty of care to UK GT members.<sup>97</sup> There would be “significant resource implications”. DFID had undertaken to fund the set-up costs of GTs in Maysan, Muthanna and Dhi Qar and running costs to the end of October 2003. The CPA would assume liability for all costs from 1 November.

**149.** The AHMGIR agreed that the UK would offer to lead four GTs, two in the South-East, one in the Kurdish area and one elsewhere in the Sunni area, “but not in the less stable central areas around Baghdad”.<sup>98</sup>

**150.** At the AHMGIR, Mr Straw asked the Cabinet Office and the IPU to devise a debriefing system for secondees to Iraq, “to garner their experience ... and to ensure that their contribution was recognised on their return to home departments”. Ministers agreed that officials should provide a report on the results.

**151.** On 25 July, Sir Michael Jay updated Sir Andrew Turnbull and Permanent Secretaries on civilian deployments.<sup>99</sup> Sir Michael explained that, since his request for volunteers on 22 April, the Government had trained and deployed “over 100 civilian staff

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<sup>96</sup> Minutes, 17 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>97</sup> Annotated Agenda, 24 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>98</sup> Minutes, 24 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>99</sup> [Letter Jay to Turnbull, 25 July 2003, 'Iraq: UK support for reconstruction'](#).

from sixteen different branches of government”, an exercise he described as having “no modern precedent”:

“We now have 65 UK public servants working in the CPA Headquarters in Baghdad, and nearly 30 in the CPA South-East Office in Basra ... Small numbers are also working in the CPA offices in central and northern Iraq.”

**152.** Sir Michael reported that Ministers had decided the UK would maintain “approximately the current level of overall commitment” with a focus in Baghdad on SSR, the economic ministries and the oil sector, a “stronger lead” in CPA(South) and leadership of four CPA GTs.

**153.** Sir Michael explained that the FCO had set up a liaison office in Baghdad working to Mr Sawers and a CPA Operations Team (CPA-OT) in the IPU to put the UK’s secondments on “a focused and sustainable basis, and provide secondees with the appropriate support for service in what will remain a difficult and unpredictable environment”. The CPA-OT would “debrief the first group of secondees as they return to ensure we learn the right lessons from their experiences on the ground”.

**154.** Sir Michael advised:

“We will continue to need to provide good human resources if the CPA is to succeed. As reconstruction proceeds we expect more of this requirement to be met with staff engaged under contract from outside HMG. But we will continue to have a need to second staff with specialist skills from our own public service. The new machinery in Baghdad and the IPU will enable us to match requirements and resources more exactly.”

**155.** Sir Michael wrote separately to Sir Nigel Crisp, Permanent Secretary at the Department of Health (DoH), to thank the DoH team in Basra for its “major contribution to the re-establishment of a functioning health system”, which had been “out of all proportion” to its numbers.<sup>100</sup>

**156.** Sir Michael also wrote to Sir Robin Young, Permanent Secretary at the Department of Trade and Industry (DTI), who had raised concerns about security and staff salaries.<sup>101</sup> Sir Michael explained that, after the assessment of security in Baghdad and Basra, the FCO had taken urgent action that should allow it to fulfil its duty of care to staff. Working and living conditions were also improving and were now “quite reasonable (and are compensated by a good allowances package)”.

**157.** On salaries, Sir Michael explained to Sir Robin Young that the terms under which the FCO received funding from the Treasury for CPA deployments prevented it paying the salaries of staff seconded from other departments. He hoped that “the priority given to the reconstruction of Iraq at every level from the Prime Minister down will convince

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<sup>100</sup> Letter Jay to Crisp, 25 July 2003, ‘Iraq volunteers’.

<sup>101</sup> Letter Jay to Young, 25 July 2003, ‘Iraq: volunteers’.

your Ministers of the need to continue providing the CPA with the specialist help it needs". Sir Michael observed that Ms Hewitt had already made clear her support.

**158.** Ambassador Olsen resigned as Head of CPA(South) on 28 July.<sup>102</sup>

**159.** His successor, Sir Hilary Synnott, arrived in Basra on 30 July.<sup>103</sup>

**160.** Sir Hilary told the Inquiry what he found on arrival:

"A pretty dysfunctional team of eight to ten different nationalities, very, very few British, three Foreign Office officials, one permanent DFID official and a lack of focus and a lack of capability ... The phones didn't work, there were no mobile phones at that time and nobody had thought to provide me with any form of computer."<sup>104</sup>

**161.** The decision to appoint Sir Hilary as Head of CPA(South) and his experience on arrival in Basra are addressed in more detail in Section 10.1.

**162.** Shortly before Sir Hilary Synnott's arrival in Basra, the CPA produced a 'Vision for Iraq', supported by a detailed implementation plan (see Section 10.1).<sup>105</sup>

**163.** In his memoir, Sir Hilary wrote:

"The trouble was it [the 'Vision for Iraq'] did not amount to an operational plan of action ... There were no indications about how in practice they would be achieved: no details of funding, of personnel involved, of support systems or of timing."<sup>106</sup>

**164.** On 7 August, officials informed the AHMGIR that the IPU was debriefing the first wave of UK secondees to the CPA returning from Iraq.<sup>107</sup> Operational lessons would be put to Ministers in September.

**165.** Separately, the Cabinet Office Corporate Development Group (CDG) began assessing the benefits of CPA secondments to staff and departments. The aim was to report to Ministers in November, drawing on responses to a questionnaire to be put to secondees within a month of their return from Iraq.<sup>108</sup>

**166.** The outcome of both exercises is described later in this Section.

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<sup>102</sup> *Iraq Report*, 1 August 2003, *Southern Iraq Administrator leaves post*.

<sup>103</sup> Synnott H. *Bad Days in Basra: My Turbulent Time as Britain's Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

<sup>104</sup> Public hearing, 9 December 2009, page 9.

<sup>105</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009; Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>106</sup> Synnott H. *Bad Days in Basra: My Turbulent Time as Britain's Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

<sup>107</sup> Annotated Agenda, 7 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>108</sup> [Minute Dodd to Barker, 4 August 2003, 'Iraq: feedback from secondees'](#).

## The impact of deteriorating security

**167.** On 19 August, a bomb exploded outside the UN headquarters at the Canal Hotel in Baghdad, killing 22 UN staff and visitors, including Mr Sérgio Vieira de Mello, the UN Secretary-General's Special Representative for Iraq (see Section 9.2).<sup>109</sup> One member of DFID staff was slightly injured.<sup>110</sup>

**168.** Later the same day, Mr Benn held a meeting with officials to discuss next steps and review the status of DFID staff in Iraq.<sup>111</sup> Dr Nicola Brewer, DFID Director General Regional Programmes, stated that it would be “unfortunate if DFID precipitated a withdrawal of staff from Iraq”. The department should say publicly that it would not be “intimidated” by terrorism, but any member of staff who wanted to leave should be allowed to do so. Staff employed on contracts would need advice. If anyone did want to leave, it would need to be co-ordinated across Whitehall and not perceived as an evacuation.

**169.** On the night of 19 August, the British Office Baghdad was evacuated to the CPA secure zone after officials received a warning of a possible attack.<sup>112</sup>

**170.** A second attack on the UN took place on 22 September.<sup>113</sup>

**171.** Security also deteriorated in the South, with fuel and electricity riots taking place in Basra during August (see Section 9.2).<sup>114</sup>

**172.** In his memoir, Sir Hilary Synnott wrote that a “shortage of space and squalid living conditions were affecting operations”, but, most importantly:

“... our combined offices and sleeping quarters were clearly unsafe. Although, in those early days, there were no instances of suicide bombs, we were still vulnerable to car bombs, rocket-propelled grenades, mortars, small-arms fire through our windows, siege and sapping. The building adjoined town houses and was flanked by roads on three sides, one of which was next to a canal. The only exit towards a military safe-haven if we were attacked was over a single bridge, which could easily be blocked by any assailants. We had to move.

...

“I formally called for separate and independent security reviews by the CPA in Baghdad and by the FCO in London, knowing that they could only agree on the need for us to move.”<sup>115</sup>

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<sup>109</sup> Report of the Independent Panel on the Safety and Security of UN Personnel in Iraq, 20 October 2003.

<sup>110</sup> Minutes, 28 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>111</sup> Minute Assistant Private Secretary [DFID] to Austin, 19 August 2003, ‘Iraq: Meeting following the attack on the UN office in Baghdad’.

<sup>112</sup> Telegram 121 Baghdad to FCO London, 19 August 2003, ‘Evacuation of Staff of British Office’.

<sup>113</sup> Report of the Independent Panel on the Safety and Security of UN Personnel in Iraq, 20 October 2003.

<sup>114</sup> Public hearing Synnott, Lamb, Stewart, 9 December 2009, pages 19 and 57.

<sup>115</sup> Synnott H. *Bad Days in Basra: My Turbulent Time as Britain's Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

**173.** The FCO Senior Overseas Security Adviser (SOSA) and the Director of CHAD OT visited Basra from 18 to 20 August and Baghdad from 20 to 22 August.<sup>116</sup> They reported their findings to an official-level meeting of COBR, the Government’s emergency response mechanism, chaired by Mr Graham Fry, FCO Director General Wider World, on 26 August.<sup>117</sup>

**174.** The two officials described the picture in Baghdad as “relatively reassuring”. Overall security and staff awareness in the CPA zone, where the British Office Baghdad would be located for the foreseeable future, had improved, but DFID and the FCO were taking additional steps to reinforce security awareness “as a matter of urgency”. Basra was “more alarming”. Security at the CPA compound there was “still inadequate”.

**175.** COBR agreed that:

- Staff in Basra should move to more secure locations within Basra Airport until satisfactory physical security measures were in place, subject to Sir Hilary Synnott’s agreement that the move “would not compromise the operational effectiveness of the CPA in Basra to an unsatisfactory level”.
- The FCO should consider appointing permanent security managers for Baghdad and Basra to provide a rolling review of the threat.
- The Cabinet Office should raise the seriousness of the situation at the next Ministerial meeting on Iraq and “reiterate the need to deploy only those staff deemed essential”.

**176.** Advice prepared by officials for the 28 August AHMGIR did not reflect the COBR conclusions on deploying only “essential” staff.

**177.** Before the AHMGIR on 28 August, Mr Neil Crompton, Head of the IPU, advised Mr Straw:

“Concerns about security argue against putting in more staff [in Basra], but holding staff back, or withdrawing staff temporarily, will only compound the problem. The immediate solution is to strengthen security measures in CPA(South) ... Civilian staff also need to be provided with a large fleet of armoured vehicles: until these arrive, which will take time, we need more assistance with escorting from the military ... Resources for security assets are an issue. But the principle should be that we provide the number of security assets we need for people to do their jobs properly, rather than limit the number of tasks we take on to the number of security assets we have on the ground (as some around Whitehall have been suggesting). This will be expensive.”<sup>118</sup>

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<sup>116</sup> Minute CHAD OT to Austin, 27 August 2003, ‘Security Assessment of Baghdad and Basra’ attaching Paper CHAD OT, ‘DFID Security Assessment of Basra and Baghdad’.

<sup>117</sup> [Minute OD Secretariat \[junior official\] to Sheinwald, 26 August 2003, ‘COBR: Iraq Security Situation: Update’.](#)

<sup>118</sup> [Minute Crompton to PS \[FCO\], 28 August 2003, ‘Ad Hoc Ministerial’.](#)

**178.** Officials also raised concern about “the unwillingness of US personnel [in Baghdad] to discuss security arrangements ... in detail”.<sup>119</sup> The UK would need to make its own assessment of the national situation, potentially leading to UK staff being unable to participate in certain CPA activities. The presence and security of UK staff sent to the CPA would “need to be balanced against our responsibilities for the government and reconstruction of Iraq”.

**179.** Participants at the Inquiry’s civilian outreach event who served in Iraq during the CPA period commented that intelligence on threats and no-go areas should have been disseminated to all civilians. They suggested that the UK had been better at this than the US, but in Baghdad, where the US controlled security, there had been problems with the flow of information.

**180.** The AHMGIR agreed that the recommendations in the DFID/FCO security review should be implemented as soon as possible.<sup>120</sup>

**181.** Sir Hilary Synnott told the Inquiry:

“After the attack on the UN building at the end of August, the Spanish and Japanese Governments ordered their civilians to leave. And on 30 August, of course, the UN ordered their expatriates to leave also. Everybody else stayed. I was told by London to draw up security regulations and to take disciplinary action if they were not obeyed. I replied that I had already drawn up security instructions which we had been testing, and as for taking disciplinary action, I reminded London that I actually had no statutory authority, as far as I knew, over the nationals of another country.”<sup>121</sup>

**182.** On 28 August, Mr Crompton informed Mr Straw that Sir Hilary Synnott had requested 34 secondees for CPA(South).<sup>122</sup>

**183.** Later that day, the AHMGIR agreed, “subject to security concerns”, that: “Hilary Synnott should be given such assistance and staff as he deemed necessary to improve the workings of CPA South.”<sup>123</sup>

**184.** Mr Crompton visited Iraq from 31 August to 3 September.<sup>124</sup> He concluded that “the Coalition as a whole is only just beginning to come to terms with the scale of the task”. The “general view” was that the job was “doable”, but the UK needed to “throw massive resources at the problem now”. UK staffing in the South and the governorates needed to increase significantly. The relationship between the two was “not yet clear”.

**185.** Mr Crompton judged that staffing in CPA Baghdad was “about right”, but CPA(South) was “woefully under-staffed”. It was clear that the UK would have to fill the

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<sup>119</sup> Annotated Agenda, 28 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>120</sup> Minutes, 28 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>121</sup> Public hearing, 9 December 2009, page 111.

<sup>122</sup> [Minute Crompton to PS \[FCO\], 28 August 2003, ‘Ad Hoc Ministerial’](#).

<sup>123</sup> Minutes, 28 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>124</sup> [Minute Crompton to Chaplin, 5 September 2003, ‘Visit to Iraq: 31 August to 3 September’](#).

positions itself rather than rely on third country nationals or CPA Baghdad. If necessary, the FCO Board of Management should be asked to rule that Iraq was its top priority and that staff willing to go there could be pulled out of existing jobs at short notice.

**186.** On 2 September, Mr Blair requested advice on how to improve conditions for UK staff working for the CPA and the British Office Baghdad.<sup>125</sup>

**187.** The FCO advised that improvements were in hand in Baghdad and Basra.<sup>126</sup> Efforts were being made to speed up the move from the CPA building to the former regime palace in Basra, which was expected to be ready by mid-October.

**188.** On 4 September, the MOD put proposals to Mr Blair for additional troop deployments to the South-East to improve overall security and help accelerate reconstruction (see Section 9.2).<sup>127</sup> In addition to the extra troops, the MOD intended to put an additional Brigade Headquarters on reduced notice to move in order to support other requirements, which were still to be scoped, but included support to DFID-managed critical infrastructure work and the provision of military protection to civilian contractors.

**189.** Mr Blair agreed the proposals shortly afterwards.<sup>128</sup>

**190.** On 17 September, Sir Michael Jay informed Permanent Secretaries that:

“We now have 18 armoured vehicles in Baghdad for travel outside the Secure Zone. By the end of November there will be 68 vehicles in country, including for staff working for CPA in Basra and the Governorate Teams ... For each of these vehicles there is a two-man Armed Protection Team (APT). The contractors (Control Risks) now have 72 personnel protecting our staff in CPA and will be providing a total complement of 110 men, including for CPA Basra and the Governorate Teams.”<sup>129</sup>

**191.** In his valedictory report from Basra, Sir Hilary Synnott thanked DFID for procuring a large number of armoured vehicles and civilian protection teams for CPA(South) staff to use: “They have saved several lives from explosive devices.”<sup>130</sup>

**192.** On 22 September, Mr John Buck, the FCO’s recently appointed Iraq Director, updated Mr Alan Charlton, the FCO Personnel Director, on staffing requirements in London and Iraq. Mr Buck stated:

“I understand pressures on staff resources. But there is a real need to get staffing of Iraq work onto a basis sustainable in the medium term. So far, it has understandably

<sup>125</sup> [Letter Cannon to Adams, 2 September 2003, ‘Iraq: Briefing for the Prime Minister’.](#)

<sup>126</sup> [Letter Adams to Cannon, 4 September 2003, ‘Iraq: Briefing for the Prime Minister’ attaching Paper, ‘Iraq: Conditions of Service for UK Civilian Staff’.](#)

<sup>127</sup> [Letter Williams to Rycroft, 4 September 2003, ‘Iraq: UK Forces and Resources Review’.](#)

<sup>128</sup> [Manuscript comments Blair and Rycroft on Letter Williams to Rycroft, 4 September 2003, ‘Iraq: UK Forces and Resources Review’.](#)

<sup>129</sup> [Letter Jay to Street, 17 September 2003, ‘Security In Iraq’.](#)

<sup>130</sup> [Telegram 10 CPA Basra to FCO London, 26 January 2004, ‘Basra Valedictory’ \[Parts 1 and 2\].](#)

been a little hand to mouth. I fear No.10 will not accept our telling them that we can't do things because we don't have the people. So I hope you will be sympathetic if, after a few weeks on the job, I make further bids for staff.”<sup>131</sup>

**193.** At the Iraq Senior Officials Group (ISOG) on 23 September, Mr David Richmond, the Prime Minister's Deputy Special Representative on Iraq, reported that UK “influence in CPA Baghdad is limited; we supply only 100 out of its 1,000 staff there”.<sup>132</sup> Mr Richmond recommended that deployment of UK secondees be “continuously reviewed so that they are where we most need them. The UK is still under-represented at senior level; we should continue to seek senior posts as they become available.”

**194.** Sir David Richmond told the Inquiry:

“I don't think we asked for a lot more people. What we wanted was Arabic speakers for obvious reasons, and we had Charles Heatley [CPA spokesman, see Section 10.1] and his successor, both of whom were very good Arabic speakers, but we probably could have done with more.”<sup>133</sup>

**195.** Sir David also observed that “lack of continuity was a far greater problem than a lack of skills”.<sup>134</sup>

**196.** On 15 October, the Joint Intelligence Committee (JIC) assessed that:

“The security situation remains difficult in central Iraq. The upward trend in the number of attacks against the Coalition Forces (CF) shows no sign of abatement ... The vast majority of attacks (some 80 percent) occur in Baghdad and the surrounding Sunni Arab areas ... Improvised Explosive Devices (IEDs) are the single most common form of attack, some increasingly sophisticated, and we have also seen more mortars being employed.

...

“The situation in the UK Area of Responsibility in the South remains relatively calm. In the first week of October, out of 174 attacks against CF in Iraq, only four were against troops in MND(SE). The mortar attack against the British base in Basra on 8 October was a serious incident, but the trend continues to be a relatively low level of attacks.”<sup>135</sup>

**197.** In early October, Sir Hilary Synnott reported “markedly improved attitudes throughout the South over the last three months, and especially when compared with the hot humid days of early August when tempers exploded into violence and killings”.<sup>136</sup>

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<sup>131</sup> Minute Buck to Charlton, 22 September 2003, ‘Staffing for the Iraq Directorate’.

<sup>132</sup> Minute [Cabinet Office junior official] to Sheinwald, 25 September 2003, ‘Iraq Senior Officials Group Meeting’.

<sup>133</sup> Public hearing, 26 January 2011, page 87.

<sup>134</sup> Public hearing, 26 January 2011, page 79.

<sup>135</sup> [JIC Assessment, 15 October 2003, ‘Iraq Security’](#).

<sup>136</sup> Telegram 33 CPA Basra to FCO London, 9 October 2003, ‘South Iraq: The Political Scene’.

**198.** Sir Hilary told the Inquiry that there was a general impression of improvement in Basra during October and November 2003.<sup>137</sup>

**199.** In late 2003, a significant number of civilian vacancies in CPA(South) were filled temporarily by the UK military, including by Reservists from the Territorial Army (TA).

**200.** After a visit to Basra on 2 October, Mr Adam Ingram, Minister of State for the Armed Forces, commented on the time it had taken to set up an effective CPA and the “large number of gapped posts and military personnel doing jobs that should be done by civilian volunteers”.<sup>138</sup>

**201.** On 13 October, Mr Ingram described to Mr Benn, who had replaced Baroness Amos as Secretary of State for International Development on 5 October, the risks involved in using military reservists to address “the precarious situation on CPA(S) manpower”.<sup>139</sup> Mr Ingram attached lists of the 48 military staff embedded in CPA(South) and the CPA GTs in Basra, Maysan, Muthanna and Dhi Qar. A total of 35 were Reservists, all but one of them due to leave Iraq by the end of 2003.

**202.** Mr Geoff Hoon, the Defence Secretary, raised the issue of Reservists with Mr Straw on 23 October.<sup>140</sup> The ad hoc filling of vacant posts by military personnel, including Reservists who happened to have relevant skills from civilian life, was “not a robust way to resource such an important body”. Mr Hoon stated:

“... we need to get out of a mindset where the default position is to call on ‘spare’ military personnel to fulfil roles for which they have not been trained. CPA(S) may well require a higher proportion of civilians than the CPA elsewhere in the country because the roles and capabilities of UK forces do not encompass all of those available within the much larger US Armed Forces. We will, of course, continue to support the overall effort in the South where we can, but the best people for the posts in CPA(S) could well come from a wider range of Whitehall departments and the civilian sector in the UK.”

**203.** On 30 October, the MOD Iraq Secretariat briefed Mr Hoon on options for compulsory mobilisation of volunteer reserves to fill CPA gaps.<sup>141</sup> It advised that Reservists’ willingness to take on those jobs was admirable, but it was unfair to employ them in roles for which they had not originally volunteered and for less pay than they would receive as civilians. Their transfer to civilian roles also represented an opportunity cost to the military.

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<sup>137</sup> Public hearing, 9 December 2009, page 40.

<sup>138</sup> [Minute Johnson to APS/Min\(AF\), 17 October 2003, ‘Minister\(AF\) visit to Basra: 2 October 2003’.](#)

<sup>139</sup> [Letter Ingram to Benn, 13 October 2003, \[untitled\].](#)

<sup>140</sup> [Letter Hoon to Straw, 23 October 2003, ‘Iraq: Visit to Basra 20-21 October 2003’.](#)

<sup>141</sup> Minute AD Iraq to APS/Secretary of State [MOD], 30 October 2003, ‘Op Telic – Support to CPA: Mobilisation of Volunteer Reserves’.

**204.** The Iraq Secretariat recommended that the MOD wait to see the outcome of the latest FCO/DFID recruitment drive, but also stand ready to provide what assistance it could if that was unsuccessful. Numbers were unlikely to be large (“10s of people”). The Iraq Secretariat stated that an effective CPA(South) was crucial to UK success in the South: “*If other avenues have been exhausted* it may thus be in our interest to seek Reservists to fill requirements.”

**205.** UK policy on the deployment of Reservists in civilian roles is addressed in Section 10.3.

**206.** CPA(South) moved from the former Electricity Accounts building in Basra to the Basra Palace site on 15 October.<sup>142</sup> Sir Hilary Synnott wrote in his memoir:

“It was security which had driven the move and which had ensured that it happened quickly, but it was the improved comfort which everyone appreciated the most.

“The difference in living conditions seemed almost unbelievable. Instead of sleeping in crowded rooms or on floors, with unspeakable sanitary arrangements and virtually non-existent communications equipment, every staff member had their own cabin ... with a proper bed, a cupboard, a shower and lavatory, and even an air-conditioning unit ...

“Within another couple of weeks FCO engineers had installed a secure communications system ...

...

“At last, two-and-a-half months after my arrival, I was starting to muster the staff and equipment which would enable me to do my job reasonably effectively. This support was as nothing compared with the general’s [Major General Graeme Lamb, General Officer Commanding (GOC) MND(SE)] staff, but it was something; and, of course, our respective tasks were different.”

**207.** By late October, Sir Hilary Synnott had received none of the additional staff he had requested in late August.<sup>143</sup> On 27 October, he sent a further request to the FCO.<sup>144</sup> He explained that his initial request for 37 staff had focused on “our top priority areas: infrastructure, finance, police and security”. It was now clear to him that 44 more staff were needed to cover “political reporting, governance issues and CPA(S) internal support”.

**208.** Sir Hilary added:

“I also urgently need assurance that arrangements are in hand for the succession of those UK staff currently in mission. The relatively rapid turnaround of staff makes

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<sup>142</sup> Synnott H. *Bad Days in Basra: My Turbulent Time as Britain’s Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

<sup>143</sup> Public hearing, 9 December 2009, page 45.

<sup>144</sup> [Telegram 38 Basra to FCO London, 27 October 2003, ‘CPA\(South\): Staffing Requirements’](#).

continuity difficult at the best of times. Gaps between postings, as have happened up to now, can and do seriously undermine progress in specific areas and across the board. Personnel management structures are needed for the replacement of all UK personnel in CPA(S) well in advance of their departure for mission.

“Some other factors are relevant. 18 UK military personnel currently seconded to CPA(S) will be drawn down to zero between now and 28 December. They will need civilian replacements ...”

**209.** On 14 November, Mr Desmond Bowen, Deputy Head of OD Sec, reported to departments that 104 staff from eight countries were working in CPA(South).<sup>145</sup> The largest contributors after the UK were Italy and Denmark. Of the 48 UK secondees, 30 were civilians and 18 military, half of them from the TA. Seven TA personnel were in the process of being re-engaged on civilian contracts.

**210.** Mr Bowen explained that DFID had contracted the Crown Agents in October to recruit 37 staff: seven to replace Reservists and 30 for new posts. Recruitment had not been easy, despite financial inducements:

“Successful candidates need to have the right technical skills, aptitude for building Iraqi capacity and willingness to work in a difficult environment. When recruited, candidates also need to undergo security training. The Crown Agents should fill 15 of the 37 posts this month, including seven TA personnel who are being re-engaged on civilian contracts. These seven TA posts will be vacant for two to three weeks while the TA officers are demobilised and contracted by Crown Agents ... Up to five lesser priority posts are likely to remain more difficult to fill, but Crown Agents are being pressed to locate suitable candidates as soon as possible ...

“... Hilary Synnott subsequently asked FCO to fill a further 29 posts. These are in the areas of interior and justice, liaison with the southern governorates, and in the political development directorates. Job descriptions for these posts have now arrived from Basra ... It should be possible to fill many of the jobs from Whitehall (eg Home Office), although outside specialists may be necessary for some. There is already a database of volunteers. But the security situation will be a deterrent. Extracting people from current jobs, security training and the logistics of deployment often take longer than we would want. But FCO aim to fill the posts during December and January.

“CPA(South) has now grown substantially, and UK civilian staffing in Iraq as a whole is moving towards the 200 mark. The number of civilians in CPA(South) is larger than in other regions. But account must be taken of the fact that the large numbers of US Army Civil Affairs officers who are available elsewhere are not available in the South.”

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<sup>145</sup> [Letter Bowen to Owen, 14 November 2003, 'Iraq: CPA \(South\) Staff'](#).

**211.** Sir Hilary Synnott told the Inquiry:

“One of my key requests was at the end of August when I asked for, I think, 37 additional expert staff, not generalists but experts, and 20 armoured vehicles. I was sent the record of the Ad Hoc Ministerial Committee [on 28 August], I think within a day of this, and it was recorded there that Synnott should be provided with everything he thought was necessary. That, to my mind, clearly came from No.10 and that was the pattern throughout. The difficulty, however, was turning that political imperative into reality ... I put in this bid at the end of August. The task was ultimately given to DFID. I understood that in October they put out a trawl with a deadline of, I think, the end of October for recruitment. By 1 January, 18 out of 37 had arrived.”<sup>146</sup>

**212.** Mr Jim Drummond, DFID Iraq Director from September 2003 to December 2004, described DFID’s role to the Inquiry:

“Sir Hilary Synnott, working with us, identified, I think it was 37 posts that he wanted to have filled, and we agreed to do that.

“We asked the Crown Agents to source those people from the market, because we didn’t at that stage across government have a pool of people that could easily be called upon, although the Iraq Planning Unit based in the Foreign Office had managed to get quite a number of civil servants from Treasury, DFID and across government into the CPA in the early days. But for Basra we were looking really to fund from contractors in the market, partly because we were looking for specialist skills in project implementation that we don’t necessarily have full-time in DFID.”<sup>147</sup>

**213.** Mr Drummond explained that some of the jobs were advertised across DFID, but “mostly they were people who came from the market”. People had arrived in slightly greater numbers after Christmas because those selected in December had asked for their contracts to start on 1 January.

**214.** During his farewell meeting with Mr Straw on 11 February 2004, Sir Hilary Synnott said he had been frustrated at the length of time it had taken the FCO to deploy people and provide secure communications. The FCO response had compared unfavourably with that of other departments.<sup>148</sup>

**215.** Sir Hilary told the Inquiry that Whitehall departments’ interpretation of their duty of care towards civilian personnel had been an obstacle to the recruitment of the people he needed:

“I raised it with the Foreign Secretary, Jack Straw, and we both of us thought that it was a bit odd that our men and women in the armed forces could be exposed to risk. But ... we could not risk injury or death to civilians ...

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<sup>146</sup> Public hearing, 9 December 2009, page 45.

<sup>147</sup> Public hearing, 17 December 2009, pages 10-12.

<sup>148</sup> Minute Owen to PS/PUS [FCO], 12 February 2004, ‘FCO Response to Iraq’.

“I raised this with the Permanent Under Secretary [Sir Michael Jay] when I got back and I was told that ... the Permanent Under Secretaries’ Committee ... were quite adamant about this: it was an important duty and civilians were different from the military ... I think there was some concern about liability of being sued in the event of injury or death.

...

“A side effect of this was that the interpretation varied within ministries, and there was one occasion in early September 2003 when I discovered that I was short of 17 DFID personnel. They had gone away for a break and they had been stopped by their managers from going beyond Kuwait on the grounds that conditions were too dangerous in Basra.

“Now, we were living and working [in] Basra ... The general who is the expert on security had not been consulted, but the managers of DFID had decided that they should not come back. I kicked up a bit of a stink and after quite some time they were allowed back.”<sup>149</sup>

**216.** Efforts to co-ordinate departmental approaches to duty of care are addressed later in this Section.

**217.** Mr Buck advised Sir Michael Jay that the FCO record was not perfect, but the department had “learned several lessons and gained valuable experience for the future”:

- Staffing of the FCO’s Iraq operation in London had been “hand to mouth from the start, and only recently received adequate strength, depth and continuity”. A properly staffed unit needed to be formed as soon as it became clear the FCO would have to manage a major new overseas deployment, and the FCO needed to accept far more quickly that the requirement would remain for the medium term.
- In London and abroad, the FCO needed to be able to redirect staff “more swiftly and flexibly” and to be able to target officers with suitable qualifications “more systematically than HR records have allowed in the past”.
- A “genuinely flexible” budget allocation along the lines provided for the military, possibly controlled by the AHMGIR, would have saved time and energy and prevented the Treasury playing one department off against another. “The only area on which the Treasury have been genuinely helpful has been security.”
- In the early stages DFID had not been “fully on side”. When it agreed to recruit a large tranche of contractors, it had been slow to implement that commitment.
- The FCO had little previous experience of recruiting contractors, but now had a pool of knowledge to draw from in future.

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<sup>149</sup> Public hearing, 9 December 2009, pages 108-110.

- Delays caused by duty of care obligations were “unavoidable”, but the Iraq experience would help streamline the process in future.
- Part of the problem in Basra had been uncertainty about what was needed and “requests bounced about quite a bit. It would have made sense to have a senior post-conflict reconstruction expert in Basra working to Hilary Synnott, defining needs from the outset.”<sup>150</sup>

**218.** On communications equipment, Mr Buck explained that a secure communications package and engineer had been deployed to the British Office Baghdad at the outset and a full Firecrest<sup>151</sup> system had been ready to be shipped with the flat pack Embassy in May. Firecrest systems were designed for a large network of posts. Because of the changing set of posts in Iraq, installation in Baghdad and Basra had been delayed until October. The delay had been a “major disadvantage” that made it “difficult for the FCO to establish authoritative leadership”. Part of the answer lay in secure laptops. A new position had been created “to co-ordinate and improve emergency deployment of secure IT and communications”.

**219.** Mr Buck advised that most of those points had been fed into the FCO-led review of post-conflict reconstruction (see Section 10.3).

**220.** Sir Michael Jay commented:

“I agree with this. There are many lessons to learn from the – wholly unprecedented – Iraq experience; but I don’t think Hilary Synnott’s criticisms are entirely fair.”<sup>152</sup>

**221.** On 26 October, the al-Rashid Hotel in the Green Zone of Baghdad, used as a Coalition military base, was hit by a number of rockets.<sup>153</sup>

**222.** The attack killed a US soldier, and injured 15 other people. US Deputy Defense Secretary Paul Wolfowitz, who was staying in the hotel, escaped unhurt.

**223.** One UK civilian seconded to the CPA was seriously injured.<sup>154</sup>

**224.** Sir David Manning, British Ambassador to the US, described the attack as “the bloodiest 48-hour period in Baghdad since March”.<sup>155</sup>

**225.** Sir Jeremy Greenstock, the Prime Minister’s Special Representative on Iraq, commented: “Terrible news. This is the first time a CPA civilian has been killed in Iraq, a fact that will have serious repercussions.”<sup>156</sup>

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<sup>150</sup> [Minute Buck to PS/PUS \[FCO\], 16 February 2004, ‘FCO Response to Iraq’.](#)

<sup>151</sup> The FCO ICT system.

<sup>152</sup> [Manuscript comment Jay on Minute Buck to PS/PUS \[FCO\], 16 February 2004, ‘FCO Response to Iraq’.](#)

<sup>153</sup> *BBC News*, 26 October 2003, *US shocked at Iraq hotel attack*.

<sup>154</sup> Briefing [unattributed], 30 October 2003, ‘Briefing for Foreign Secretary: Cabinet: 30 October’.

<sup>155</sup> Telegram 1426 Washington to FCO London, 28 October 2003, ‘Iraq: US Views 28 October’.

<sup>156</sup> [Telegram 231 IraqRep to FCO London, 26 October 2003, ‘Rocket Attack on Al Rasheed Hotel’.](#)

**226.** Mr Bearpark told the Inquiry that he viewed the attack as a turning point:

“... through July, August, September we were optimistic that we were on an upward slope. We had got through the worst of the problems ...

“From September onwards, then the graph just went sharply down. The trigger point ... would have been the mortaring of the al-Rashid Hotel.”<sup>157</sup>

**227.** By the start of November, there had been several bombs and rocket attacks in Baghdad, including attacks aimed at the International Committee of the Red Cross (ICRC) and at police stations (see Section 9.2).<sup>158</sup>

**228.** The al-Rashid Hotel bombing led to a review of protective security and staffing levels in Baghdad. Plans were drawn up to provide hardened accommodation for UK civilians.

**229.** On 28 October, COBR, chaired by Mr Bowen, commissioned an MOD-led review of protective security within and beyond the Green Zone in Baghdad.<sup>159</sup>

**230.** The preliminary report on 3 November recommended three areas for action:

- a. Improved ballistic protection for UK staff in their place of work and accommodation. This action is required quickly as the threat is likely to worsen in the coming weeks.
- b. Improved passage of information and access to detailed threat assessments. Current levels of information are poor and the CPA system for dissemination and action in the aftermath of an incident is inadequate. Greater influence is required from within the system.
- c. Consideration of future accommodation options with enhanced ballistic protection. Favoured options will involve some cost and will need to be finessed with the US who are also reviewing their options.”<sup>160</sup>

**231.** COBR also commissioned FCO-led reviews of training, briefing and terms and conditions for UK civilian staff in Iraq, to “ensure that there is consistency across all government departments seconding staff and consultants”.<sup>161</sup>

**232.** The findings of the FCO-led reviews are described later in this Section.

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<sup>157</sup> Public hearing, 6 July 2010, pages 43-44.

<sup>158</sup> [JIC Assessment, 5 November 2003, 'Iraq security'](#).

<sup>159</sup> Minute OD Secretariat [junior official] to Sheinwald, 28 October 2003, 'Iraq: Review of Security Arrangements for UK Staff'.

<sup>160</sup> [Paper \[unattributed\], 3 November 2003, 'Physical and Protective Security for UK Staff in the Coalition Provisional Authority \(Baghdad\): Executive Summary'](#).

<sup>161</sup> Minute OD Secretariat [junior official] to Sheinwald, 28 October 2003, 'Iraq: Review of Security Arrangements for UK Staff'.

**233.** Sir Nigel Sheinwald visited CPA(South) in early November.<sup>162</sup> During the visit a number of issues were raised by civilian secondees, including:

- Insufficient security support, limiting mobility of CPA staff (currently only eight protected vehicles for over 60 staff requiring transport).
- Inadequate succession planning (the much praised DoH team particularly complained of this).
- Over-reliance on TA soldiers to perform specialist civilian jobs.”

**234.** On 11 November, Sir Michael Jay advised Permanent Secretaries and the heads of organisations with secondees in Iraq that the FCO was considering “on a contingency basis – whether it would make sense to reduce the numbers of civilian staff if the security situation were to deteriorate; and, if so, which staff we should retain in those circumstances”.<sup>163</sup>

**235.** Sir Michael reported that, in Baghdad, following the recommendations of the review of accommodation after the al-Rashid Hotel bombing, the FCO was pursuing urgently the possibility of constructing accommodation in the basement of the Green Zone Convention Centre. The work could take two to three months, but the FCO was pressing hard for it to be ready before Christmas. In the meantime it was looking at interim arrangements.

**236.** Sir Michael explained that, to ensure security measures were implemented effectively and threat information disseminated promptly, the FCO had set up co-ordination structures in London, Baghdad and Basra:

“The London Iraq Security Committee, chaired by the FCO, meets once a week with a secure video link to Baghdad (to be joined by Basra when their video equipment has been installed). Jeremy Greenstock chairs a UK security committee in Baghdad which is linked into a wider CPA security committee. A similar committee is being set up in Basra. Security issues are also discussed at Cabinet Office meetings including COBR, the group of senior officials chaired by Nigel Sheinwald [ISOG] and the Ad Hoc Ministerial Group [AHMGIR], which the Foreign Secretary chairs.”

**237.** Sir Andrew Turnbull and Mr Gus O’Donnell, Treasury Permanent Secretary, discussed UK civilian secondees on 11 November. They agreed that there were roles in the provisional administration in Iraq that would need to continue to be filled, but that security must be tightened appropriately.<sup>164</sup>

**238.** On 14 November, Mr Drummond approved an expansion of DFID’s contract with CRG for “security support services” in Basra and Baghdad.<sup>165</sup> The number of CRG

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<sup>162</sup> Letter Cannon to Owen, 13 November 2003, ‘Iraq: Nigel Sheinwald’s Visit: Operational Issues’.

<sup>163</sup> [Letter Jay to Chakrabarti, 11 November 2003, ‘Security of UK Civilian Secondees in Iraq’.](#)

<sup>164</sup> Minute [unattributed and undated], ‘Sir Andrew Turnbull’s Bilateral with Gus O’Donnell 11 November 2003’.

<sup>165</sup> Manuscript comment Drummond, 14 November 2003, on Minute Iraq Directorate [junior official] to Drummond, 31 October 2003, ‘Iraq – the extension of security support services for Baghdad and Basra’.

personnel was increased from 16 to 68 and the contract extended to 31 March 2004, reflecting the expected increase in staff numbers in Basra and the recognition that “a permissive security environment will not be a reality for some time”.

**239.** On 24 November, Mr Straw requested £2m from the Treasury for “essential new, secure accommodation for UK civilian staff in Baghdad”.<sup>166</sup> He explained that the security review after the al-Rashid bombing had recommended conversion of the ground floor of a car park near the Convention Centre in the Green Zone into secure accommodation. Mr Straw advised Mr Boateng that the work would be completed in January. In the meantime:

“... ad hoc accommodation for staff is extremely uncomfortable and unsatisfactory from a security point of view. To reduce discomfort somewhat, many staff are now sleeping in vulnerable trailers. We cannot allow this situation to continue any longer than absolutely necessary.”

**240.** Mr Boateng approved the request on 8 December.<sup>167</sup>

**241.** The IPU briefing for Mr Straw’s visit to Iraq on 25 and 26 November included an update on staff security.<sup>168</sup>

**242.** The IPU explained that FCO Overseas Security Advisers (OSAs) made regular joint visits with DFID to Iraq. There had been four visits since May 2003. The next was scheduled for the turn of the year.

**243.** The IPU summarised security provision in Baghdad, Basra and the governorates:

*“Mobile Security*

“All travel outside the Secure Zones must be in full armoured convoys with a minimum of two vehicles. There are currently 52 armoured vehicles in Iraq, shared between Baghdad and Basra, and six Governorate Teams. 23 more will arrive in theatre by the end of November. A further 40 will arrive by February. All such convoys include a four-man armed protection team supplied under contract by Control Risks Group (CRG). There are a total of 26 teams, with 104 men. A further six teams will deploy as additional armoured vehicles arrive.

*“Static Security*

“Security for the CPA Green (Secure) Zone in Baghdad is provided by the US military and Global Security (a private British company). The unoccupied British Embassy compound (containing the partially-built flat pack Embassy) and the

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<sup>166</sup> Letter Straw to Chief Secretary to the Treasury, 24 November 2003, ‘Physical and Protective Security for UK Civilian Staff in Baghdad’.

<sup>167</sup> [Letter Boateng to Straw, 8 December 2003, ‘Iraq Reserve Claim’.](#)

<sup>168</sup> [Minute IPU \[junior official\] to PS \[FCO\], 24 November 2003, ‘Iraq: Briefing for Visit – 25-26 November 2003’ attaching Paper, ‘Meetings with British Staff’.](#)

villa housing the British Office Baghdad are both guarded by a Gurkha contingent supplied under contract with ArmorGroup.

“Following the attack on the al-Rashid Hotel, all other UK civilians in CPA Baghdad are currently accommodated in trailer parks within the Secure Zone. The units now benefit from physical security barriers which protect them against lateral bomb blast. However, they remain vulnerable, particularly to mortar and rocket attack. We now have a green light to proceed with construction of new accommodation under hard cover (new trailers on the ground floor of car park building). This should be complete by mid-January.

“UK CPA civilians required to work outside the Secure Zone (eg in Iraqi ministries) are protected in those locations by an Individual Bodyguard also supplied under contract by Control Risks Group. Security for the CPA headquarters in Basra is provided by the British military.

*“Close Protection*

“The Head of the British Office (Chris Segar) and IraqRep (Sir J Greenstock) are protected by a ... team from the Royal Military Police Close Protection Unit.

*“Security in Governorates*

“Following last week’s attack on the Italian Police compound in Nasariyah, CPA Baghdad launched a review of security in the governorates where UK staff are deployed. This review is moving more slowly than we had hoped ... IraqRep have ... issued specific instructions to UK staff in the governorates to take extra security precautions. Additional physical security measures such as blast walls, bomb shelters, alarm systems and window protection, are also in the process of being implemented.

“UK staff in the governorates are subject to the same security procedures and discipline as UK staff in Baghdad and Basra (eg armoured cars and armed protection teams). Evacuation plans are being drawn up and tested.”

**244.** Contingency plans for the phased withdrawal of UK CPA secondees in Baghdad were ready by 1 December.<sup>169</sup>

**245.** Sir Jeremy Greenstock discussed CPA staffing with Sir Michael Jay on 12 December.<sup>170</sup> He reported that “a strong spirit of commitment” among UK secondees contrasted with concern about living conditions in Baghdad and apprehension about the reaction of families in the UK to the dangers to which people were exposed.

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<sup>169</sup> Minute Dodd to Sheinwald, 1 December 2003, ‘Iraq: Senior Officials Group’.

<sup>170</sup> Minute Jay to Parham, 12 December 2003, ‘Conversation with Jeremy Greenstock: Iraq: Staffing Issues’.

Some secondees who had left after the attack on the al-Rashid Hotel were returning, but security was likely to get worse rather than better and required “constant vigilance”. Communication from London to Baghdad and Basra, and with families in the UK, was important.

**246.** Sir Michael Jay told the Inquiry:

“... some individuals ... were rather more gung-ho and rather more prepared to take risks ... Some of the DFID people were rather less used than those of us in the Foreign Office or elsewhere, to be working in very difficult conditions. These were completely understandable differences and they never became serious issues, as far as I’m aware ... They were the sort of things that I discussed with the Permanent Secretaries concerned, so that we reached agreement on the right approach.

“... I do remember one or two conversations when some departments were less willing than others to go out into the field. I think that’s inevitable ...

“You have got to have ... duty of care at the top of the agenda and you have also sometimes got to say to people, ‘I know that you say you are willing to do that, but if you get killed, your parents are not necessarily going to thank you for that or thank us.’”<sup>171</sup>

**247.** At the weekly meeting of Permanent Secretaries on 7 January 2004, Sir Nigel Sheinwald stated that the next six months in Iraq were critical and that it was important the UK maintained the quality of its secondees.<sup>172</sup>

**248.** The same day, a Treasury official advised Mr O’Donnell on the return of Treasury secondees evacuated after the al-Rashid bombing:

“Since the rocket attack on the al-Rashid hotel ... and subsequent incidents and security threats the contingent of UK economists from HMT (and the Bank of England) seconded to the CPA has withdrawn from Iraq. In part this reflects concerns about the status of the accommodation on offer ... it also reflects family wishes ...”<sup>173</sup>

**249.** The official explained that the FCO’s conversion of the ground floor of a car park into hardened accommodation was scheduled for completion by the end of January. In the interim, in recognition of the critical importance of Treasury and Bank of England secondees to the restoration of economic stability in Iraq, the UK military had offered accommodation for up to three economists with “a solid roof and very good ‘point’ security”.

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<sup>171</sup> Public hearing, 30 June 2010, pages 62-63.

<sup>172</sup> Minutes, Meeting of Permanent Secretaries, 7 January 2004.

<sup>173</sup> [Email Treasury \[junior official\] to Perm Sec \[Treasury\], 7 January 2004, ‘Iraq: Secondees’ attaching Paper, ‘Iraq: secondees’.](#)

**250.** The official recommended that existing volunteers, who were fully aware of the security risks, be allowed to make preparations for their return, and that new volunteers be permitted to attend a hostile environment course and deploy to Iraq, if their line manager agreed. Because of the timing of courses, new volunteers would not be able to deploy until at least 28 January.

**251.** On 9 January, Mr O'Donnell's office replied that he was "keen to see HMT people return if the conditions are appropriate and that people who volunteer are made fully aware of, and are trained about, the risks".<sup>174</sup>

**252.** On 14 January, Sir Michael Jay informed Sir Andrew Turnbull and Permanent Secretaries that the FCO and DFID had 165 civilian staff in Iraq.<sup>175</sup> The total was likely to rise above 200 in June, before falling after the transfer of sovereignty. Sir Michael provided a breakdown of the 165 by employer:

- 37 FCO staff;
- 23 FCO contractors;
- 52 seconded via the FCO from OGDs and the police;
- 5 DFID staff; and
- 48 DFID contractors.

He also provided a breakdown by geographical location:

- 72 in Baghdad:
  - 50 in CPA Baghdad (including 7 in the UK-CPA Co-ordination Cell);
  - 9 in the British Office Baghdad;
  - 8 in IraqRep (the office of the Prime Minister's Special Representative);
  - 4 in the DFID Baghdad Office;<sup>176</sup>
- 77 in Basra:
  - 72 in CPA(South);
  - 5 in the Basra Governorate Team; and
- 16 in other governorates.

**253.** Sir Michael listed 14 areas of UK civilian involvement in CPA Baghdad:

- policing and SSR;
- oil;
- governance;
- press and communications;

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<sup>174</sup> Email PS/Gus O'Donnell to Kilpatrick, 9 January 2004, 'Iraq: Secondees'.

<sup>175</sup> [Letter Jay to Turnbull, 14 January 2004, 'Iraq – Civilian Staffing' attaching Paper, 'Iraq: Civilian Staffing'](#).

<sup>176</sup> The numbers in Sir Michael Jay's list add up to 71, not 72.

- finance;
- immigration and customs;
- infrastructure and infrastructure security;
- civil affairs;
- human rights;
- justice;
- media policy and regulation;
- gender;
- youth and sport; and
- civic education.

He described the spread of functions in Basra as “even wider”, given the UK’s “overall responsibility” there.

**254.** Sir Michael explained that the extra staff expected to deploy between January and June were likely to include:

- 30 more secondees to CPA(South);
- a DoH team for CPA(South) and the southern governorates;
- “political process consultants”; and
- FCO staff setting up new diplomatic posts in Baghdad and Basra.

**255.** Sir Michael anticipated that numbers should fall to between 70 and 80 after the transfer of sovereignty, spread across the British Embassy Baghdad, the British Embassy Office Basra and “possibly” other regional offices. He warned that FCO human and financial resources were stretched, but concluded that plans for the next six months were “sensible – and manageable as long as the necessary resources are available”.

**256.** Sir Michael Jay also updated Permanent Secretaries on security and duty of care on 14 January:

“We would not normally deploy civilian staff to an area as dangerous as Iraq now is. But Treasury Solicitors have confirmed to the Cabinet Office that we are complying with our duty of care if (i) we take all reasonable measures to mitigate risk, at least on a par with other governments, (ii) staff are volunteers, and we put no pressure on them to take up posts in Iraq, and (iii) we deploy staff for good reason. We are confident we are fulfilling these requirements.”

**257.** On mitigation of the security risk, Sir Michael explained:

“The CPA itself is responsible for CPA staff security. But our guidelines and additional security assets bring security for British staff up to levels which we believe are required to allow staff to do their jobs while mitigating the risk to an acceptable

level. Most importantly, all British civilian staff are required to travel in armoured vehicles and in convoy with armed protection teams ... We have to be prepared for the possibility of serious casualties: ... people may just be in the wrong place at the wrong time.”

**258.** Sir Michael Jay visited Baghdad from 21 to 23 January. He told Mr Straw:

“There are some tensions on the ground, notably over security, particularly in Baghdad: staff tend to put a greater premium on quality of life ... than on security. I believe Jeremy Greenstock’s maxim that no British staff should be killed by a predictable attack is right.”<sup>177</sup>

**259.** On 18 February, Mr O’Donnell confirmed to Sir Jeremy Greenstock that, in light of the assurances he had received, “Treasury secondees will be making their way back to Iraq from the beginning of next week”.<sup>178</sup>

**260.** Lord Jay told the Inquiry:

“Flying into Baghdad [in January 2004] in a Hercules which has got red blobs on the radar screens saying ‘That’s where the missiles were fired the last time round’ concentrates the mind a bit ... These were not normal conditions. These were, I thought, very brave, very able people from a wide range of government departments doing a fantastic job in very, very difficult circumstances and you come back thinking, ‘Gosh! You have really got to focus on their safety. It is hugely important that they continue to do this job as well as they are doing it at the moment.’ But you have got to have huge responsibility for their safety.”<sup>179</sup>

**261.** A DFID security assessment of Baghdad and Basra in January 2004 found that:

“With many more armoured vehicles now in country, constraints on the movement of staff have eased over the period but the CRG teams remain fully stretched. Numbers of British staff at both locations (Baghdad and Basra) continue to increase, and extra armoured vehicles and Armed Protection Teams (APTs) are still urgently needed.”<sup>180</sup>

**262.** On 26 January 2004, Mr Straw requested a further £9.4m from Mr Boateng:

“The firm judgement of our security experts is that, without the protection of armoured vehicles and APTs (armed protection teams), it would be too dangerous for our civilian staff to travel outside guarded CPA compounds such as the Green Zone in Baghdad.”<sup>181</sup>

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<sup>177</sup> [Minute Jay to Secretary of State \[FCO\], 26 January 2004, ‘Visit to Iraq: 21-23 January’.](#)

<sup>178</sup> Letter O’Donnell to Greenstock, 18 February 2004, [untitled].

<sup>179</sup> Public hearing, 30 June 2010, page 46.

<sup>180</sup> Paper CHAD Operations Team [junior official], January 2004, ‘DFID Security Assessment of Baghdad and Basra – January 2004’.

<sup>181</sup> [Letter Straw to Chief Secretary to the Treasury, 26 January 2004, ‘Iraq: Security for British Civilian Staff’.](#)

**263.** Mr Boateng agreed the FCO bid in full on 30 January.<sup>182</sup>

**264.** By 21 April, the number of UK civilians seconded to the CPA had risen to about 260, with approximately 120 each in Baghdad and Basra, and 20 elsewhere in Iraq.<sup>183</sup> Between 70 and 80 MOD civil servants were directly supporting Op TELIC.

## The British Offices in Baghdad and Basra

**265.** During the CPA period, the expansion of the British Office Baghdad and the opening of a British Office in Basra were delayed by the limited availability of security assets and the need to prioritise other UK activities in Iraq.

**266.** The British Office Baghdad was opened by Mr Segar on 5 May 2003.<sup>184</sup>

**267.** Originally staffed by a team of four, by late summer 2003 it had eight UK-based staff and a locally employed British Council officer. The Commercial Section was staffed by two UKTI officials and a secondee from industry.

**268.** The flat pack Embassy arrived in Baghdad on 23 June in 80 containers. It consisted of prefabricated office and accommodation units and was designed to house up to 40 staff.

**269.** On 18 July, in a letter to Mr Boateng requesting additional funds for security enhancements to FCO posts in Iraq, described earlier in this Section, Mr Straw reported that the British Office Baghdad was assembling the flat pack Embassy under 24-hour sniper watch and would “soon be up to full strength of eight UK-based officers”.<sup>185</sup>

**270.** On 5 August, FCO officials discussed proposals from Mr Segar to expand the British Office Baghdad to 10 UK-based and 23 local staff.<sup>186</sup> Mr Crompton informed Mr Segar that availability of security assets was likely to be “a major constraint” on his expansion plans: “further increases in armed protection teams, armoured cars and other security equipment could only be funded through compensating savings elsewhere”. He advised Mr Segar “to think carefully about prioritising”.

**271.** On 19 August, after the bombing of the Canal Hotel, the British Office Baghdad was moved from the former British Embassy compound to a villa in the CPA secure zone.<sup>187</sup>

**272.** After visiting Baghdad at the beginning of September, Mr Crompton advised Mr Edward Chaplin, FCO Director Middle East and North Africa, that there was “a clear

<sup>182</sup> Letter Boateng to Straw, 30 January 2004, ‘Iraq Reserve Claim’.

<sup>183</sup> [Letter Tebbit to Turnbull, 21 April 2004, \[untitled\]](#).

<sup>184</sup> [Minute IPU \[junior official\] to PS \[FCO\], ‘Iraq: Briefing for Visit – 25-26 November 2003’ attaching Paper \[unattributed\], ‘Background on Other Issues’.](#)

<sup>185</sup> [Letter Straw to Chief Secretary to the Treasury, 18 July 2003, ‘Iraq-Related Costs’.](#)

<sup>186</sup> [Letter Crompton to Segar, 13 August 2003, ‘BOB staffing, security and accommodation’.](#)

<sup>187</sup> [Minute IPU \[junior official\] to PS \[FCO\], 24 November 2003, ‘Iraq: Briefing for Visit – 25-26 November 2003’ attaching Paper \[unattributed\], ‘Background on Other Issues’.](#)

and distinct role for a ... British Office [Baghdad] to pursue bilateral interests and begin developing long-term contacts".<sup>188</sup> There were also "many opportunities for TPUK and British Council", but expansion plans should be "moderated to match the availability of accommodation and security assets".

**273.** Further work appears to have halted until early 2004, when the FCO created a project management team in London, with project managers in Baghdad and Basra, to plan the UK's post-CPA representation in Iraq.<sup>189</sup> The planning process is addressed later in this Section.

**274.** In November 2003, the IPU reported that work on the flat pack Embassy had stopped and that it would shortly be secured and waterproofed "until the security situation is more permissive and work can continue".<sup>190</sup>

**275.** In July 2003, the FCO put on hold plans to open a British Office in Basra by the end of August in order to focus on strengthening CPA(South).<sup>191</sup> Any staff already identified for the British Office were to be redirected to CPA(South).

**276.** On 15 July, the IPU recommended to Mr Straw that the FCO establish "a limited form of UK mission in Basra on 1 December 2003 which would be gradually staffed by FCO UK secondees moving across" from CPA(South).<sup>192</sup> The IPU recommended a total of six UK-based staff, including one from TPUK, and an unspecified number of local staff. DFID and the British Council were reported to have indicated an interest in having one representative each.

**277.** Mr Straw agreed the proposal subject to Treasury approval of the necessary funds.<sup>193</sup>

**278.** A decision on whether to open a British Office in Mosul was postponed.

**279.** Mr Julian Metcalfe, Head of FCO Estate Strategy Unit, informed Mr Collecott on 30 July that efforts to identify premises for the British Office in Basra were "turning into something of a joke" because of security constraints and the shortage of staff resources in CPA(South).<sup>194</sup>

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<sup>188</sup> [Minute Crompton to Chaplin, 5 September 2003, 'Visit to Iraq: 31 August to 3 September'](#).

<sup>189</sup> Minute Jay to Foreign Secretary, 6 February 2004, 'Iraq: Post-Transition Representation' attaching Paper, 'Future UK Representation in Iraq'.

<sup>190</sup> [Minute IPU \[junior official\] to PS \[FCO\], 24 November 2003, 'Iraq: Briefing for Visit – 25-26 November 2003' attaching Paper, 'Background on Other Issues'](#).

<sup>191</sup> Minute Crompton to Ehrman, 9 July 2003, 'British Office Basrah'.

<sup>192</sup> [Minute IPU \[junior official\] to PS/Straw, 15 July 2003, 'Iraq: Establishing a British Office in Basra and Mosul'](#).

<sup>193</sup> [Minute Owen to IPU \[junior official\], 21 July 2003, 'Iraq: Establishing a British Office in Basra and Mosul'](#).

<sup>194</sup> [Minute Metcalfe to Collecott, 30 July 2003, 'Basra Offices'](#).

**280.** Two FCO officials visited Basra to identify a suitable location on 30 July, 24 hours after Sir Hilary Synnott's arrival as the new Head of CPA(South).<sup>195</sup> They reported that Sir Hilary had been very helpful, but that, in the absence of FCO staff able to facilitate the visit, it had "bordered on farce at times". Initially they had been told there was no transport or protection available for a tour of the city, but the visit was "saved at the eleventh hour from being a total disaster" by the MND(SE) visits officer and MOD/CPA liaison officer. The officials did not reach firm conclusions on a location and recommended "a more structured visit" soon.

**281.** Sir Hilary Synnott advised the FCO that December was not soon enough to establish a bilateral presence in Basra.<sup>196</sup> Commercial, visa and consular demands were all increasing. Much as he would like to help, CPA(South) did not have the capacity or the mandate to do so. He therefore recommended the early creation of a small "UK bilateral cell" in Basra.

**282.** Mr Straw submitted a claim on the Reserve to cover the expected cost of setting up and running the Basra Office in his letter to Mr Boateng on 18 July.<sup>197</sup>

**283.** Mr Boateng rejected Mr Straw's claim on 9 September, explaining that he "would have expected the FCO to have adjusted their internal Resource Allocation Round at the end of last year" when faced with what was an "increasingly likely" contingency.<sup>198</sup>

**284.** In November 2003, Sir Nigel Sheinwald advised Mr Blair that the idea of a bilateral UK office in Basra to handle "trade contacts, culture and visitors ... fell by the wayside in the summer" and needed to be revived.<sup>199</sup>

**285.** Mr Blair asked for the FCO to "put in place a British Office in Basra to handle trade contacts, cultural ties, visitors etc".<sup>200</sup>

**286.** The IPU advised Mr Straw that there would be advantage in revisiting the idea of setting up a small unit in Basra for bilateral work, arranging visits and managing the establishment of a post-CPA British Office, "not least to flag up the resource implications to No.10".<sup>201</sup> Costs could be kept to a minimum by using staff already selected for other roles and providing accommodation on the CPA(South) site. Other Whitehall departments would join as the project developed.

**287.** On 27 November, the FCO informed No.10 that it proposed to set up a "Bilateral Unit" in Basra run by an FCO official, under the supervision of Mr Henry Hogger, the

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<sup>195</sup> Paper FCO Services [junior official], 5 August 2003, 'Basra (Future Offices)'.

<sup>196</sup> [Telegram 41 FCO London to Baghdad, 4 August 2003, 'Iraq: Pursuing British Interests in Southern Iraq'](#).

<sup>197</sup> [Letter Straw to Chief Secretary to the Treasury, 18 July 2003, 'Iraq-Related Costs'](#).

<sup>198</sup> [Letter Boateng to Straw, 9 September 2003, 'Iraq Reserve claim'](#).

<sup>199</sup> [Minute Sheinwald to Prime Minister, 10 November 2003, 'Visit to Iraq'](#).

<sup>200</sup> [Letter Rycroft to Adams, 11 November 2003, 'Iraq: Next Steps'](#).

<sup>201</sup> [Minute IPU \[junior official\] to PS \[FCO\], 25 November 2003, 'Iraq: Draft Letter on British Office, Basrah'](#).

Basra Governorate Co-ordinator. UKTI, DFID and the British Council had identified staff to work in the new office. If circumstances and resources allowed, the “Bilateral Unit” would oversee the establishment of a substantive “British Transitional Office”.

**288.** Mr Hogger explained on 2 January 2004 that there was “little to report yet on implementing the Prime Minister’s wish for the establishment of a British Office in Basra”.<sup>202</sup> He hoped that a visit by security experts in January would make progress on identifying possible premises for an “embryonic British Office” and the eventual Consulate. He advised that, in the current security climate, the British Office would almost certainly have to be housed in the CPA/UK military compound, which was already overcrowded.

### Preparations for the transfer of sovereignty

**289.** On 15 November 2003, the Iraqi Governing Council announced an accelerated timetable for the transfer of sovereignty to an Iraqi transitional administration, with the CPA to be dissolved by 30 June 2004 (see Section 9.2).

**290.** *Hard Lessons*, Mr Stuart Bowen’s account, as US Inspector General for Iraq Reconstruction, of the US experience of reconstruction between 2002 and 2008, described the impact of the new timetable:

“Reconstruction plans that had just been devised on a two-year timetable now had to shift, and the rush began to prepare Iraq’s government to stand on its own in seven months.”<sup>203</sup>

**291.** On 5 December, Sir Hilary Synnott advised the FCO that the compressed timetable made adequate staffing more important than ever. Recruitment needed to look beyond the dissolution of the CPA. The UK would need to sustain “an intensive development co-operation/technical assistance relationship” with Iraq and “might usefully maintain an international co-ordination role. This will require a careful transitional process with maximum use of acquired experience.”

**292.** Sir Michael Jay visited Iraq from 21 to 23 January 2004 to discuss the implications of the transfer of sovereignty with UK staff in Baghdad and Basra.<sup>204</sup> He discussed his findings with Mr Straw on 29 January.<sup>205</sup>

**293.** On 6 February, Sir Michael submitted formal recommendations for an Embassy in Baghdad, a Consulate General in Basra and an office in either Kirkuk or Mosul.<sup>206</sup>

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<sup>202</sup> Telegram 1 CPA Basra to FCO London, 2 January 2004, ‘Prime Minister’s Visit to Basra: Scenesetter’.

<sup>203</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>204</sup> [Minute Jay to Secretary of State \[FCO\], 26 January 2004, ‘Visit to Iraq: 21-23 January’.](#)

<sup>205</sup> [Manuscript comment Adams to PS/PUS \[FCO\], 30 January 2004, on Minute Jay to Secretary of State \[FCO\], 26 January 2004, ‘Visit to Iraq: 21-23 January’.](#)

<sup>206</sup> Minute Jay to Foreign Secretary, 6 February 2004, ‘Iraq: Post-Transition Representation’ attaching Paper, ‘Future UK Representation in Iraq’.

**294.** Mr Straw sent Mr Gordon Brown, the Chancellor of the Exchequer, an indication of the estimated costs of post-transition representation on 11 February as the basis for detailed discussions between FCO and Treasury officials.<sup>207</sup> Combined annual running costs for the three bilateral offices were estimated at £37.1m, including £21.7m (58.5 percent of the total) for security.

**295.** Mr Straw attached a paper setting out the proposed functions of the three offices and estimated staff numbers for Baghdad and Basra:

- Baghdad: 78 resident UK staff (including police and MOD advisers), up to 20 visiting contractors and DFID staff during peak activity, and 55-56 local staff; and
- Basra: 81 resident UK staff (including police), 10 visiting contractors and 30 local staff.

**296.** The expectation was that it should be possible to reduce UK representation as Iraq stabilised.

**297.** The paper stated that office infrastructure and key staff should be in place by the end of June. Recruitment of staff and development of sites would begin as soon as agreement had been reached with the US on a number of issues, including the use of potential sites. The plan was to recruit staff for one year if possible, six months renewable if necessary. Recruitment would not be easy. As one incentive, the FCO planned to give staff the option of having their families in Kuwait.

**298.** The paper also stated that the FCO had created a project management team in London, which had set up a cross-Whitehall Transition Project Management Group including representatives of interested government departments. An FCO officer had been seconded to the State Department transition team and a UK civilian was a member of the CPA Transition Team.

**299.** Sir Kevin Tebbit explained the arrangements for looking after civilian personnel in Iraq to Sir Andrew Turnbull and Permanent Secretaries on 21 April 2004.<sup>208</sup> There were two categories of civilian employee: MOD civilians deployed as part of Op TELIC, and other staff and contractors, either seconded to the CPA or deployed directly to Iraq, who were “under the wing of IraqRep”.

**300.** Sir Kevin explained:

“... the 70-80 MOD civil servants deployed at any one time in direct support of Operation TELIC effectively enjoy the same protection as the military, alongside whom they live and work. They would be unlikely to have to leave, but if they were, the arrangements would be made through the Permanent Joint Headquarters which is part of their reporting chain and also ‘owns’ the military transport assets. This would be fairly straightforward given the numbers involved.

<sup>207</sup> [Letter Straw to Chancellor of the Exchequer, 11 February 2004, ‘Iraq: Post-Transition Representation’.](#)

<sup>208</sup> [Letter Tebbit to Turnbull, 21 April 2004, \[untitled\].](#)

“Of the IraqRep staff (including civil servants and contractors) there are about 120 each in Baghdad and Basra and 20 or so in smaller locations. Most are based in secure locations which are currently protected by Coalition Armed Forces. Protection whilst on the move is normally provided by private contractors. The security guidelines for these staff is constantly under review, based on risk assessment done by full time FCO security managers in Baghdad and Basra. Staff understand that they are volunteers and that they may return to the UK if not comfortable with the security arrangements.

“In the event that HMG civilians had to be withdrawn from the South, the UK Armed Forces would assist with the evacuation of UK staff, through Basra Airport, by road to Kuwait, or by sea, depending on the operational circumstances. Those in Baghdad would be assisted to leave through the airport. In the outlying areas the US military would assist. Detailed contingency plans are being drawn up.”

**301.** Sir Kevin also commented on concerns expressed by Permanent Secretaries that the withdrawal of civilian contractors could undermine the reconstruction effort:

“The impact on reconstruction would indeed be serious if contractors began to withdraw, although there is little evidence that this is happening on a large scale. Most companies seem to realise that they must balance their desire to participate in [the] reconstruction effort with the need to look after their staff. Many are reassessing their security arrangements, but look likely to remain ... No UK or US funded contractor has withdrawn from Iraq.”

**302.** The Annotated Agenda for the AHMGIR on 22 April advised that security had deteriorated “markedly” over Easter (9 to 12 April) and that the risks to UK civilian staff in Iraq were “high”.<sup>209</sup> The deployment of civilians had been reviewed and, as a temporary measure, new deployments to Baghdad had been suspended and staff unable operate in the current security environment had been withdrawn.

**303.** The AHMGIR approved the recommendation that all other staff should remain in Iraq subject to continuing review.<sup>210</sup>

**304.** The 11 May meeting of ISOG discussed a concern raised by Mr Patrick Nixon, Sir Hilary Synnott’s successor as Head of CPA(South), that there would be a gap in reconstruction activity in the South between the end of the CPA and the launch of major infrastructure projects in August.<sup>211</sup> The number of UK reconstruction staff would fall from 51 to seven (see Section 10.1).

**305.** On 18 May, Mr Philip Parham, Head of the FCO Iraq Operations Unit (IOU), updated Sir Michael Jay on the security of civilian staff in Iraq.<sup>212</sup>

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<sup>209</sup> [Annotated Agenda, 21 April 2004, Ad Hoc Group on Iraq Rehabilitation meeting.](#)

<sup>210</sup> Minutes, 22 April 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>211</sup> Letter Cabinet Office [junior official] to Buck, 13 May 2004, ‘Iraq: Senior Officials Group’.

<sup>212</sup> [Minute Parham to PS/PUS, 18 May 2004, ‘Iraq: Security of Civilian Staff’.](#)

**306.** Mr Parham reported that, in Baghdad, all staff were accommodated under hard cover, very few road journeys were authorised beyond Baghdad and there was heightened concern about the road between Baghdad Airport and the Green Zone. There was no operational alternative to using the airport road and staff would continue to use it while mitigating risks as far as possible.

**307.** Security in Basra had deteriorated over the previous two months. Staff were accommodated in soft-skinned CPA trailers, which were being sandbagged to give extra blast protection. Progress had been very slow, but was now being expedited. From 30 June, all staff at the British Embassy Office Basra would be under hard cover.

**308.** Mr Parham explained that the drawdown of CPA(South) staff would begin in early June as transition approached and that DFID was considering whether to bring forward the departure of experts performing non-essential tasks.

**309.** Mr Parham also reported on the security of UK staff in other provinces:

- In Nasiriyah, Mr Rory Stewart, Deputy Governorate Co-ordinator, had already been evacuated with the Co-ordinator and the CRG close protection team on 17 May after the CPA compound had come under sustained attack. Mr Parham explained that it would not make sense for civilian staff to return to the CPA office. Instead, a core staff might operate from the Italian military base “as security allows”.
- Mr Nixon and the Basra Security Manager would visit Samawah, the capital of Muthanna province, on 19 May to assess whether the Deputy Governorate Co-ordinator, the only UK member of the GT, should remain there.
- The GT for Wasit province, headed by Mr Mark Etherington, was confined to the city of Kut, where US troops were securing the CPA compound. Mr Parham advised that the UK would pull out its staff if US troops withdrew.
- The GT in Kirkuk was “securely established in a well-protected compound”.
- In Erbil, Dr Liane Saunders, CPA Regional Co-ordinator, was based in an isolated compound that was “very secure and well-guarded”. She was able to operate over a wide area.

**310.** On 24 May, two UK civilians, an adviser to the Iraqi Oil Ministry employed by the FCO and a CRG employee, were killed by an Improvised Explosive Device (IED) just outside the Green Zone in Baghdad.<sup>213</sup>

**311.** An initial ban on staff movements outside the Green Zone introduced after the attack was lifted on 26 May.

**312.** ISOG instructed the FCO, MOD and DFID to review staff deployments, and the FCO and MOD to speed up the delivery of Electronic Counter-Measures (ECMs)

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<sup>213</sup> Letter Overseas and Defence Secretariat [junior official] to Buck, 26 May 2004, ‘Iraq: Senior Officials Group’.

against remotely controlled IEDs, which had been on order for “some time” and were now urgent.

**313.** IED counter-measures are described in more detail in Section 14.1.

**314.** On 27 May, Mr Stuart Jack, Mr Parham’s successor as Head of the IOU, advised Mr Straw:

“... we are currently at the limit of technical measures we can apply to protect staff in Iraq. They have armoured cars and armed protection ... All staff have body armour and helmets. Everyone in Baghdad now sleeps under hard cover ... security managers are constantly reviewing the threat and apply the security guidelines robustly; if travel becomes too dangerous, staff are required to remain in the secure zone. It would be difficult to do much more and still allow staff to carry out their jobs.”<sup>214</sup>

**315.** Mr Jack identified three options for “further minimising” risk to staff:

- “(i) We could bring forward departure dates for those staff scheduled to leave in June, as DFID are planning.
- “(ii) We could delay the deployment of new staff going out to fill jobs at the Embassy.
- “(iii) We could reduce our presence in Baghdad.”

**316.** FCO security advisers visited Baghdad and Basra again from 14 to 20 June. Mr Millett reported that the threat was higher than on the advisers’ previous five visits. Security within the secure zones was good, but transport security remained the main problem.<sup>215</sup> He stated:

**“We have now reached the limit of what we can do to protect staff in Iraq ...**  
[I]f the numbers of attacks increase further, we have nowhere else to go ...

“We must ensure the numbers of staff are kept as low as possible consistent with achieving our strategic objectives in Iraq. We also have to ensure that we keep the contingency plan up-to-date for evacuation by the US and/or UK military.”

**317.** Mr Richmond reported on 17 June that the threat to staff in Baghdad was at its highest level since April 2003.<sup>216</sup> Journeys outside the Green Zone were only being approved under exceptional circumstances, seriously handicapping operational capacity (although work to support the Prime Minister’s Office and some other programmes were continuing). He had asked all staff who were not staying beyond 30 June to leave by 21 June.

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<sup>214</sup> [Minute Jack to PS \[FCO\], 27 May 2004, ‘Iraq: Civilian Staffing and Security’.](#)

<sup>215</sup> [Minute Millett to Buck, 25 June 2004, ‘Iraq Security’.](#)

<sup>216</sup> Telegram 328 IraqRep to FCO London, 17 June 2004, ‘Iraq: Security of Personnel’.

**318.** Participants at the Inquiry’s civilian outreach event commented that, although it was difficult to arrange travel to meetings outside the Green Zone in Baghdad from mid-2004, it was equally difficult for Iraqis to attend meetings inside the Green Zone. Iraqis did so at significant personal risk and did not understand why their UK interlocutors appeared to be so risk averse. The participants reported that similar conditions prevailed in Basra from mid-2006.

**319.** In March 2004, Mr Jack completed a review of the FCO’s worldwide security strategy, commissioned in response to the attack on the UK Consulate General in Istanbul in November 2003.<sup>217</sup> The terms of reference were: “To review the basis for the FCO Security Strategy. In particular to re-examine the balance between security and operational effectiveness.” Mr Jack’s review identified risk management as the most important tool available to identify the measures needed to meet the FCO’s duty of care to staff.

**320.** The FCO Board endorsed the main conclusions of the review on 26 March.<sup>218</sup>

**321.** In late June 2004, the FCO advised staff of the review’s conclusions, including that, although total risk avoidance was unrealistic, risk management was fundamental to striking a balance between security and operational effectiveness, and to the prioritisation of security resources.<sup>219</sup> The FCO’s Security Strategy Unit was reported to be developing a risk matrix to help inform decisions in posts.

**322.** On 23 June, DFID officials sought advice from Treasury Solicitors on draft guidance on DFID’s duty of care responsibilities in Iraq.<sup>220</sup> Treasury Solicitors confirmed that:

“... DFID, in common with all other employers, owes its employees a duty to take reasonable care for their physical and mental health and safety in all the circumstances of the case so as not to expose them to unnecessary, reasonably foreseeable risk of personal injury or death ...

...

“What DFID must do in order to comply with the duty of care depends on what is reasonable in all the circumstances, which include not only its own knowledge of the risks but also the degree of control it has over its employees given where they are, their experience and the nature of their work.

...

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<sup>217</sup> Report Jack, March 2004, ‘Security Review: Final Report’.

<sup>218</sup> Letter Millett to FCO Heads of Mission, 29 April 2004, ‘FCO Security: Stuart Jack’s Report’.

<sup>219</sup> Telegram 224 FCO London to Abidjan, 29 June 2004, ‘Review of FCO Security Overseas’.

<sup>220</sup> [Letter Treasury Solicitors \[junior official\] to Department for International Development \[junior official\], 25 June 2004, ‘Duty of care to staff in Iraq’.](#)

“Should DFID’s employees be in Iraq at all, given current circumstances? The answer is that DFID is free to employ its employees on work which will expose them to unavoidable risk of injury or death (ie against which it cannot guard by taking precautions); and, in the absence of express stipulation to the contrary, the risk is held to be with them and not with DFID. The law, however, requires DFID to use all reasonable care to diminish any inherent dangers, if it cannot eliminate these; and, if (as I presume to be the case here) it cannot effectively eliminate the dangers so that significant risks remain, it may be required to give its employees such information which is available to it to help them evaluate properly the benefits of being in Iraq against the risks. However, such a duty is more likely to arise where the risks are *not* common knowledge (which I would say they probably are here).

“DFID is not legally obliged to provide staff of consultancy organisations with the same level of support as it gives its own employees. Nor is it required by law to underwrite the steps taken by NGOs to support their staff working in Iraq.”

**323.** On 29 July, Treasury Solicitors added that DFID should “consider carrying out formal, periodic risk assessments as a further safeguard, and amending advice and procedures as a result of any relevant risks identified”.<sup>221</sup>

**324.** The first version of the DFID guidance on duty of care seen by the Inquiry is dated January 2005.<sup>222</sup> It stated:

“DFID has a responsibility to take reasonable measures to protect its employees from risk of injury (physical, psychological) or death ... DFID does not guarantee that an employee will not be injured ... In taking reasonable care, DFID will only be liable if there is some lack of care on its part for failing to prevent something that was reasonably foreseeable ...

“All employees have a duty to take all reasonable steps to mitigate any risks to their safety and security to which they are exposed ...

“All UK-based DFID staff visiting or working in Iraq are volunteers and are under no obligation to travel to Iraq and can leave Iraq at any time without penalty ...”

**325.** On the question of DFID’s obligations to non-DFID staff, the guidance stated:

“Individual consultants are not the employees of DFID and are ultimately responsible for their own well-being and security arrangements ... However, bearing in mind the prevailing security conditions and difficulty of working in Iraq, DFID aims to provide solo and singleton consultants with the same levels of security, logistical and counselling support as it does its own staff ...

...

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<sup>221</sup> [Letter Marriott and Treasury Solicitors \[junior official\] to Department for International Development \[junior official\], 29 July 2004, ‘Duty of care document’.](#)

<sup>222</sup> [Paper Iraq Directorate, January 2005, ‘Iraq: Guidance for DFID on its duty of care’.](#)

“Consultancy organisations are responsible for the well-being and security arrangements of their staff deployed to Iraq. Consultancy organisations are strongly advised to follow the same rules and procedures as DFID does for its own staff ...

“The responsibility for duty of care provisions and the security of NGO employees working in Iraq is held by the NGO. DFID will offer to meet the reasonable costs of providing the same level of security to NGO staff working on a DFID-financed project as DFID does for its own staff.”

## The post-CPA UK civilian presence in Iraq

**326.** On 1 July 2004, officials informed the AHMGIR that the British Embassy Baghdad and “Consulates” in Basra and Kirkuk had started operating.<sup>223</sup> Baghdad was reported to have 75 staff, Basra 47 and Kirkuk three.<sup>224</sup>

**327.** The FCO predicted that numbers in Baghdad would grow to “around 100 UK staff, of whom over half will be consultants to Iraqi ministries and advisers on Security Sector Reform”.<sup>225</sup> The British Embassy Office Basra would consist of “around 80 UK-based staff, of whom around 60 will be consultants and security sector advisers”.

**328.** Participants at the Inquiry’s civilian outreach event told the Inquiry that those arriving in mid-2004 felt a clear disconnect between the CPA, whose staff were shutting up shop and anxious to be home, and what followed. Knowledge acquired by CPA personnel was not passed on and commercial rivalry between old and new contractors damaged continuity.

**329.** The security situation deteriorated as the number of civilian personnel rose.

**330.** On 12 July, Mr Simon Collis, the new Consul General in Basra, described security as “the greatest immediate preoccupation”.<sup>226</sup> He added:

“As we prepare to move beyond the bare essentials of an office, a secure perimeter, accommodation in hardened containers and a canteen – none yet fully in place – our duty of care requires that, after security, morale must be a high priority. Access to social amenities is currently less than any post I have seen ...

...

“Rapid staff turnover (the tour cycle, with breather visits, leaves only five months in post before moving on) means there is a lack of institutional memory. And as yet there is no cadre of experienced local staff to provide continuity ...

“We need to take care to get the next phase of estate development right. This means breaking the rush-job habits which have, necessarily, been a feature of the

<sup>223</sup> Minutes, 1 July 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>224</sup> The minutes do not distinguish between UK-based and local staff.

<sup>225</sup> Telegram 236 FCO London to Abidjan, 2 July 2004, ‘Iraq: New Embassy and Embassy Offices’.

<sup>226</sup> [Telegram 77 Basra to FCO London, 12 July 2004, ‘Basra: Creating and Supporting a New Consulate’](#).

inception phase ... We have an excellent team here. And the Consulate [the British Embassy Office] will be a fine building when completed.”

**331.** Mr Collis told the Inquiry:

“Security was the most important factor, and by several orders of magnitude more significant than any other single constraint, because it made it much more difficult to tackle any of the other constraints.”<sup>227</sup>

**332.** On 5 August, Mr Collis reported that the detention on 3 August of four members of the Office of the Martyr Sadr (OMS) militia had increased tension between the Sadrist militia and the MNF in Basra City, Maysan and Nasiriyah.<sup>228</sup>

**333.** The tension was such that Mr Collis considered there was “a fair probability of mortar attack attempts on British bases tonight, possibly including our Consulate”.

**334.** The British Embassy Office was locked down in mid-August.<sup>229</sup> Mr Collis reported that, with the help of the military, staff were able to fly out on recuperation breaks using spare seats on helicopters visiting the military compound in Basra. They then transferred to military flights from Basra Airport to Kuwait. Staff were not yet using that route to return to the compound.

**335.** The British Embassy Office Basra was locked down at least three times in the second half of September, including:

- after further OMS attacks on 17 and 18 September;<sup>230</sup>
- after an attack on the Basra Palace site on 22 September;<sup>231</sup> and
- after attacks on international civilian vehicles in Basra on 28 September.<sup>232</sup>

**336.** On 29 September, there were three rocket attacks on the Basra Palace site, including a direct hit on the British Embassy Office.<sup>233</sup>

**337.** On 21 September, Mr Dickie Stagg, FCO Director General Corporate Affairs, reported on a short visit to Baghdad and Basra.<sup>234</sup> He informed senior FCO officials, including Sir Michael Jay and Mr Sawers, that he had been impressed by the “resilience

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<sup>227</sup> Private hearing, 22 June 2010, page 48.

<sup>228</sup> Telegram 86 Basra to FCO London, 5 August 2004, ‘Iraq: OMS activity in Basra’.

<sup>229</sup> Telegram 104 Basra to FCO London, 12 August 2004, ‘Southern Iraq: Sitrep’.

<sup>230</sup> Telegram 151 Basra to FCO London, 18 September 2004, ‘Iraq: Clashes in Basra’.

<sup>231</sup> Telegram 154 Basra to FCO London, 23 September 2004, ‘Iraq: Basra Security Situation’.

<sup>232</sup> Telegram 156 Basra to FCO London, 28 September 2004, ‘Iraq: Attacks on International Civilian Vehicles in Basra’.

<sup>233</sup> Telegram U/N [un-numbered] Basra to FCO London, 29 September 2004, ‘Attack on British Consulate Basra’.

<sup>234</sup> [Minute Stagg to Jack, 21 September 2004, ‘Iraq: Security/Morale/Staffing’.](#)

and good spirits of staff (many of whom extend beyond six months) in exceptionally testing circumstances”. Mr Stagg concluded:

- “a) We need to review constantly the number of staff in both posts to ensure that they all really can add value, in a situation in which movement off compound is so constrained. Nobody should be there unless we are clear their role is critical to the achievement of our (very important) goals in Iraq. I am sceptical about the impact of those trying to help the Iraqis reform their ministries on the basis of 2-3 meetings a week. Similar work in Sofia<sup>235</sup> (a much less difficult environment) was impossible without having people working in the ministries full-time.
- b) We must have adequate security staff in both posts. I wasn’t convinced that the arrangements in Baghdad are adequate ...
- c) We need to have a contingency plan for how to handle things if many fewer staff (at all grades) were willing to serve in Iraq because of the security situation ...”

**338.** Sir Andrew Turnbull and Sir Michael Jay discussed security in Iraq at their bilateral meeting on 29 September.<sup>236</sup> Sir Andrew expressed concern about the situation in Basra. Sir Michael said that it would be necessary to reconsider the terms on which staff from different departments were in Iraq.

**339.** Mr Collis reported on 30 September that arrangements were being made to provide military escorts for CRG vehicles and to restrict movements to certain times of day.<sup>237</sup> He also reported reduced availability of the military air bridge to Basra Airport that had been used in August. Staff remained under instructions to use hardened buildings only and to carry body armour when moving around the Basra Palace site at night.

**340.** The number of DFID contractors in Baghdad grew throughout 2004.<sup>238</sup> By October, the number of DFID contractors in Basra was also rising, reversing the significant drop in numbers at the end of the CPA period.

**341.** On 8 October, FCO Iraq Directorate briefed Mr Straw on the latest assessment of the risks to FCO staff and the measures being taken to minimise them.<sup>239</sup> Officials reported that the direct threat had heightened just as the number of UK civilians had increased with the deployment of extra DFID contractors. The FCO was “reaching the limits” of its ability to increase effective protection.

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<sup>235</sup> Mr Stagg was a former British Ambassador to Bulgaria.

<sup>236</sup> Minute Cabinet Secretary’s Private Office [junior official], 18 October 2004, ‘Sir Andrew Turnbull’s Bilateral with Sir Michael Jay: 29 September 2004’.

<sup>237</sup> Telegram 158 Basra to FCO London, 30 September 2004, ‘Iraq: The Threat to Us in the South’.

<sup>238</sup> [Letter Lowcock to Aldred, 24 June 2013, \[untitled\] attaching Table, \[untitled\]](#).

<sup>239</sup> Minute Iraq Directorate [junior official] to PS [FCO], 8 October 2004, ‘Staff Security in Iraq’.

**342.** Officials reviewed the situation against contingencies that would trigger a reduction in the numbers of staff exposed to the threat:

“In Baghdad: a deterioration in security within the International Zone; a redrawing of its perimeter to place the Embassy at its edge ...; an increase of accurate strikes from rockets or mortars; loss of control of the airport road; or a CBW threat.

“In Basra: use of SAMS [surface-to-air missiles] in a manner that removed the scope for evacuation by air; an increase of accurate mortar or rocket strikes; more sophisticated attacks on vehicles; or a CBW threat.”

**343.** Officials concluded that, in Basra, a rocket attack on the British Embassy Office had triggered one of the contingencies. In consultation with other departments, the FCO had initiated a limited withdrawal of less essential staff and DFID had postponed several new deployments, largely because proposed work in the governorates was not possible in current circumstances.

**344.** Officials reported that, in Baghdad, the contingencies had not been triggered, but the Embassy was reviewing staffing levels. DFID had reviewed its staffing in Baghdad and planned a net reduction of six consultancy posts. Some work would be based outside Iraq with shorter visits to Baghdad, but core work with the Iraqi Prime Minister's Office and on economic reform and support to civil society would not be affected.

**345.** An easing of the security situation in Basra during November came to an end with a rocket attack on the Basra Palace site on 4 December.<sup>240</sup> Mr Collis reported that staff had reverted to carrying body armour when moving outside after dark, but that the Consulate Club, which had been housed in a portakabin, had reopened in a hardened location on 5 December.

**346.** Further low intensity and inaccurate attacks continued throughout December.<sup>241</sup>

**347.** During 2004 and 2005, UK civilian personnel in Iraq became increasingly dependent on military assets for transport between and within Baghdad and Basra.

**348.** On 27 November 2004, after a series of attacks on the road to Baghdad Airport, the US Embassy announced the suspension all road travel to the airport by civilian staff.<sup>242</sup> Until further notice, they would travel by helicopter.

**349.** Mr Chaplin advised the FCO that the removal of US civilian vehicles from the airport road would raise the threat to UK road travel to an unacceptable level. US helicopters had no spare capacity and UK helicopters were committed to military operations. For the Embassy's operations to be sustainable, it needed its own helicopter assets.

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<sup>240</sup> Telegram 214 Basra to FCO London, 6 December 2004, 'Iraq: Attack on Basra Palace Site'.

<sup>241</sup> Telegram 227 Basra to FCO London, 23 December 2004, 'Iraq: Stand Off Attack on Basra Palace Site'.

<sup>242</sup> Telegram 430 Baghdad to FCO London, 29 November 2004, 'Iraq: Suspension of Road Moves to Baghdad Airport'.

**350.** The UK military offered help in the short term where Embassy requirements matched its plans, but was not in a position to provide a regular service.<sup>243</sup>

**351.** On 1 December, the Chiefs of Staff agreed an FCO request for helicopter support to the British Embassy Baghdad.<sup>244</sup>

**352.** Sir Kevin Tebbit informed Sir Michael Jay that the military would provide the best service it could over the next couple of weeks and was looking at the possibility of making additional helicopters available from Northern Ireland.<sup>245</sup>

**353.** Mr Straw raised the issue with Sir Nigel Sheinwald, who told him Mr Blair would be ready to write to the MOD to ensure its support continued.<sup>246</sup>

**354.** The FCO Senior Overseas Security Adviser (SOSA) visited Basra and Baghdad in March 2005.<sup>247</sup> Security arrangements at both posts were reported to be “first class”. All staff were said to have confidence in the security arrangements, which allowed them “to work with a reasonably comfortable feeling in a very hostile environment”. Two issues were highlighted:

- A continuing shortage in Baghdad and Basra of ECMs for preventing remote detonation of IEDs. Additional suites of ECMs had been ordered, but more were needed.
- A substantial reinforcement of US patrolling along the Baghdad Airport road since the beginning of 2005. If the number of incidents along the road remained low, the British Embassy might be able to re-assess whether it could be used again.

**355.** In May 2005, in his valedictory as Head of the IPU, Mr Crompton advised:

“... we need to sell the notion that military assets (particularly transport) belong to HMG as a whole and that decisions on how they are used are determined by HMG, rather than MOD/PJHQ on the basis of military priorities, occasionally in ways which have not best served wider HMG objectives”.<sup>248</sup>

**356.** Section 9.4 describes the further deterioration in security during the second half of 2005, at the same time as the Government started to discuss the consequences for civilian activities of the planned drawdown of UK military forces from southern Iraq.

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<sup>243</sup> Letter Asquith to Houghton, 29 November 2004, ‘Request for Help with Helicopter Transport for British Embassy, Baghdad Between Green Zone and BIAP’.

<sup>244</sup> Minutes, 1 December 2004, Chiefs of Staff meeting.

<sup>245</sup> Minute Jay to Private Secretary [FCO], 1 December 2004, [untitled].

<sup>246</sup> [Minute Owen to IPU \[junior official\], 2 December 2004, ‘Iraq: Helicopter Transport’.](#)

<sup>247</sup> [Minute Security Strategy Unit \[junior official\] to Asquith, 14 March 2005, ‘SSU Visit to Iraq’.](#)

<sup>248</sup> [Minute Crompton to Sawers, 4 May 2005, ‘Iraq Reflections’.](#)

**357.** On 15 July, the Iraq Strategy Group (ISG) considered a draft paper to be signed by Dr John Reid, the Defence Secretary, on operational transition in Iraq (see Section 9.4).<sup>249</sup>

**358.** The paper described a process in which Iraqi Security Forces would take primacy province by province. The transfer would be implemented from October in Maysan and Muthanna provinces. Basra and Dhi Qar would follow in spring 2006. This would lead to a reduced profile for UK forces, and reductions in numbers to around 3,000 by summer 2006.

**359.** After a discussion, the ISG concluded that the paper needed to cover more clearly the implications for other government departments and international actors.

**360.** In the revised paper, sent to No.10 on 18 July, Dr Reid stated that the drawdown could have an impact on the broader UK and international effort in the South:

“It is also possible that other (FCO and DFID) activity in Iraq aimed at developing the Iraqi police service and reconstruction will need to be curtailed or reduced, with consequent implications for HMG’s wider effort, because of the difficulties of running projects without UK military support and protection. This will need to be looked at in more detail with Other Government Departments.”<sup>250</sup>

**361.** Dr Reid’s paper also recognised that, although the drawdown was likely to deliver a significant cost saving to the military, there could be an increase in costs for others:

“Other Government Departments operating in Iraq may ... face increased security costs as they are forced to seek commercial alternatives to military force protection.”

**362.** The Ministerial Committee on Defence and Overseas Policy Sub-Committee on Iraq (DOP(I)) agreed Dr Reid’s recommendation on 21 July.<sup>251</sup>

**363.** On 16 September, the IPU advised Mr Straw and Sir Michael Jay that the frequency and sophistication of attacks in Basra were increasing and the British Embassy Office was locked down.<sup>252</sup> The threat was greater than in autumn 2004. The IPU recommended that the number of staff be kept under review and that Sir Michael Jay press the MOD for a dedicated helicopter service.

**364.** Officials prepared a draft paper for DOP(I) on 27 September advising that civilian activity in the South was “heavily reliant on UK forces for a range of services”, such as accommodation outside Basra, helicopter transport and regular intelligence on security

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<sup>249</sup> Letter Cabinet Office [junior official] to Iraq Senior Officials, 15 July 2005, ‘MOD paper on operational transition in Iraq’ attaching Paper MOD, ‘Operational transition in Iraq’.

<sup>250</sup> Paper Secretary of State for Defence, 18 July 2005, ‘Operational Transition in Iraq’.

<sup>251</sup> [Minutes, 21 July 2005, DOP\(I\).](#)

<sup>252</sup> Minute Jeffrey to PS [FCO], 16 September 2005, ‘Basra Security Situation’.

threats.<sup>253</sup> Those services could be sourced from private contractors after the military drawdown, though at a lower “level of service” and with increased risk to civilian staff. The UK had spent £19.2m on life support (including £16m on security) in 2004/05. The cost to source those services from private contractors would be at least 80 percent higher.

**365.** On 29 September, after a further IED attack on a US convoy travelling on a route being considered by the British Embassy Office Basra for road transfers to Kuwait, Sir Michael Jay agreed to the temporary withdrawal of five FCO and contracted staff from Basra.<sup>254</sup>

**366.** On 30 September, Mr Straw’s Private Office sent No.10 joint FCO/MOD/DFID advice on the implications for UK policy of the 17 September “Jameat incident”, when two UK soldiers in Basra killed one Iraqi police officer and wounded another, and were detained by the Iraqi authorities (see Section 9.4).<sup>255</sup> Mr Straw’s Office advised that paper had been agreed by officials, but had not yet been seen by Mr Straw. The joint paper stated:

“For FCO, DFID and OGD personnel to operate out of Basra will ... require an air bridge (similar to the one in Baghdad) from the Consulate General to Basra airport.

...

**“We will need to allocate more resources, which might include military resources, to security.** The next week, and possibly months, are likely to be rough. Attacks on us are becoming more sophisticated. We will need to protect our staff.”

**367.** A manuscript comment by a No.10 official on an advance copy of the paper shown to Mr Blair stated: “John Reid does not want this [additional military resources for civilian security].”<sup>256</sup>

**368.** General Sir Mike Jackson, Chief of the General Staff (CGS), visited Iraq in early October.<sup>257</sup> His report of the visit referred to the pressure on the helicopter support fleet and the air bridge: “we really need to take stock of our AT [air transport] capability in the round, especially in light of our impending commitment to Afghanistan”.

**369.** In October 2005, Dr Reid sought approval from Mr Des Browne, Chief Secretary to the Treasury, to procure a counter-measure to the threat posed to UK troops by IEDs (see Section 14.1).<sup>258</sup>

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<sup>253</sup> [Paper \[draft\] \[unattributed\], 27 September 2005, ‘The Consequences of Operational Transition for Civilian Activities in Southern Iraq: A paper for DOP\(I\) 20 October 05’.](#)

<sup>254</sup> Manuscript comment Jay, 29 September 2005, on Minute Iraq Operations Unit [junior official] to PS/PUS [FCO], 27 September 2005, ‘Basra Security Situation’.

<sup>255</sup> [Letter Hayes to Quarrey, 30 September 2005, ‘Iraq: Basra’ attaching Paper FCO/MOD/DFID, 30 September 2005, ‘South-East Iraq: impact of security incident in Basra’.](#)

<sup>256</sup> Manuscript comment Quarrey on Minute [draft] FCO/MOD/DFID, 30 September 2005, ‘Iraq: Basra’.

<sup>257</sup> Minute CGS to CDS, October 2005, ‘CGS visit to Iraq: 10-13 Oct 05’.

<sup>258</sup> Letter Reid to Browne, 31 October 2005, ‘Iraq UORs: M\*’.

**370.** Ten days later, Mr Benn, who had received a copy of Dr Reid’s letter, expressed his support for the proposal, pointing out that it would also “significantly reduce the current threat against UK forces and DFID staff”.<sup>259</sup>

**371.** The FCO SOSA visited Kirkuk, Baghdad and Basra between 10 and 21 November.<sup>260</sup> He reported that:

“The number of terrorist attacks remains at a high level and continues to be well targeted and professional. The main threat to our staff in Baghdad and Basra is from Explosively Formed Projectiles (EFPs). However, all methods of Vehicle Borne Improvised Explosive Devices (VBIEDs) can be expected in all areas in which our staff operate. Indirect fire attacks are a threat to all our bases and the threat [of] kidnap is high.

“The Security Managers and CRG are to be congratulated on their professional control of road movement ... It is clear that all road moves are subject to risk. The completion of accommodation at the police academies and at the airports in Baghdad and Basra will allow more flexibility. The use of helicopters is vital in order to change the pattern of movements.

“We recommend that all staff in Basra can move in Warrior armoured vehicles.”

**372.** Growing pressure on military assets created tension between civilian and military personnel.

**373.** Assistant Chief Constable (ACC) Colin Smith, the UK’s Chief Police Adviser in Iraq from May 2005 to April 2006, told the Inquiry that, when the FCO handed over responsibility for operational delivery of Security Sector Reform to the MOD in October 2005 (see Section 12.1), one UK General Officer Commanding (GOC) in MND(SE) “indicated that unless civilian contractors agreed to be carried in ‘Snatch’ Land Rovers their contracts should be terminated”.<sup>261</sup>

**374.** Chief Constable (CC) Paul Kernaghan, holder of the International Affairs portfolio for the Association of Chief Police Officers (ACPO) from 2001 to 2008, told the Inquiry that duty of care for civilians in Iraq, including police, was addressed on a collective basis in Whitehall and that he only had to intervene twice: to allow police training officers to remain overnight at their training centre; and to prohibit police officers from being transported in UK military Snatch Land Rovers.<sup>262</sup> He insisted that they be transported in better protected vehicles, including Warrior:

“I know this meant police officers were treated differently from soldiers, but police officers are not soldiers and different considerations apply.”

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<sup>259</sup> Letter Benn to Browne, 10 November 2005, [untitled].

<sup>260</sup> Minute SMD [junior official] to Patey, 1 December 2005, ‘Security Visit to Baghdad and Basra’.

<sup>261</sup> Statement, 25 June 2010, page 7.

<sup>262</sup> Statement, 9 June 2010, page 8.

**375.** Protected mobility is addressed in more detail in Section 12.1.

**376.** On 16 December, DFID officials recommended to Mr Benn a number of changes to transport arrangements in Basra, including use of Warrior armoured vehicles by DFID staff for mission-critical visits to certain sites in southern Iraq.<sup>263</sup> Until then, DFID staff had travelled in civilian rather than military vehicles because of their lower profile, consistent with the nature of DFID's work.

**377.** Officials advised Mr Benn that:

“... the continuing threat from EFPs in southern Iraq fundamentally compromises our ability to complete important projects, particularly in the power and water sectors at acceptable levels of risk.”

**378.** Three days later, FCO officials recommended to Mr Straw “a safe and measured return to road moves” for civilian staff in the South “in order to fully promote HMG objectives”.<sup>264</sup> They proposed that, subject to regular review:

- all civilian staff be allowed to travel in Warrior armoured fighting vehicles within Basra, where there was a significant risk from armour piercing roadside bombs;
- UK civilian police officers be able to travel with contracted British Iraqi Police Advisers in their FCO armoured vehicles, escorted by UK military Snatch Land Rovers; and
- road moves in FCO armoured vehicles should restart along the main road from Basra Airport to Nasiriyah and Basra Airport to Kuwait.

**379.** Mr Straw approved the recommendations on 9 January 2006, provided the rules were subject to regular review.<sup>265</sup>

**380.** On 12 January, Mr Straw told DOP(I) that he remained concerned about the need to maintain staff morale, particularly in Basra. All departments needed to keep staff morale and welfare under review.<sup>266</sup>

**381.** On 2 February, DFID officials sought Mr Benn's approval to bring DFID policy on road movements into line with the FCO.<sup>267</sup>

**382.** Officials updated Mr Benn on security in Basra six days later.<sup>268</sup> Rocket attacks on the Basra Palace site were becoming more frequent and accurate. Three attacks had

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<sup>263</sup> Minute [DFID junior official] to PS/Secretary of State [DFID], 16 December 2005, 'Iraq: Iraq Security Update'.

<sup>264</sup> [Minute Iraq Directorate \[junior official\] to Foreign Secretary, 19 December 2005, 'Iraq: Proposed Changes to Travel in Southern Iraq for HMG Civilian Staff'](#).

<sup>265</sup> [Minute Siddiq to Iraq Directorate \[junior official\], 9 January 2006, 'Iraq: Proposed Changes to Travel in Southern Iraq for HMG Civilian Staff'](#).

<sup>266</sup> Minutes, 12 January 2006, Defence and Overseas Policy Sub Committee on Iraq.

<sup>267</sup> Minute [DFID junior official] to PS/Secretary of State [DFID], 2 February 2006, 'Iraq: Iraq Security Update'.

<sup>268</sup> [Minute \[DFID junior official\] to PS/Secretary of State \[DFID\], 8 February 2006, 'Information Note: Security Update – Basra, Iraq'](#).

taken place on 5 and 6 February, without injuries or damage. The FCO and DFID were assessing options for a temporary reduction in staff numbers.

**383.** Officials also reported that concerns were growing for local staff, who were increasingly fearful for their safety “after reports of intimidation and murders of local staff employed by the UK” and increased tensions surrounding the Shia festival of Ashura. Mr James Tansley, the Consul General, and others had briefed local staff and did not believe there was much substance to the rumours:

“However, DFID Basra have offered local staff the option of taking time off if they feel unsafe, have advised varying routes for those who do come in and have made arrangements for varying access times and gates to the compound.”

**384.** On 14 February, in a paper for DOP(I), Dr Reid set out transport options for the British Embassy Office Basra and the UK-led Basra Provincial Reconstruction Team (PRT) after the handover of security responsibility to Iraqi control in Maysan and Muthanna provinces.<sup>269</sup> The options included escorts from security contractors “as now, depending on local threat” and a range of military options including land and air escort.

**385.** DOP(I) agreed the approach set out in the paper.<sup>270</sup>

### Departmental reviews of staffing levels

**386.** After reviews of personnel safety in response to an upsurge in violence in March 2006, DFID and the FCO concluded that there should be no reduction in staff numbers.

**387.** On 3 March, following attacks on the British Embassy Baghdad and an upsurge in violence after the bombing of the al-Askari mosque in Samarra (see Section 9.4), DFID officials reviewed personnel numbers in Iraq. They recommended to Mr Benn:

“DFID should maintain staffing at current levels for now. The FCO security advice is that there has been no significant change to our direct threat levels. We assess that existing staff remain important to the success of our programmes and that each person continues to deliver effective work despite restrictions on movements. We judge that HMG can continue to manage known threats robustly.”<sup>271</sup>

**388.** That advice was restated two weeks later, in keeping with the conclusions of an Embassy audit of staff and security in Baghdad and Basra.<sup>272</sup>

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<sup>269</sup> Paper Secretary of State for Defence, 14 February 2006, ‘Iraq: Handover of Security in Maysan and Al Muthanna Provinces – Paper by the Secretary of State for Defence’.

<sup>270</sup> Minutes, 15 February 2006, DOP(I) meeting.

<sup>271</sup> Minute Dinham to Private Secretary [DFID], 3 March 2005 [sic], ‘Iraq: Security of International Staff’.

<sup>272</sup> Minute Dinham to Private Secretary [DFID], 15 March 2005 [sic], ‘Iraq: Security of Staff’.

**389.** Mr William Patey, British Ambassador to Iraq, sent an audit of staff and security to Mr Dominic Asquith, FCO Director Iraq, on 9 March.<sup>273</sup> He reported that all staff appreciated that working in Iraq was not without risk. The UK's safety record was good:

“Since 2003 we have only suffered two fatal casualties in Baghdad, a DFID oil contractor<sup>274</sup> and a CRG team member. In Basra two CRG personnel were killed by the first Explosively Formed Projectile (EFP) in July 2005.<sup>275</sup>”

“Staff have reacted well to recent events ... I have reiterated that all staff are volunteers and if at any time they feel anxious they should make their concerns known. They are free to leave and no-one would think the worse of them. No-one has asked to leave.”

**390.** Mr Patey recommended no change to staff levels in Baghdad:

- Reducing the number of consular staff from two to one would result in no cover during staff absences and leave the Consular Section short staffed during kidnap cases.
- Reducing the size of the seven-strong Management/Security Section would be “folly”.
- The Political/Economic/Military Section was large by FCO standards, but so were the demands on it. It could not meet those demands with fewer staff while ensuring they received the decompression breaks to which they were entitled.
- The single Commercial Officer was needed to cover trade promotion and air service matters.
- The Head of DFID Iraq, Mr Tim Foy, “takes security seriously and liaises constantly with us and DFID London”. Mr Foy did not think the security situation warranted a drawdown of DFID staff.
- 2006 was “the year of the Police”. There was a large Civilian Police Section, but the key UK objective of support to the Iraqi Police Service would have to be curtailed if numbers were reduced.

**391.** Mr Patey advised that numbers could be reduced in Basra, but that it would have a severe impact on the service offered “while having a negligible effect on the risk”. He advised that numbers would have to be cut “drastically” to reduce the risk appreciably.

**392.** Mr Patey explained that risk assessments were reviewed and amended on a daily basis and in response to each incident:

“Recent changes have been a more rigorous pre-screening to ensure staff are fit enough to cope with security measures and don't pose a danger to themselves and others; and the provision of fixed accommodation at BIAP [Basra International

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<sup>273</sup> [Letter Patey to Asquith, 9 March 2006, 'Staff and Security Audit'](#).

<sup>274</sup> DFID and the FCO have informed the Inquiry that the consultant was contracted by the FCO, not DFID.

<sup>275</sup> The first EFP attack in Basra was on 29 May 2005, not in July (see Section 14.1).

Airport] and Basra Air Station. Future challenges include the shrinking of the International Zone [in Baghdad], the gradual transfer of responsibility for security to the Iraqi forces and Transition in MND(SE). We continually assess and evaluate these changes and will not hesitate to recommend changes to the establishment should we deem them necessary, even at the expense of achieving our objectives. Both missions have a robust Contingency Plan that can be invoked quickly to reduce staff numbers. Having reviewed again the two missions I judge that all staff are carrying out, or enabling others to carry out, jobs required of us by our clients in the UK.”

**393.** On 4 April, Mr Tansley reported a “sustained and substantial” rocket and mortar attack on the Basra Palace site during the Queen’s Birthday Party reception, with one salvo hitting and damaging a building belonging to the British Embassy Office.<sup>276</sup> No staff were injured. The attack was the fifth on the Basra Palace site in seven days.

**394.** FCO and DFID officials put advice in parallel to Mr Straw and Mr Benn, recommending a temporary reduction in the number of staff in Basra (five each from FCO and DFID), to be reviewed after two weeks.<sup>277</sup>

**395.** The IPU explained to Mr Straw that the “security conditions generally in Basra City have made it impossible for some staff to continue working effectively (the key criterion for their presence)”. A review of staffing levels had concluded that it was “debatable whether the benefits of retaining them are commensurate with the risks faced”.

**396.** At the ISG on 7 April, Sir Nigel Sheinwald observed that the drawdown of civilian staff from the Basra Palace site was a significant development and asked the FCO and DFID to “consult more widely than their respective Secretaries of State”.<sup>278</sup> The subsequent advice to Ministers should make clear that:

“Set against the issue of not keeping people somewhere they could not operate, there was the problem of re-entry [of civilian staff] and the political or practical fall-out of the UK being driven out of the Basra Palace by terrorists. A decision to locate our civilian presence at the airport would represent a major failure.”

**397.** Sir Peter Ricketts, UK Permanent Representative to NATO and FCO PUS-designate, visited Baghdad and Basra from 5 to 7 April.<sup>279</sup> In his visit report on 10 April, he endorsed the FCO recommendation.

**398.** Sir Peter described staff as “highly committed and motivated ... well led and managed, doing important work with great enthusiasm and adaptability”.

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<sup>276</sup> [eGram 9731/06 Basra to FCO London, 4 April 2006, 'Iraq: Basra: Indirect Fire Attack on Basra Palace'](#).

<sup>277</sup> [Minute Iraq Policy Unit \[junior official\] to Private Secretary \[FCO\], 7 April 2006, 'Basra: Security of British Embassy Office Situation'; Minute MENAD \[junior official\] to PS/Secretary of State \[DFID\], 7 April 2006, 'Basra Security Update and Contingency Plans'](#).

<sup>278</sup> Minute Cabinet Office [junior official] to Sheinwald, 10 April 2006, 'Iraq Strategy Group: 7 April 2006'.

<sup>279</sup> [Minute Ricketts to Asquith, 10 April 2006, 'Visit to Baghdad and Basra'](#).

**399.** Sir Peter reported that, although security was a major preoccupation in Baghdad, the threat from indirect fire seemed to be lower than in Basra and the ability to move around the Green Zone reduced the sense of claustrophobia. The arrangement with the RAF for guaranteed helicopter hours<sup>280</sup> seemed to work reasonably well, although there were some serviceability problems with the helicopters.

**400.** In Basra staff felt “pretty beleaguered”. The main complaint was the difficulty getting in and out:

“It often takes two or even three days for staff to get to/from Kuwait, given the frequent delays or cancellations in the helicopter flights to Basra airport, and then the uncertainties of the RAF surf flights up to Baghdad and then on to Kuwait. This is intensely frustrating as well as inefficient, and is leading some staff to consider not taking breather breaks because of the hassle.”

**401.** Sir Peter recommended taking up the issue with the MOD at a high level. The Basra team perceived that the service had reduced recently because of other operational pressures on MOD assets:

“It must be in the MOD’s interests to ensure the viability of the Palace Compound, given the need for an overall plan in the South. Perhaps we should look again at contracting for a specified number of helicopter hours per month (as in Baghdad). Failing that, I wonder whether there might be a commercial solution ...”

**402.** Sir Peter concluded with a suggestion that, after a period of heavy capital investment and a big increase in staff, there was probably scope “to start squeezing down on running costs, eg for the security contracts”.

**403.** On 12 April, Mr Richmond, now FCO Director General Defence and Intelligence, and Mr Asquith discussed the Basra air bridge with Lieutenant General Nicholas Houghton, Chief of Joint Operations (CJO), who had returned from Iraq in March.<sup>281</sup> Mr Richmond and Mr Asquith explained that:

- The FCO would need “much greater confidence in the reliability of air transport” between the Basra Palace site, Basra Airport and Kuwait if it was to keep the staff drawdown to levels that did not have a significant impact on the UK’s ability to achieve its objectives.
- Long delays were preventing staff engaged in the SSR programme from carrying out their objectives.
- They “suspected that the problem was a mixture of military priorities and resources”. It was essential that the military viewed the operation in Basra as “a team effort”.

**404.** Lt Gen Houghton undertook to investigate the causes of the delays. He advised that if it was a resource problem, it could probably be resolved only at Ministerial level.

<sup>280</sup> The Inquiry has not seen details of the terms of this arrangement.

<sup>281</sup> [Minute Asquith to PS/PUS \[FCO\], 13 April 2006, ‘Basra’.](#)

**405.** Mr Asquith informed Sir Michael Jay that FCO officials were looking again at the possibility of a private sector provider for the air bridge service and exploring the possibility of using a proposed US military air bridge between the Basra Palace site and Kuwait.

**406.** On 20 April, FCO and DFID officials recommended the return of a small number of staff pending a further review in another two weeks.<sup>282</sup> Their advice drew on the views of Mr Robin Lamb, Mr Tansley's successor as Consul General, who recommended a two-stage return, reflecting a reduction in indirect fire over the previous weeks, but also the continuing constraints on staff mobility and their ability to work effectively.<sup>283</sup>

**407.** Sir Michael Jay approved the phased return to normal staffing in Basra on 15 May, after a brief delay while officials considered the implications of the shooting down of a UK military helicopter in Basra on 6 May (see Section 9.5).<sup>284</sup> Sir Michael instructed that:

“... the security situation needs to be kept under constant and active review (as I know it is), and we should be ready to draw down again if the security situation deteriorates to the extent that staff are unable to carry out their duties, or if we judge the risk simply too great for them to stay.”

**408.** DFID officials recommended to Mr Benn that DFID also return to full staffing, but explained that numbers would not rise substantially because DFID's programme in the South was “less labour-intensive” than six months earlier.<sup>285</sup> They stated that:

“Numbers will be kept at the current level of eight with an occasional rise to 10 or 11 to account for overlap in rotations. This would mean a breakdown of two out of three DFID staff and five out of the nine consultants at the [Basra] Palace with a maximum of three DFID staff and seven consultants during handover periods ... Visitors would be additional to those numbers. Essential visits only will go ahead, by no more than two visitors and for a maximum of four days at a time.”

## The Basra Provincial Reconstruction Team

**409.** Many of the problems the UK had encountered with the deployment of civilian personnel since 2003 resurfaced with the opening of the UK-led Basra PRT in May 2006. Those included:

- rapid turnover of staff;
- civil/military co-operation; and
- departmental co-ordination.

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<sup>282</sup> Minute IPU [junior official] to PS [FCO], 20 April 2006, 'Basra: Security Situation'; Minute MENAD [junior official] to PS/Secretary of State [DFID], 21 April 2006, 'Basra Security and Staffing'.

<sup>283</sup> Letter Lamb to IPU [junior official], 20 April 2006, 'Basra: Security and Drawdown'.

<sup>284</sup> Manuscript comment Jay, 16 May 2006, on Minute Iraq Policy Unit [junior official] to PS/PUS [FCO], 15 May 2006, 'Basra: Security Situation'.

<sup>285</sup> Minute MENAD [junior official] to Private Secretary [DFID], 17 May 2006, 'Iraq: Staff Security and Staffing Levels in Basra'.

**410.** The Basra PRT was established on 14 May 2006 (see Section 10.2).<sup>286</sup> Its first Head was Mr Mark Etherington, previously Governorate Co-ordinator of Wasit province.

**411.** Mr Etherington reported on 17 May that the established strength of the PRT was 35, drawn from the UK (FCO, DFID, MOD and the inter-departmental Post-Conflict Reconstruction Unit (PCRU)), Denmark and the US.

**412.** Mr Etherington described the “substantial” challenges facing the PRT in Basra. He judged that:

*“... we have but one chance properly to configure and launch the PRT in order to maximise the chances of its success. For this reason we would wish to retain in theatre for as long as possible those resources that are already here ...*

*“... The key to the PRT’s capabilities will be the retention of a core of long-term civilian expertise in each envisaged work strand. Basra is our main problem and the notion of withdrawing valuable staff as the PRT gears up to tackle it is counter-intuitive.”*

**413.** Mr Etherington advised that:

“The PRT, because of its integrated civil-military structure, has continued to function despite the difficult security environment. The military component is able to travel when the civilian component cannot ... In the event of a protracted deterioration in security terms, the PRT would also be forced to cease military capacity-building efforts in Basra; and it is probable that our Iraqi partners would be reluctant to continue meeting us. In these circumstances the PRT would have to suspend its work altogether until security was restored.”

**414.** In August and September 2006, the US Office of the Special Inspector General for Iraq Reconstruction (SIGIR) examined whether PRTs were “fully empowered, staffed and resourced to meet their mission, and to identify any other barriers impeding achievement of the PRT mission” (see Section 10.2).<sup>287</sup>

**415.** The SIGIR audit, published on 29 October, concluded that the creation of 10 PRTs and eight satellite offices was a “noteworthy achievement”, but that many obstacles to effective operation remained, including insecurity, a lag in funding, the difficulty of recruiting and retaining qualified civilian personnel, and the difficulty of integrating civilian and military personnel.

**416.** The audit stated that the unstable security situation in Basra meant that PRT members had not been able to interact personally with their Iraqi counterparts, significantly limiting the Basra PRT’s ability to achieve its mission. It questioned

<sup>286</sup> [Minute Etherington to \[Cabinet Office junior official\], 17 May 2006, ‘Basra PRT: challenges and opportunities’.](#)

<sup>287</sup> Office of the Special Inspector General for Iraq Reconstruction, 29 October 2006, *Status of the Provincial Reconstruction Team Program in Iraq*.

“whether the continued deployment of PRT personnel to ... Basra ... makes operational sense at this time”.

**417.** More widely, the report stated that, because of the US Government’s difficulties in recruiting civilians to serve in PRTs, a majority of positions were initially filled by military civil affairs personnel. In September 2006, of 128 positions allocated to civilians, 77 had been filled; of the 163 allocated to the military, just two were vacant.

**418.** The Inquiry has seen no evidence that the SIGIR audit was seen or considered by UK officials.

**419.** In a review of the first eight months of the Basra PRT commissioned by the PCRU and produced in March 2007, Mr Etherington made a number of recommendations, including:

- *Key staff should be held to a minimum of one year tours, with the requisite adjustments for welfare and travel.* The repeated and cyclical loss of experience in south-east Iraq [in] 2006 was damaging.
- *Where integrated bodies such as the PRT are raised in future, they should be recruited or sub-contracted by a single authority and to a single contractual template, with clear procedures established for grievance and misconduct. Ideally such groups would train together ... and move to theatre as a formed body. That single authority would also be financially and administratively responsible for the operating requirements of the group.”<sup>288</sup>*

**420.** Mr Etherington added:

“The lack of clarity regarding ownership of the PRT caused substantial administrative difficulty, for the PRT disposed of no assets of its own and no single department believed itself responsible for it ...

“Unlike other PRTs in Iraq, the UK-led team was assembled in large measure from existing effort ... While this conferred valuable operational momentum and expertise on a new team it significantly complicated administration, because the team had to merge a wide array of existing contracts, leave schemes, equipment, security procedures and cultures while lacking any defined mandate to do so.

“The administrative world which the PRT was forced to inhabit was always difficult, and verged in the early months on Kafka-esque. An FCO car in the Iraq support team at Kuwait airport would not pick up the inbound PCRU-contracted PRT office manager – or book her hotel – because she was ‘not an FCO responsibility’.”

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<sup>288</sup> [Paper \[unattributed\], 26 March 2007, ‘The Establishment and Operation of the Basra Provincial Reconstruction Team \(PRT\), April 2006 – January 2007: Lessons Identified’.](#)

**421.** Mr Etherington singled out staffing as the best illustration of the difficulties faced by the PRT:

“... the commercial company Enterplan fielded the bulk of consultants for DFID; which in turn seconded them into the PRT. Perhaps understandably, the consultants ... tended to look to either or both of their original employers for guidance and recourse; and this divided loyalty persisted because UK departments, upon whom the PRT concept had largely been forced, were lukewarm about the idea and seconded none of their civil servants into the team, preferring to retain separate departmental structures ... While this undoubtedly exposed companies like Enterplan to risk – after all, it was they who were contractually bound to individuals – it also allowed them undue influence in theatre and allowed the possibility that conflicts of interest might arise. In the only instance of the period in which misconduct proceedings were initiated these difficulties became obvious.

“The PRT consisted, at peak, of staff on seven different kinds of contract ... and the cumulative effect of managing ... [different] leave schemes, together with a range of other frictions, was to make the maintenance of momentum almost comically difficult.

“The sheer throughput of staff exacerbated this difficulty. This tended to be because parent agencies and departments tended to move ‘their’ people in and out of theatre without reference to PRT management ...

“PRT staff varied widely in calibre and disposition ...

“The Post-Conflict Reconstruction Unit (PCRU) contribution of core staff such as a communications and IT expert and office manager proved invaluable.”

**422.** PCRU support for the Basra PRT is addressed in Section 10.3.

## Reassessment of risk and duty of care

**423.** At the end of May 2006, the FCO SOSA reviewed security in Baghdad and Basra with a DFID security official.<sup>289</sup>

**424.** Mr Andrew Noble, FCO Director of Security, reported the outcome to Mr Nigel Casey, Head of the IPU:

“The starting point for the review remains that the security risks to which our staff are exposed in Iraq are extreme by normal diplomatic standards. All plausible security measures are being put in place to provide as great a degree of assurance from attack as possible. But we are operating at the limits of what can be achieved, consistent with running a diplomatic mission. In such an extreme environment, the likely consequences of an accident or a piece of bad luck could make the difference between life and death. SMD’s [Security Management Directorate’s] clear

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<sup>289</sup> Minute SOSA to Patey, 13 June 2006, ‘Visit to Baghdad and Basra’.

assessment is that it is more a question of when there is a fatality amongst our diplomatic staff, rather than if. This assumption needs to be shared or challenged by the risk owners.”<sup>290</sup>

**425.** The main findings included:

- Significant deterioration in the security of UK posts: in Basra, because of insufficient military protection; in Baghdad, because of the increasing threat from extremists.
- An increasing threat of kidnap. FCO security officials were looking at providing key staff with transponders to detect their location in case they were captured.
- The SOSA’s judgement that senior staff were facing “undue political pressure to ‘produce the goods’ which could lead to the acceptance of inappropriate levels of risk”. Security managers and heads of close protection teams were “acting as a constraint on senior staff movements to risky areas”.
- Signs of speculation in other government departments about moving “off-shore” because of the “nearly impossible operating environment”.

**426.** On 12 June, Sir Michael Jay updated Mrs Margaret Beckett, who had succeeded Mr Straw as Foreign Secretary in early May 2006:

“We have always been aware of the risks of operating in Iraq. Because of the political importance to the UK of our work in Iraq, we have judged it acceptable to tolerate a higher level of risk there (and in southern Afghanistan) than elsewhere in the world. But our duty of care towards our staff, and towards those from other government departments who work in our posts, remains.

“We invest considerable resources in reducing as far as is possible the risk to our staff, and all those for whom we are responsible. We have in place robust structures to manage and mitigate risk, which are subject to constant review, in response to changes in the situation on the ground. We recognise, however, that there remains a residual level of risk in operating in such an extreme environment, against which we cannot wholly protect ourselves.”<sup>291</sup>

**427.** Sir Michael listed the four conditions for any FCO member of staff working in Iraq:

- All staff must be volunteers;
- They must be fully aware of the security risks;
- We must do all we reasonably can to reduce the risks they face;
- Conditions on the ground must be such that staff are able to do their jobs effectively.”

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<sup>290</sup> [Minute Noble to Casey, 6 June 2006, ‘Security of our Posts in Baghdad and Basra’.](#)

<sup>291</sup> [Minute Jay to Foreign Secretary, 12 June 2006, ‘Iraq: Security of Our Posts in Baghdad and Basra’.](#)

**428.** Sir Michael informed Mrs Beckett that, in response to the SOSA’s report, he had asked for another review to look at “the context for our operations in Iraq; our broad approach to the risks we face; the structures and procedures we have in place to manage the risks; the extent to which these are being observed in practice; and whether these satisfy our legal obligations towards our staff”. He hoped that the review would “enable us to satisfy ourselves that an acceptable basis for continuing our operations in Iraq remains”.

**429.** Sir Michael also advised Mrs Beckett that Mr Patey and Mr Lamb “both rejected entirely the suggestion that ‘senior staff in our missions are facing undue political pressure to produce the goods’”. Mr Patey was clear that the advice of professional security advisers on the ground had never been overruled.

**430.** Staff in Basra remained concerned about the unreliability of the Basra air bridge.<sup>292</sup> A visiting member of FCO HR Directorate reported that the air bridge was affecting people’s ability to do their job, “adding to the angst” of decompression breaks and final departures:

“My own inward journey experience was 27 hours from leaving my hotel in Kuwait to arriving at Basra Palace with an overnight at Basra Airport. My previous trips by road to Basra usually took a morning. When I got to ... Basra Airport I found that there were several ... staff stuck waiting for a helicopter move – some had been waiting as long as four days ... The US have agreed that we can put staff on their weekly Chinook flight to/from Kuwait, but there are no guaranteed places ...”

**431.** On 18 June, a locally engaged (LE) member of staff at the British Embassy Office Basra was murdered. His wife, also an LE member of staff, was seriously injured.<sup>293</sup>

**432.** The murder raised concerns about the growing threat to local staff.

**433.** The FCO and DFID adopted different responses, reflecting the different roles and work patterns of their local staff.

**434.** DFID officials advised Mr Benn that, as a consequence of the murder, DFID’s single LE member of staff in Basra was staying at home and DFID’s five local contractors had been advised to avoid the Basra Palace site.<sup>294</sup> Further advice would follow when more information was available from the FCO.

**435.** Mr Asquith updated Mrs Beckett on 21 June.<sup>295</sup> He reported that the assumption was that the two LE staff had been targeted because they worked for the British

<sup>292</sup> [Minute \[FCO junior official\] to Asquith, 4 July 2006, ‘Visit by HR Manager to Basra 14-19 June 2006’.](#)

<sup>293</sup> eGram 25107/06 Basra to FCO London, 19 June 2006, ‘Basra: Shooting of Consulate General Local Staff’.

<sup>294</sup> Minute [DFID junior officials] to PS/Secretary of State [DFID], 20 June 2006, ‘Iraq Security Update: Basra and Baghdad’.

<sup>295</sup> Minute Asquith to Private Secretary [FCO], 21 June 2006, ‘Assassination of Locally Engaged Staff in Basra’.

Embassy Office. UK and US LE staff were regularly intimidated in Baghdad and Basra. One US LE member of staff had been murdered in Basra on 4 June. Multi-National Force – Iraq (MNF-I) interpreters had also been killed.

**436.** Mr Asquith reported that Mr Lamb had advised LE staff not to come to work until further notice, although local labourers and support staff working for contractors on the premises had continued to come in. A number of steps were under consideration to improve LE staff security. The attack was not judged to have changed the security conditions for UK-based civilians and it was not, therefore, proposed to draw down UK staff.

**437.** DFID officials put further recommendations to Mr Benn on 23 June, drawing on advice from DFID Basra.<sup>296</sup> Pending agreement from the FCO, which was expected imminently, officials recommended that:

- at his own request, the DFID LE staff member in Basra should leave the country as soon as possible on a two-month development attachment;
- the locally contracted administrative assistant for power projects should be relocated to Basra Airport; and
- two other locally contracted staff should work from home for two months.

**438.** On 14 July, DFID officials explained to Mr Benn that DFID and the FCO had adopted different approaches:

“FCO offered their office-based staff three months’ salary if they wanted to leave. We believe most have now accepted this offer. FCO is now deciding if and how to fill these positions with either UK or third country nationals ... Although far from ideal, this has so far had no significant impact on DFID’s work.

...

“We suggest that, where staff can work remotely (on project sites, at home, in town), we should continue to employ them on the same basis as before and that we maintain our position on this as originally planned despite it differing from the FCO approach. Our circumstances are different. FCO local staff are needed on a daily basis at the [Basra] Palace. Most of our local staff are not and the two administrative staff who were, have already resigned. All of our local staff know that they have the option to work flexibly, to take time off if they feel threatened and to leave if they feel it is too dangerous.”<sup>297</sup>

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<sup>296</sup> Minute [DFID junior official] to PS/Secretary of State [DFID], 23 June 2006, ‘Iraq Security Update: Basra and Baghdad’.

<sup>297</sup> [Minute MENAD \[junior official\] to PS/Secretary of State \[DFID\], 14 July 2006, ‘Information Note: Security Update – Iraq’.](#)

**439.** The introduction of the Locally Engaged Staff Assistance Scheme in 2007 in recognition of the uniquely difficult circumstances faced by LE staff is addressed later in this Section.

**440.** The IPU review of security submitted to Sir Michael Jay on 30 June examined the FCO's approach to risk in Iraq, structures and procedures to manage that risk, the extent to which those structures and procedures were being observed in practice and whether they satisfied the FCO's legal obligations towards its staff.<sup>298</sup>

**441.** The IPU explained that other FCO departments had contributed to the review. DFID officials had also participated and would report to their Ministers separately.

**442.** The IPU stated that the FCO approach to risk derived from its "duty of care in law to take reasonable steps to prevent reasonably foreseeable harm to ... FCO employees (UK-based and locally engaged) as well as those who visit the premises of our missions and work from there eg from OGDs".

**443.** The description of the FCO's duty of care was derived from a paper prepared by FCO Legal Advisers as part of the 2004 FCO Security Review. The Legal Advisers stated:

"Whether a duty of care exists in particular cases depends on whether the death, injury or damage sustained was foreseeable, whether there was a relationship between the FCO and the claimant viewed by a court as one of 'proximity' and whether the court considers it fair, just and reasonable to impose a duty ...

"Even if a duty of care does exist in a particular case, the FCO is liable in law only if it is found to have breached that duty, ie to have fallen below a reasonable standard of conduct through negligent acts or omissions. The fact that an attack on a mission has succeeded does not necessarily mean that the FCO was at fault or has failed to act reasonably."

**444.** The IPU described the FCO's "basic approach" as "risk averse":

"... if we judge a situation exists whereby personnel are exposed to greater risk than the mitigating measures in place to deal with that risk, that task will not be undertaken ..."

**445.** Decision-making structures were reported to be in line with the recommendations of the 2004 review. London decision-makers were the Foreign Secretary, the PUS (and FCO Board of Management) and the Iraq Director, supported by the IPU. Advice was provided by the Director General Corporate Affairs and Director General Defence and Intelligence and their subsidiary departments, and by FCO Legal Advisers.

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<sup>298</sup> [Minute IPU \[junior official\] to PS/PUS \[FCO\], 30 June 2006, 'Iraq: Review of Security' attaching Paper Iraq Policy Unit, June 2006, 'Review of Security of Staff and Missions in Iraq'.](#)

**446.** The decision-makers in Iraq were the Heads of Post and Post Security Officers in Baghdad, Basra and Kirkuk, advised by their Overseas Security Managers (OSMs), Post Security Committees and the UK military.

**447.** The IPU set out the risk assessment procedures for posts in Iraq:

- daily assessment in each post of all operations in or out of compounds and daily contact between the FCO and posts;
- weekly meetings of Post Security Committees, with records copied to the FCO with recommendations as necessary;
- every six weeks “on average”, a London-based “Nuts and Bolts” meeting to review measures in place and agree next steps, involving relevant FCO officials and other government departments as necessary;
- quarterly visits to posts by a UK-based FCO OSA, who completed a risk assessment matrix in line with FCO worldwide procedures;
- immediate reviews of security measures in response to incidents or fresh intelligence; and
- regular reviews of contingency plans and business continuity planning.

**448.** The IPU concluded that those procedures were “closely observed” and that steps taken by the FCO to manage the risks to staff for whom it had a duty of care “could be used as evidence of a reasonable standard of conduct by the FCO”. More work was needed to:

- improve pre-deployment procedures for staff from certain departments;
- clarify with the MOD arrangements for the evacuation of third country nationals employed by the FCO as contractors; and
- clarify the status of UK civilian police in Iraq: “It remains unclear whether they are our employees or remain employees of their constabularies.”

**449.** In an annex to the review, the IPU summarised departments’ and organisations’ responsibilities for the security of local and UK-based staff and contractors. It stated that the FCO’s duty of care “would extend to any visiting FCO staff and staff seconded temporarily to the FCO or working directly under FCO supervision and control”. The FCO had “a similar duty of care” to employees of other government departments, foreign governments or international organisations “who live and/or work on or visit the relevant mission compounds”. In practice, measures to protect those personnel had to be the same as for FCO staff. “Inevitably”, pre-deployment or pre-visit training and medical clearance might vary, but in the case of other government departments it was “clearly desirable that close co-ordination occurs and that the same or equivalent measures are adopted”.

**450.** The annex also stated that the standard of care for contractors “may, in particular circumstances, be lower than that required for employees”. Those circumstances included where contractors had security expertise of their own and when it “may not

be unreasonable for the FCO to expect them to make their own assessment as to the risks to their own staff (eg while travelling to and from post)". Contracts with such firms and agencies needed to be carefully vetted and contractors were required to have employers' liability insurance.

**451.** The IPU recommended that as many members of the FCO Board as possible attend a meeting to discuss:

- the impact of the Iraqisation of Iraqi Security Forces on security in Baghdad;
- the impact of the withdrawal of UK military personnel on security in the South;
- a thorough review of staffing levels; and
- a contingency planning exercise on coping with an emergency in Iraq, to be attended by as many Board members as possible.

**452.** Sir Michael Jay agreed the IPU recommendations on 3 July.<sup>299</sup> He asked for:

- the status of civilian police to be clarified quickly;
- confirmation that a number of specific issues were being addressed; and
- advice on measures to protect local staff should UK-based staff be evacuated.

**453.** The IPU responded on 19 July:

- Efforts were in hand to tighten DFID's pre-deployment medical screening procedures for staff and contractors.
- Pre-deployment procedures for police officers would be brought in line with those for FCO personnel by 1 September.
- Concerns remained about arrangements for the evacuation of third country nationals employed by the UK. A UK military assumption that third country nationals would be evacuated was unsatisfactory and was being pursued with the MOD.
- The Home Office had challenged the FCO view that police officers on secondment from their home police force were not FCO employees. The issue was with lawyers. The status of retired police officers was also being discussed with lawyers.<sup>300</sup>

**454.** Dr Rosalind Marsden, the newly arrived British Consul General in Basra, sent a detailed assessment of the security situation to Mr Casey on 31 August:

"The following strikes me, as a newcomer:

- (a) how exposed the Basra Palace Compound (BPC) is. We abut the city: houses, parks and fishing boats crowd around our walls. The 'badlands' start about two hundred feet from my office ...
- (b) the risks our local staff run to work for us ...

<sup>299</sup> Minute Jay to Asquith, 3 July 2006, 'Iraq: Review of Security'.

<sup>300</sup> Minute IPU [junior official] to PS/PUS [FCO], 19 July 2006, 'Iraq: Review of Security'.

- (c) the fragility of our transport and supply links to the airport ... There are few helicopters in theatre, those that we do have are prone to breakdown (because they are worked so hard) and, when it comes to getting a seat, the military take priority over civilians;
- (d) the difficulty and danger involved in moving around Basra City ... Because we depend on the military for support, road moves have to be planned well in advance and are sometimes cancelled at the last moment because of other operational priorities ...
- (e) the vulnerability of the BPC to indirect fire (mortars and rockets) ...

“We need to accept that the risks for UK-based staff are high and do everything possible to mitigate them. For example, we have mitigated the major threats (IDF [indirect fire], EFP and kidnapping) to an acceptable extent by providing hardened living accommodation, limiting helicopter flights to the hours of darkness, varying routes, using Warriors or three vehicle convoys, as appropriate, requiring minimum movement outside after dark and full body armour and constantly reviewing our alert status in the light of the latest intelligence ...

...

“For LE staff the threat is much greater and, I judge, increasing. We and IPU are wrestling with the dilemma of how to justify continuing to employ a bare minimum of staff ... in the light of the current threat to them.”<sup>301</sup>

**455.** Dr Marsden advised that the next six to nine months would be critical to Basra and the UK legacy. The UK needed “to maintain a big operation here during that period – and indeed somewhat expand it”. The level of risk was likely to increase in the short term with the planned military surge (Operation Salamanca, see Section 9.5), but the reinforcement of the UK military presence in the BPC from 430 to 600 with the arrival of an additional Warrior company would mean better patrolling and harassment of potential firing points.

**456.** On 1 September, Mr Casey sent Mrs Beckett a paper on staff and security issues in Iraq.<sup>302</sup> The paper stated that:

- LE staff and contractors were particularly vulnerable;
- intimidation of LE staff had led to severe staff shortages;
- the number of LE staff in Basra had been reduced to the bare minimum;
- restrictions to mitigate the risks to UK-based staff were observed, “but erode further staff’s quality of life (and options to do anything other than work)”;
- nurses were available in Baghdad and Basra to monitor staff health and welfare;

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<sup>301</sup> [Letter Marsden to Casey, 31 August 2006, ‘Basra: Post Security’.](#)

<sup>302</sup> Minute Casey to Private Secretary [FCO], 1 September 2006, ‘Foreign Secretary’s Visit to Iraq, 4-6 September’ attaching Paper, ‘Foreign Secretary’s Visit to Iraq: Background Brief’.

- all FCO UK-based staff worked six weeks on with 10 days off;
- FCO staff served no more than 12 months in Iraq, with the option to extend in exceptional circumstances;
- high staff turnover and decompression breaks were a major challenge;
- it remained difficult to attract new staff, especially at lower grades, despite the incentives (high allowances and decompression breaks); and
- FCO staff who did take up postings found it rewarding and almost all the current complement had extended or would extend beyond their initial six months.

**457.** Sir Peter Ricketts chaired a meeting with FCO, DFID and MOD officials on 1 September to review security at UK posts in Iraq.<sup>303</sup> He informed Mrs Beckett that the meeting had seen no need to change Sir Michael Jay's four conditions for any FCO member of staff serving in Iraq.

**458.** Sir Peter reported that there had been a roadside attack on an Embassy convoy in Baghdad on 31 August and a similar attack on a DFID convoy in Nasiriyah on 1 September. One CRG employee had been badly injured in the Nasiriyah attack. Other examples of the evolving threat and risks included increased indirect fire attacks on the compounds in Baghdad and Basra. As risks increased, security measures evolved to mitigate them, but Sir Peter had concerns about two issues:

- Pressure to accommodate increasing numbers of officials and/or military staff with space in Baghdad and Basra at a premium. Sir Peter had asked officials to consider whether any functions, particularly on the management side, could be outsourced or relocated.
- The vulnerability of the Basra Palace site. The helicopter air bridge was mission critical. Because of wider problems with MOD helicopter availability, the FCO had had to start the procurement process for a dedicated helicopter service paid for by the FCO.

**459.** Later in September, Mr Asquith, who had replaced Mr Patey as British Ambassador to Iraq, advised Sir Peter Ricketts that the two attacks on UK convoys demonstrated the effectiveness of the UK's risk management measures.<sup>304</sup> The number of staff at post was evaluated continually to ensure they were able to contribute to post objectives.

**460.** Mr Asquith reported that space on the compound in Baghdad was at a premium, but the Embassy had not reached crisis point. He saw little scope for more outsourcing. Greater use of LE staff was the obvious option, but it was difficult to find Iraqi staff willing to work in the International Zone and, with no robust way of vetting new staff, there were questions of trust and security.

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<sup>303</sup> [Minute Ricketts to Foreign Secretary, 1 September 2006, 'Iraq: Security of Posts'](#).

<sup>304</sup> Letter Asquith to Ricketts, 20 September 2006, 'Iraq: Security of our Embassy in Baghdad'.

**461.** Mr Asquith ended with the recommendation that the UK effort be seen in context:

“After the US we have the largest investment and the largest presence. Others look to us for direction. A major reduction in our resources risks being misunderstood as a signal of reduced commitment. Every prospective six months has been billed as a key period. But we have between now and next spring a clutch of determining events: the Baghdad Security Plan, constitutional review, oil law, amnesty, de-Ba’athification, provincial elections, International Compact, security transition ... I will continue to evaluate the risk and the level of resources.”

**462.** In his response to Mr Asquith on 9 October, Sir Peter Ricketts concluded:

“... you ... are right to underline the importance that is attached here to your teams’ work. But your staff’s safety must remain our paramount concern. Please do tell us immediately if you ever feel you are being pressured to take a risk with which you or your OSMs are uncomfortable.”<sup>305</sup>

**463.** Participants at the Inquiry’s civilian outreach event commented that, by that time, London had an insatiable appetite for updates on progress, which, it was understood, had to be positive. They described a tension between reporting the situation as it was and maintaining morale.

## The move from the Basra Palace site to Basra Air Station

**464.** On 22 September 2006, a US contractor working for the State Department was killed when a rocket hit non-hardened US accommodation on the Basra Palace site.<sup>306</sup> The attack was the fourth on the compound in four days.

**465.** The IPU advised that, although all UK accommodation was hardened, it should not be considered mortar or rocket proof. During September, the proportion of rounds landing or exploding inside the compound had increased. The IPU reported that steps had already been taken to reduce staff exposure to the increased threat, including extended breaks from Basra. In view of the latest attack, it had had asked Dr Marsden to review those steps again and consider the scope for further drawdown.

**466.** DFID officials sent advice in parallel to Mr Benn.<sup>307</sup>

**467.** At DOP(I) on 12 October, Ministers expressed concern that the security situation in Basra meant UK staff were “in danger, and unable to function effectively”.<sup>308</sup> There was “a serious question mark over whether or not HMG had the right to ask them to stay

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<sup>305</sup> [Letter Ricketts to Asquith, 9 October 2006, ‘Iraq: Post Security’.](#)

<sup>306</sup> [Minute IPU \[junior official\] to Foreign Secretary, 22 September 2006, ‘Iraq: Basra Palace Compound: Security’.](#)

<sup>307</sup> Minute MENAD [junior official] to PS/Secretary of State [DFID], 22 September 2006, ‘Iraq: Basra – Security Incident’.

<sup>308</sup> Minutes, 12 October 2006, DOP(I).

in such circumstances”. Many local staff had been killed or injured, or had left because of security concerns.

**468.** On 20 October, DOP(I) agreed that the FCO would lead urgent work on the security of staff in Basra, identifying options, costs and risks for discussion at the next meeting.<sup>309</sup>

**469.** On 24 October, Mr Casey sent Mrs Beckett a paper<sup>310</sup> on the future of the UK civilian presence at the Basra Palace site, which, he explained, reflected “Ministers’ clear wish to take action immediately to draw down the number of civilian staff working from that site”.<sup>311</sup>

**470.** In the paper, the IPU stated:

“The threat to our civilian staff operating from the Basra Palace Compound (BPC) has risen steadily over the last year, progressively constraining our operations ... **We are now at the point where, without effective military action to reduce the IDF threat, our operations from BPC face an unacceptable level of risk.**

“We need to respond. We have four broad options:

- a) Continue to run all our civilian operations from BPC ...**
- b) Start a phased reduction in staff at BPC now ...**
- c) Withdraw our entire civilian operation from BPC now,** moving only a very small number to BAS [Basra Air Station], and taking the bulk out of theatre ...
- d) Withdraw our civilian presence from Southern Iraq altogether.**

“Until now we have recommended that we maintain our civilian operations at BPC, despite the deteriorating security situation. We have recently launched a major, integrated military and civilian effort in Basra – Op SINBAD/Better Basra [see Section 10.2] – which is designed to produce sustainable change in the city and to achieve transition to Iraqi-led security responsibility. The civilian component is critical to the success of this effort.

“But in the last month the security threat has become so acute that, **unless current trends can be reversed, in particular by direct action to reduce IDF,** the risks to our civilian staff in BPC can no longer be justified. We could suffer a catastrophic incident, as the US has, at any time. The US has just decided to scale back their BPC operation to a minimum.

“**We therefore recommend Option (b).** This will further constrain our work, with some negative impact on SINBAD/Better Basra ...

<sup>309</sup> Minutes, 20 October 2006, DOP(I).

<sup>310</sup> Dated 25 October, one day later than the covering minute.

<sup>311</sup> Minute Casey to Private Secretary [FCO], 24 October [2006], ‘DOP: Political Strategy & Basra Palace Site’.

“But it will help reduce our staff’s exposure, without completely abandoning the BPC – which in public terms, and our relations with Coalition allies, would be very damaging. By phasing the drawdown of police advisers in particular, we can largely preserve their critical contribution to SINBAD for the moment.”<sup>312</sup>

**471.** The IPU proposed that, moving as quickly as practicable:

- a) All **FCO** staff other than a core of Consul General, Deputy CG, Arab media spokesman, Management Officer, Overseas Security Manager and Technical Works Supervisor would relocate to BAS;
- b) The **DFID** team at BPC would reduce to one;
- c) The entire **PRT** would be transferred to BAS. This will be a major logistical undertaking and will take time to effect;
- d) The **Police** team would reduce in the next month by around 14 officers. Three of these officers would relocate to BAS. The rest would leave theatre. This would retain just enough officers in the city to provide essential support to Op SINBAD ...
- e) The **Prisons** team would leave theatre, pending progress on the Basra Central Prison Project;
- f) The 25-strong **Control Risks** close protection team would be reduced, since all road moves will now be in Warriors;
- g) The 10-strong **KBR** [Kellogg Brown & Root] **life support** team would be reduced.

“Excluding the perimeter guard force ... this will mean a **reduction in the civilian headcount at BPC from 104 to around 35**. Some 35 staff would relocate to BAS.

“The 92-strong Kroll **perimeter guard force will have to remain**. As long as we have a civilian presence in BPC, the requirement to protect the perimeter of our part of the compound will remain.”

**472.** DFID officials put separate advice to Mr Benn, agreed with the FCO, on the implications of the FCO plan for DFID staff in Basra.<sup>313</sup>

**473.** It is not clear whether the IPU paper was sent to DOP(I).

**474.** At DOP(I) on 26 October, Ministers stated that, because of increasing concern about the security of civilian staff in Basra, the FCO “would be consulting urgently” on recommendations for the phased withdrawal of staff from the Basra Palace site to both Basra Air Station and out of Iraq.<sup>314</sup>

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<sup>312</sup> [Paper Iraq Policy Unit, 25 October 2006, ‘Iraq: Basra Palace Site’.](#)

<sup>313</sup> Minute MENAD [junior official] to PS/Secretary of State [DFID], 25 October 2006, ‘Iraq – Basra: Staff Security & Basra Palace Site’.

<sup>314</sup> Minutes, 26 October 2006, DOP(I).

**475.** At the ISG on 27 October, Mr Simon McDonald, FCO Iraq Director, reported that the security situation in Basra had deteriorated to the point where Mrs Beckett had decided it would be necessary to withdraw the majority of civilian staff from the Basra Palace site.<sup>315</sup> Mr Martin Dinham, DFID Director Europe, Middle East and Americas, explained that Mr Benn agreed with this view. Sir Nigel Sheinwald confirmed that Mr Blair would be content to accept Mrs Beckett's judgement on the matter.

**476.** On 29 October, 17 Iraqi interpreters working for a British company at the police training college in Shaiba were murdered.<sup>316</sup>

**477.** Mr Blair was informed on 3 November that most UK staff had withdrawn from the Basra Place site, leaving a core team of six political officers and 15 police training contractors. MND(SE) was working hard to reduce the threat from indirect fire.<sup>317</sup>

**478.** The wider implications of the withdrawal are addressed in Section 9.5.

**479.** On 16 November, Mrs Beckett informed DOP(I) that the withdrawal had been implemented more quickly than envisaged because of security conditions.<sup>318</sup>

**480.** Mrs Beckett told the Inquiry:

“... we had our own internal advice and the relevant member of staff had been out to Basra and taken a look at the situation and had come back full of concerns. Concerns that were not totally shared by the people on the ground ...

“So Michael Jay came to see me and told me that he was concerned about the welfare of staff and we had quite a long conversation about it, and, of course, both felt that this was absolutely paramount and that we had to consider what we could and should do.

“In the process of that consideration ... we also took advice from the people on the ground ... they didn't take quite such a grim view of the situation. They felt that there was still a good deal they could contribute, that there were adjustments that they could make, that the security situation could be improved and they wanted to do that.”<sup>319</sup>

**481.** An IPU paper, 'Basra: Objectives and Presence in 2007', was prepared for the 7 December DOP(I).<sup>320</sup> Mr Casey explained to Mrs Beckett that the paper was intended to share FCO thinking with other departments, including the MOD, which had been asked to produce a note in parallel on the UK military posture in Basra in 2007.

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<sup>315</sup> Minute [Cabinet Office junior official] to Sheinwald, 30 October 2006, 'Iraq Strategy Group, 27 October'.

<sup>316</sup> Minute Banner to Prime Minister, 3 November 2006, 'Iraq Update & Hadley Brief, 3 November'.

<sup>317</sup> Minute Banner to Prime Minister, 3 November 2006, 'Iraq Update & Hadley Brief, 3 November'.

<sup>318</sup> Minutes, 16 November 2006, DOP(I).

<sup>319</sup> Public hearing, 26 January 2010, pages 7-8.

<sup>320</sup> [Minute Casey to Private Secretary \[FCO\], 1 December 2006, 'Iraq: Future of our Presence in Basra'](#).

**482.** In the paper, the IPU explained that:

“The political and security context for our civilian operations in southern Iraq is changing significantly. The heightened security threat, which forced us to draw down staff from Basra Palace in October, shows no sign of abating. We expect security responsibility in Basra to be transferred to the Iraqis in spring 2007. And MOD are considering a major reposturing of UK forces in the coming months, with direct implications for civilian operations.

“... In the political and security environment we are likely to face, what can we realistically hope to deliver? What civilian resources do we need to deliver those objectives, and where should they best be deployed?”<sup>321</sup>

**483.** The IPU strongly recommended that the UK “maintain a civilian effort in Basra province during 2007”. The intention was to co-locate as much as possible of the civilian effort with MND(SE) at Basra Air Station, where plans were being pursued to construct suitable hardened facilities, without closing off immediately the option of returning to the Basra Palace site in future.

**484.** The IPU explained that the current PJHQ proposal was to close all bases in Basra City by April 2007 and to consolidate at Basra Air Station. Two military bases would close during January/February. The Basra Palace base, which was essential for sustaining the civilian presence, would close by 1 March. If Ministers agreed those proposals, there would be just 12 weeks to move personnel and equipment from the Basra Palace site to Basra Air Station: “an extremely tight timetable, given the operational constraints in theatre”.

**485.** The IPU advised that there was no prospect of being able to recommend to Ministers a return to full staffing at the Basra Palace site in the near future. It was equally clear that there was “a powerful and urgent imperative for us to get our in-country civilian operations back up to strength as quickly as possible, to deliver in the critical period ahead”.

**486.** The IPU added that conditions for staff at Basra Air Station would be “much tougher” than at the Basra Palace site:

“Travel to/from Basra will become much harder. We are likely to face staff recruitment and retention challenges. Space will be limited. With only 54 hardened units of accommodation we will need to make difficult choices about priorities.

“But against that, there will be significant advantages in co-location with the military – making possible a more cohesive approach than is currently possible from different sites in Basra.”

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<sup>321</sup> Paper IPU, 1 December 2006, ‘Basra: Objectives and Presence in 2007’.

**487.** Introducing the paper at DOP(I) on 7 December 2006, Mrs Beckett stated that the decision to drawdown from the Basra Palace site had been right.<sup>322</sup> Work in hand suggested that the majority of civilian staff should be relocated to Basra Air Station, but urgent work was needed to make it fit for purpose, and moving staff there would undoubtedly make it a more attractive target for insurgents. Whitehall departments needed to co-ordinate plans and engage with the US.

**488.** A joint PCRU/DFID report on refocusing civilian efforts in Basra, produced on 19 December 2006, stated:

“It is worth noting that the rapid (unavoidable) drawdown from Basra Palace did raise concerns among MND(SE) partners about civilian commitment and the physical move to Basra Air Station has required considerable time and attention ... Construction of hardened accommodation on the FCO site at BAS is under way ... but the pace of the build may slip ... Claims on accommodation must be seen in the ‘round’ of a total demand which exceeded supply.”<sup>323</sup>

**489.** Sir Peter Ricketts told the Inquiry:

“When it became clear that the Armed Forces would in due course be moving out of the Basra Palace in the centre of Basra, and that became increasingly clear in the latter part of 2006, I was clear that our Consulate [the British Embassy Office] had to either shut and go back to Baghdad or operate out of the Air Station.”<sup>324</sup>

## Sustaining the UK civilian presence during 2007

**490.** On 22 January 2007, Dr Marsden reported that the number of IDF attacks on the Basra Palace site had been high and steady since October, but January was set to be a record month.<sup>325</sup> Attacks since 15 January had also been more accurate. Dr Marsden’s OSM and Post Security Officer felt that “we are beginning to push our luck”.

**491.** The FCO SOSA visited Baghdad and Basra from 23 January to 1 February.<sup>326</sup> He reported that the security situation throughout Iraq had deteriorated significantly since the last visit by an OSA in September 2006.

**492.** In Basra, indirect fire on the Basra Palace site had reached record levels that month. Attacks on the Contingency Operating Base (COB, the renamed Basra Air Station) were increasing, but mainly inaccurate. The SOSA was “not overly concerned” about the security of the small UK COB compound as it was on a protected military

<sup>322</sup> Minutes, 7 December 2006, DOP(I).

<sup>323</sup> [Letter Foy to Marsden, 19 December 2006, ‘Refocussing civilian efforts in Basra in the run up to PIC’ attaching Paper Foy and DFID \[junior official\], ‘Refocussing civilian efforts in Basra in the run up to PIC’.](#)

<sup>324</sup> Public hearing, 2 February 2010, page 11.

<sup>325</sup> [Letter Marsden to McDonald, 22 January 2007, ‘Basra Palace: Response to Increased IDF Threat’.](#)

<sup>326</sup> Minute SOSA to Asquith, 5 February 2007, ‘Visit to Baghdad and Basra’.

base, but made a number of recommendations for improving security at the COB, the Basra Palace site and two other locations in central Basra.

**493.** In Baghdad, the SOSA's main concern was the security of the International Zone after the handing over of checkpoints to Iraqi control. The US would ensure that its Mission remained well protected and there was a danger that the UK compound would become the target by default. The SOSA recommended:

- that a more senior member of the Embassy staff (he suggested the Deputy Head of Mission) attend meetings of the US-led International Zone security committee; and
- implementation of a number of urgent steps to strengthen and harden physical security on the UK compound.

**494.** In Basra by 15 March, most staff had left the Basra Palace site and the move to the COB was on track for completion by the end of the month.<sup>327</sup> The UK military were expected to remain at the Palace until 1 August.

**495.** Some DFID members of the PRT for whom there was insufficient hardened accommodation in the COB were based temporarily in a PRT office in Kuwait.<sup>328</sup>

**496.** Mr Casey informed Sir Peter Ricketts that the SOSA was content for the International Police Advisers (IPAs) employed by the contractor ArmorGroup to remain at the Provincial Joint Co-ordination Centre (PJCC) within the police headquarters, also known as the Warren, but confirmed that the arrangement would be kept under review because of concerns about the site's viability and the fact that it was co-occupied by the Iraqi Police.<sup>329</sup> Because there was insufficient space in the FCO's new facilities for those IPAs located at the COB, they would be accommodated in a separate COB compound with a lower standard of overhead protection. Officials were satisfied that the arrangement met the FCO's duty of care obligations, subject to a written agreement with the company.

**497.** On 28 March, Sir Peter Ricketts informed the House of Commons Foreign Affairs Committee of the changes in location of the British Embassy Offices Basra and Kirkuk.<sup>330</sup>

**498.** Sir Peter described the chief benefits of relocation in Basra as consolidation of all major elements of the UK effort in southern Iraq in the same place and improved safety for staff.

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<sup>327</sup> [Minute Casey to PS/PUS \[FCO\], 15 March 2007, 'Iraq: Post Security Issues'](#).

<sup>328</sup> Minute MENAD [junior official] to PS/Secretary of State [DFID], 5 February 2007, 'Information Note: Security Update – Iraq'.

<sup>329</sup> [Minute Casey to PS/PUS \[FCO\], 15 March 2007, 'Iraq: Post Security Issues'](#).

<sup>330</sup> Select Committee on Foreign Affairs Minutes of Evidence, 19 November 2007, *Letter to the Chairman from Sir Peter Ricketts, KCMG, Permanent Under-Secretary of State, Foreign and Commonwealth Office, 28 March 2007*.

**499.** The move from Kirkuk to a temporary site at the Khanzad Hotel in Erbil had been precipitated by the US decision to relinquish the site in Kirkuk on which the British Embassy Office had been located. One benefit for UK staff would be the better security environment in Erbil.

**500.** On 22 April, the Chief Overseas Security Manager (COSM) at the British Embassy Baghdad reported the first IDF attack in many months in which rounds had impacted inside the Embassy compound.<sup>331</sup> Basic procedures in the Embassy had worked well:

“The incident was well controlled by the Embassy Operations Room, staffed by CRG ... The Garda World Gurkha Guard Force were excellent in their cordon and search operation. All wardens should also be congratulated on the speedy manner in which they conducted the head count. I was therefore able to give the FCO Response Centre in London an accurate report that all were safe and well within 15 minutes of the first impact.”

**501.** The COSM concluded with a number of lessons to be learned locally, including the need for an urgent review of the provision of “Duck and Cover” shelters and for staff to be patient while searches were carried out.

**502.** The British Embassy Office site on the Basra Palace site was handed over to the UK military on 26 April.<sup>332</sup> Mr Robert Tinline, Deputy Consul General in Basra and Mr Etherington’s successor as Head of the Basra PRT, reported that over 1,200 rockets and mortars had been fired at the Basra Palace site since attacks had increased in September 2006 and that the site had been hit 70 times:

“We were fortunate that none of our staff were killed or injured. (Others in other parts of the compound fared less well.) But we also made our own good fortune. Four accommodation ‘pods’, the bar, the gym and both the main office buildings received direct hits – but because they were hardened, no serious injuries resulted. Six of the reinforced windows were hit by shrapnel – none gave way. Mortars landed one side of ‘Hesco’ sandbag walls, leaving people the other side unharmed.”

**503.** Mr Tinline explained that the whole Basra Palace site was scheduled to be handed back to the Iraqis in late summer. The Iraqi authorities were expected to assume full security responsibility for Basra province at about the same time.

**504.** On 21 May, Mr Des Browne, the Defence Secretary, requested additional funds from the Treasury for hardened accommodation to protect troops at the COB; April had seen a threefold increase in the number of IED attacks (see Section 14.1).<sup>333</sup>

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<sup>331</sup> [Email FCO \[junior official\] to All Staff \[British Embassy Baghdad\], 22 April 2007, ‘IDF Attack 21<sup>st</sup> April 2007 – Follow Up Actions’.](#)

<sup>332</sup> [eGram 17758/07 Basra to FCO London, 30 April 2007, ‘Basra: Move of the British Embassy Office’.](#)

<sup>333</sup> Letter Browne to Timms, 21 May 2007, ‘Urgent Operational Requirement: Hardened Accommodation in Iraq’.

**505.** Mr Stephen Timms, Chief Secretary to the Treasury, approved the request on 30 May, but asked Mr Browne to take a government-wide view of how to allocate the funds, working with Mrs Beckett and others.<sup>334</sup>

**506.** The next day, Mrs Beckett submitted a parallel request for additional funds for an urgent programme of security works at the British Embassy Baghdad to meet the increased threat that would follow Iraqisation of security in the International Zone.<sup>335</sup> Mrs Beckett explained:

“The £23m work in Baghdad ... will only be affordable if other departments who use the compound are prepared to contribute their full share ... Of ‘teeth’ staff on the compound, and contractors involved in operational delivery (such as police advisers), fewer than 50 percent are FCO ... Of course, there are also large numbers of contractors who provide security and life support, which is a shared benefit.

“If we are not able collectively to make this investment, we would have to look hard at how we could continue to operate safely and sustainably, meeting our duty of care to all compound users and residents ...”

**507.** Mr Timms replied on 19 June. He welcomed FCO efforts to reduce and absorb costs and agreed that the FCO should “work with other departments to agree joint funding”.<sup>336</sup> He expressed willingness to agree a request to use End-Year Flexibility<sup>337</sup> “if, after agreeing contributions with other departments and taking all viable steps to reduce and absorb this pressure, the costs cannot be managed within your capital budget this year”.

**508.** The limited availability of hardened accommodation at the COB and the lack of space to build more caused growing concern as the frequency and accuracy of IDF attacks increased.<sup>338</sup>

**509.** On 20 April, the IPU explained to Sir Peter Ricketts that IPAs employed by the FCO contractor ArmorGroup were housed in the Skylink commercial caravan park, which offered a lower standard of protection from IDF attacks. The Skylink accommodation no longer presented an acceptable level of risk. In response, the FCO intended:

“... to continue to exert downwards pressure on overall civilian staff numbers in Basra, so as to allow us to move all our IPAs into our new compound as soon as possible ... To this end, we and post will continue to look critically at all civilian slots,

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<sup>334</sup> Letter Timms to Browne, 30 May 2007, ‘Hardened Accommodation in Iraq’.

<sup>335</sup> [Letter Beckett to Timms, 31 May 2007, ‘Urgent Security Works at the British Embassy Baghdad’.](#)

<sup>336</sup> [Letter Timms to Beckett, 19 June 2007, ‘British Embassy Baghdad’.](#)

<sup>337</sup> In the period covered by the Inquiry, the Treasury allowed departments to carry forward unspent funds from one financial year to the next under the End-Year Flexibility (EYF) system. Unspent funds would otherwise have to be returned to the Treasury.

<sup>338</sup> [Minute IPU \[junior official\] to PS/PUS \[FCO\], 20 April 2007, ‘Accommodating ArmorGroup IPA at the Contingency Operating Base in Basra’.](#)

and take an aggressive approach to further reducing our footprint wherever and whenever possible (including downsizing the IPA contingent itself).

“This is a difficult balancing act: our civilian staff play a critical role in securing the progress necessary to complete our overall mission. Pulling too many out too quickly will undermine our chances of success, and potentially prolong the need for our presence. But we will aim to get everyone into fully hardened accommodation by 31 July. In early August our military will leave Basra Palace and we can expect IDF rates at the Air Station [COB] to increase further, as it becomes the sole target for such attacks.”

**510.** The IPU explained that, in the meantime, the FCO was taking steps to reduce the risk to those accommodated on the Skylink site. If personnel based there were injured or killed, the FCO could be open to claims of negligence if it failed to demonstrate that it had fulfilled its duty of care obligations. The FCO Legal Advisers’ view was that the measures taken and ArmorGroup’s explicit written agreement to the arrangement would put the FCO on strong ground in refuting such claims.

**511.** The IPU warned that if the FCO was to stop use of the Skylink accommodation it would have to remove the vast majority of the IPAs from Basra or make “deep cuts” to other parts of the mission, severely disrupting work in Basra at a critical time.

**512.** On 30 April, there was a direct hit on the ArmorGroup IPA office.<sup>339</sup> The unhardened room was not occupied at the time and there were no casualties. Two IPAs in the adjacent cabin were unharmed. On the basis of reports from the OSM, Mr McDonald issued instructions to Basra that all personnel under FCO duty of care should move to hardened accommodation immediately.

**513.** The British Embassy Office Basra sent proposals for a reduction in personnel “to a level that should provide adequate security and acceptable living conditions for all personnel operating from the COB, while maintaining operational effectiveness”. The FCO would reduce from 12 to 10 and the Control Risks security team from 32 to 24, subject to a review by the Overseas Security Adviser later in the month. Those reductions would allow the police teams to remain at existing levels and allow three members of the PRT to return to Basra, increasing its numbers from 11 to 14.

**514.** Mr Benn expressed concern to DFID officials that the appropriate levels of protection were not yet in place.<sup>340</sup>

**515.** Officials explained that all staff under DFID’s duty of care had been under hard cover for some time: a pre-condition for their move from the BPC to the COB. FCO and DFID staff were, however, still eating in the unhardened military dining facility.

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<sup>339</sup> Minute IPU [junior official] to PS/PUS [FCO], 1 May 2007, [untitled].

<sup>340</sup> Email [DFID junior official] to Baugh, 2 May 2007, ‘Basra: Move of the British Embassy Office’.

The hardened dining area was due to be completed by mid-July, but contingency plans were being put in place should IDF attacks prohibit use of the military facility.

**516.** Ministers discussed security for civilian staff at DOP(I) on 11 May.<sup>341</sup> Mr Benn expressed concern that hardened dining facilities were not yet available.

**517.** In his valedictory report to Mr David Miliband, the Foreign Secretary, on 16 August, Mr Asquith paid tribute to the work of LE and UK-based staff.<sup>342</sup> LE staff had:

“... struggled daily to our offices, in Baghdad, Basra and when we were in Kirkuk, through the wreckage that Shock and Awe and subsequent decisions produces. They have risked their lives. Some have lost them. All have lost a friend or relation. All have suffered massive upheaval ... I hope that ... the decision will be the right one when eventually Ministers address collectively how to provide protection to those who supplicate us.”

**518.** On UK-based staff, Mr Asquith wrote:

“By the end of a tour in any one of our three posts in Iraq, an officer experiences what elsewhere takes three or four years. Their professionalism and fortitude is of the highest order. Their determination to secure a better future for Iraq, in the face of daily frustration and barbarity, is a source of wonderment – particularly against a background when resources and attention are being diverted elsewhere.”

**519.** In advance of a Ministerial meeting planned for 19 July, FCO and MOD officials produced a joint paper setting out the latest “assessments and plans on security transition and the associated reposturing and drawdown of UK troops in Basra” (see Section 9.6).<sup>343</sup>

**520.** The paper had been discussed, in draft, at the ISG on 9 July, where it was agreed that the departure from the Basra Palace site and the Warren should happen simultaneously.<sup>344</sup>

**521.** In the paper, officials explained that the next key decision for Ministers was the timing of the withdrawal from the Basra Palace site, the “most heavily mortared and rocketed place in Iraq”. This was complicated for a number of reasons, including the impact on the UK’s SSR effort in Basra, currently co-ordinated from the PJCC, where 100 UK troops and seven UK police advisers were based. The threat to those staff if there were no significant MND(SE) presence at the Basra Palace site would be impossibly high because “there would be no quick way to get reinforcements to the site or to evacuate UK personnel in an emergency”. Officials concluded that a withdrawal

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<sup>341</sup> Minute [DFID junior official] to PS/Secretary of State [DFID], 16 May 2007, ‘Information Note: Security Update – Iraq’.

<sup>342</sup> [Letter Asquith to Miliband, 16 August 2007, ‘Iraq: Valedictory’.](#)

<sup>343</sup> [Paper FCO and MOD, 12 July 2007, ‘Iraq: transition in Basra’.](#)

<sup>344</sup> Minute Cabinet Office [junior official] to McDonald, 11 July 2007, ‘Iraq Strategy Group, 9 July’.

from the Basra Palace site would mean closing the UK base at PJCC, and so halting SSR work and losing “situational intelligence within Basra City”.

**522.** The UK military handed over the PJCC to Iraqi control on 26 August.<sup>345</sup> The Basra Palace site followed on 2 September. Over 5,000 UK military, the British Embassy Office, the Basra PRT and the US Regional Embassy Office were now located at the COB.

**523.** In December 2007, FCO Iraq Group reviewed the status of the British Embassy Office Erbil.<sup>346</sup> Mr Frank Baker, Head of Iraq Group, advised Dr John Jenkins, FCO Director Middle East and North Africa, that the British Embassy Office should remain at the Khanzad Hotel despite concerns about security and value for money. Mr Baker explained that the Khanzad office achieved a score well inside the “red zone” on the FCO risk matrix. Staff in Erbil would continue to look for better short-term alternatives while preparing the business case for a long-term presence in Erbil.

**524.** Dr Jenkins advised Dr Kim Howells, Minister of State for the Middle East, and Sir Peter Ricketts that it was “a tough call” whether to remain in Erbil:

“There is a serious duty of care issue. The costs of maintaining the consulate in Erbil flow from this. On the other hand it does a serious job of work. The French are looking to establish a mission there. My view is that we should accept the current level of risk and maintain our presence while actively looking for other sites (which may include co-location with the French).”

**525.** In the first week of December, Sir Peter Ricketts visited Baghdad and Basra with Mr Bill Jeffrey, the MOD PUS, and Ms Susan Wardell, DFID Director General Operations.<sup>347</sup>

**526.** On his return to London, Sir Peter advised Mr Miliband that the most important issue to resolve was the future of the UK presence in Basra. Mr Brown, now Prime Minister, had announced a continued UK military presence until late 2008 and Air Chief Marshal Sir Jock Stirrup, Chief of the Defence Staff, intended that the UK military should leave soon after that. Mr Brown had also set a high level of ambition for the UK contribution to economic regeneration, but the UK civilian presence was entirely dependent on the military for security and life support. Sir Peter warned: “If the military go, the civilians go, unless another very capable western military force replaces us.” He also warned that the Basra PRT was small and there was “a sense of planning blight” because of uncertainties beyond late 2008.

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<sup>345</sup> [eGram 36335/07 Baghdad to FCO London, 4 September 2007, ‘Basra: British Forces Hand Over the Final Base in Basra City’.](#)

<sup>346</sup> Minute Baker to Howells, 5 December 2007, ‘Erbil: Consulate General’.

<sup>347</sup> [Minute Ricketts to Foreign Secretary, 10 December 2007, ‘Visit to Iraq’.](#)

**527.** Without exaggerating the problem, Sir Peter also wanted Mr Miliband to be aware of:

“... tensions under the surface between some on the UK military side (more [Lieutenant] General [William] Rollo [Senior British Military Representative – Iraq] in Baghdad than [Major] General [Graham] Binns [GOC MND(SE)] in Basra)... who think that the civilians are moving too slowly and unimaginatively, and the UK PRT in Basra who feel that they have been turned on a sixpence from an expectation of closing down in the Spring of 2008 to a series of big new expectations, but not much more resources to deliver them. Des Browne has picked up this military view.”

**528.** Separately, Sir Peter Ricketts suggested to Mr Baker that improving conditions in Baghdad, though not Basra, called for a reassessment of policy on the length of postings.<sup>348</sup> Many staff were highly motivated and able to cope with an extra six months, if not a second year: “Quite a head of steam is building up on this issue and it needs to be tackled.” Sir Peter also reported that Mr Christopher Prentice, British Ambassador to Iraq, had made a persuasive case for an increase in staff numbers as prospects improved and the pace of work began to increase.

**529.** Mr Miliband visited Baghdad, Basra and Erbil from 16 to 18 December.<sup>349</sup> On return, he commented to Mr Brown: “I was struck in talking to members of our locally engaged staff in Baghdad how fearful for the future they remain – and how much they have personally borne and continue to bear.”

**530.** Mr Miliband was impressed by staff morale and the positive “can-do” attitude in all three UK posts. He suggested to Mr Brown that: “We should think about reflecting the role of our civilian staff more widely in future statements on Iraq to Parliament.”

**531.** Mr Tinline sent an annual review for the Basra PRT to the US Embassy in Baghdad on 19 December.<sup>350</sup> He reported that:

“**Keeping going** has been a huge challenge. The team spent three months crammed four to an 8 metre x 2 metre pod and seven months under increasingly heavy rocket attack ... And for most of the year we did not know whether we would still be in Basra in six months’ time. The burden has been greatest on our local staff. Our legal assistant was killed in April, followed by his father the week after he attended one of our legal training events. Others have been threatened. They appreciate that the British assistance scheme [for LE staff] explicitly includes them. Throughout the spirit and support within the whole team has been tremendous.”

**532.** Mr Tinline added that one challenge lying ahead was putting staff on a “sustainable long term footing (several members have already done two years and we are carrying some gaps on the rule of law side)”.

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<sup>348</sup> [Minute Ricketts to Baker, 12 December 2007, ‘Visit to Iraq: Administration Points’.](#)

<sup>349</sup> Letter Miliband to Prime Minister, 27 December 2007, ‘My Visit to Iraq: 16-18 December’.

<sup>350</sup> Letter Tinline to Powers, 19 December 2007, ‘Basra Provincial Reconstruction Team in 2007’.

**533.** The Locally Engaged Staff Assistance Scheme is addressed later in this Section.

### The Charge of the Knights and the UK military drawdown

**534.** Section 9.6 describes the changes brought about by the Charge of the Knights, the Iraqi military operation in March 2008 to drive Shia militias out of Basra.

**535.** Mr Keith MacKiggan, Head of the Basra PRT from the end of September 2008, was one of several witnesses to describe the operation's impact:

“... post-Charge of the Knights, really the only constraint on our movement around the city and the wider province was the availability of military assets ... over time, even that became less of a constraint.”<sup>351</sup>

**536.** The FCO SOSA visited Baghdad with a DFID security co-ordinator and a second FCO official from 15 to 18 October 2008.<sup>352</sup> He reported that there had been a dramatic reduction in terrorist incidents after the US surge, but that the threat to civilian staff remained as before. Of particular concern was the use of the Improvised Rocket Assisted Mortar (IRAM), which was more effective and accurate than IDF from long range.

**537.** The SOSA advised that CRG was at the limit of its capacity. It was supporting 120 civilian staff with numbers intended for 80. If there was an increase in UK civilian staff or a change in security requirements because the US decided to withdraw from checkpoints in the International Zone as part of the transition to Iraqi security control, GRG assets would need to increase.

**538.** After visiting Basra from 19 to 21 October, the SOSA advised that the surge had led to a significant reduction in terrorist incidents, but that the threat to staff remained unchanged.<sup>353</sup> He highlighted the threat of IED and IDF attacks and the “high possibility of kidnap”.

**539.** The visit raised concerns about the condition of DFID and FCO vehicles in Baghdad and Basra.<sup>354</sup> The inspectors recommended regular spot checks and the installation of additional security equipment.

**540.** During October, the FCO and DFID reverted to local authorisation by the Consul General and the DFID Head of the Basra PRT of moves outside the COB.<sup>355</sup> All moves had been authorised from London since the deterioration of the security situation in 2005.

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<sup>351</sup> Public hearing, 7 January 2010, page 10.

<sup>352</sup> Letter SOSA to Prentice, 6 November 2008, ‘Visit to Baghdad’.

<sup>353</sup> Letter SOSA to Haywood, 7 November 2008, ‘Visit to Basra’.

<sup>354</sup> Minute Middle East and North Africa Department [junior official] to Brown, 6 November 2008, ‘Back to Office Report – Iraq Security Review’.

<sup>355</sup> Minute Middle East and North Africa Department [junior official] to Lowcock, 13 October 2008, ‘Iraq: Movements Approval’.

**541.** In March 2009, with the departure of the DFID Head of the PRT and the transition to US leadership, DFID authority for moves off the COB was transferred to the Head of DFID Baghdad.<sup>356</sup>

**542.** Comments from witnesses who served in Iraq reinforced the impression of slowly improving transport provision.

**543.** Mr Tansley, Consul General in Basra from October 2005 to April 2006, told the Inquiry: “The thing that dominated our lives, was not money and people. It was helicopters.”<sup>357</sup>

**544.** Mr Asquith, British Ambassador to Iraq from August 2006 to August 2007, told the Inquiry that transport constraints inhibited movement between Baghdad and Basra:

“Not merely was it difficult to get down there, since we were dependent, at that stage, upon helicopter trips out of Baghdad to the airport and then to Basra, and the military facilities weren’t always ready for that ...

“It was also difficult to move around Basra ...”<sup>358</sup>

**545.** Ms Kathleen Reid, Head of DFID Basra from August 2007 to September 2008, explained that:

“[Major] General [Barney] White-Spunner [GOC MND(SE)] ... made a commitment ... that they were there to support. Whatever we needed in terms of assets, he would make that happen, and I have to say, always came good on that ...”<sup>359</sup>

**546.** Mr Prentice, British Ambassador from September 2007 to November 2009, stated:

“... if we wanted to get to Basra, we needed to have a military asset. Under our duty of care regulations, we couldn’t use the emerging commercial flights, which towards the end of my period were available ... So we had to depend on helicopters and military lift. But during my time we also had use of US civilian aircraft through the US Embassy. They kindly made those available to us occasionally. So physical movement to and from Basra I would say was improving during my time but was still difficult.”<sup>360</sup>

**547.** In October 2008, FCO officials started to consider the future of the UK’s network of posts in Iraq after the military drawdown in 2009.<sup>361</sup> The preferred option was to maintain the status quo in Baghdad and Erbil, with a reduced presence in Basra, in order to strike “the right balance between strategic policy delivery requirements and financial pressures”.

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<sup>356</sup> Minute Lowcock on Minute MacKiggan to Lowcock, 30 March 2009, ‘Iraq: Basra Off-COB Movements Approval’.

<sup>357</sup> Private hearing, 22 June 2010, page 72.

<sup>358</sup> Public hearing, 4 December 2009, page 28.

<sup>359</sup> Private hearing, 24 June 2010, page 30.

<sup>360</sup> Public hearing, 6 January 2010, pages 4-5.

<sup>361</sup> Paper Iraq Group, October 2008, ‘Iraq Strategy from 2009: Implications for FCO’.

**548.** Sir Peter Ricketts supported that conclusion “from the perspective of our relations with Iraq”, but asked that FCO Ministers be given the opportunity to “consider the relative importance of continuing very high levels of FCO spending in Iraq as against other priorities”.<sup>362</sup> Decisions should not be pre-empted by Whitehall processes before that had happened. The FCO’s corporate systems were “not well developed for making those decisions about relative priorities across the network”, but there would be an opportunity for the Board to look at the issue later at the end of November.

**549.** Sir Peter was “struck by the extremely high cost of maintaining a presence in Erbil”. He did not believe it was possible to justify on value for money grounds a large capital investment in the city. If the UK was to remain, it had to be on the basis of co-location with another EU country.

**550.** On Basra, Sir Peter expressed scepticism about what a very small post, with declining interest from other departments, could achieve. Ministers needed to be given the option of closure. If they would not accept that, the FCO should review after 12 months whether staff had been able to make any difference in Basra.

**551.** Officials informed Mr Miliband on 8 December that the FCO Board had decided on 28 November that Ministers should be presented with two options for Basra: a mini-mission within a secure US military perimeter, to be reviewed again in 2009, or closure when UK forces left.<sup>363</sup> There was a strong case from a policy perspective for retaining the post, but Ministers would want to consider value for money in the light of wider cost pressures. Mr Brown and DFID and Department of Energy and Climate Change (DECC) Ministers were thought to be in favour of keeping Basra open.

**552.** Officials explained that NSID(OD)<sup>364</sup> would discuss Iraq and Afghanistan on 9 December, but that there would not be time for substantive discussion of the post-drawdown Iraq strategy. Mr Brown would invite Mr Miliband to seek agreement by correspondence.

**553.** NSID(OD) discussed Iraq on 9 December 2008.<sup>365</sup>

**554.** Papers provided for the meeting included ‘Iraq: arrangements for transition’.<sup>366</sup> On the network of posts, the paper stated:

“FCO will retain a substantial Embassy in Baghdad at roughly current levels (20-25 FCO UK-based staff), a small post in Erbil (4 UK staff – to be reviewed again in March 2009); and – subject to Ministers’ views – a small post in Basra (3-4 UK staff, down from 9 at present) until at least March 2010. Non-staff running costs in

<sup>362</sup> [Minute Ricketts to Lyall-Grant, 10 November 2008, ‘Iraq Strategy from 2009’.](#)

<sup>363</sup> Minute IPU [junior official] to Private Secretary [FCO], 8 December 2008, ‘NSID, 9 December: Iraq: Steering Brief’.

<sup>364</sup> The Overseas and Defence Sub-Committee of the Committee on National Security, International Relations and Defence (NSID(OD)) was the successor to DOP(I) as the principal forum for Ministerial discussion on Iraq.

<sup>365</sup> Minutes, 9 December 2008, NSID(OD) meeting.

<sup>366</sup> Paper Cabinet Office, 8 December 2008, ‘Iraq: arrangements for transition’.

Financial Year 2008/09 are £55m. These should reduce to below £50m in 2009/10. The majority of these are recovered by FCO from cost-sharers (other departments, programme budgets, tenants).”

**555.** On 13 January 2009, Mr Miliband’s Private Office circulated a draft strategy for “UK policy towards and relations with Iraq following military drawdown”.<sup>367</sup> It had been agreed by officials from all interested departments and by Mr Miliband.

**556.** Annex C set out proposals for three posts in Baghdad, Basra and Erbil:

- Baghdad. Any significant disengagement would reduce the UK’s influence and be seen as an acknowledgement of failure. The FCO assessed that the security situation allowed road moves between the Embassy and the airport, rather than the RAF helicopter air bridge, but that Iraqisation of security in the International Zone from 2009 would require additional investment in security measures.
- Basra. The FCO did not believe it would be cost-effective to maintain the same level of civilian presence after the departure of UK combat forces. The US was likely to become the public face of the Coalition in southern Iraq and the security situation did not yet permit travel between Basra and the COB without military assistance. The FCO proposed reducing the number of UK-based FCO staff from nine to three or four; DFID would not keep resident staff in Basra after June 2009, but would pay the cost of two “virtual” slots to guarantee accommodation for visiting staff.
- Erbil. The policy case for retaining a UK presence was strong, but the cost per head of operating in Erbil was extremely high and the location in the Khanzad Hotel was not sustainable on security grounds. The FCO intended to work on a more sustainable and cost-effective arrangement.

**557.** Mr Alistair Darling (the Chancellor of the Exchequer), Mr John Hutton (the Defence Secretary) and Mr Douglas Alexander (the International Development Secretary) all agreed to the proposed strategy.<sup>368</sup>

**558.** Mr Baker visited Basra from 15 to 18 February 2009.<sup>369</sup> He reported to Dr Jenkins that the security situation continued to improve:

“I spent a day driving around Basra, including a visit to a date farm outside the town in an area we could not have thought of visiting even three months ago ... The improvement in security has been mirrored on the COB, where body armour is no longer required to be carried while on the base.

“While it is true that the key enabler for recent progress was Charge of the Knights, it was our reaction to those events which was critical. It would have been easy to

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<sup>367</sup> [Letter Hickey to Catsaras, 13 January 2009, ‘Iraq: strategy’ attaching Paper ‘Iraq: a review of strategy’.](#)

<sup>368</sup> Letter Jordan to Hickey, 26 January 2009, ‘Iraq strategy’; Letter Ferguson to Catsaras, 29 January 2009, ‘Iraq: strategy’; Letter Wright to Catsaras, 5 February 2009, ‘Iraq strategy’.

<sup>369</sup> Minute Baker to Jenkins, 19 February 2009, ‘Iraq: Visit to Basra’.

have taken that opportunity to disengage with Basra. Instead we recognised that we could take advantage of the improving security situation ...”

**559.** The UK handed over the command of MND(SE) to the US on 31 March.<sup>370</sup>

**560.** An unattributed FCO review of lessons to be learned from the UK’s experience in Basra from late 2008 included a number of observations on civilian personnel:

- “FCO (and other civilian departments) need to build on the frameworks for risk ownership and management which have been put in place over the last five years to allow maximum operational flexibility on the ground consistent with our duty of care, including through the provision at an early stage in the deployment of protective assts eg armoured transport.”
- “The FCO was unprepared for the sort of operation that was to be undertaken, with the result that, in the early stages (but almost six months after the invasion) FCO staff were being sent into the field without computers, communication equipment, satisfactory communications arrangements (personal email accounts were used throughout, though some classified communications became available during 2004) and so on. Their military and DFID counterparts were better provided for.”<sup>371</sup>

## Attracting volunteers

**561.** Between 2003 and 2009, departments faced a range of difficulties recruiting sufficient volunteers with the right skills and experience for civilian roles in Iraq. Problems included:

- the absence of an established co-ordinating mechanism for UK civilian recruitment;
- the absence of a deployable reserve of experts in post-conflict stabilisation and reconstruction;
- a shortage of Arabic speakers;
- imprecise and changing job descriptions;
- high turnover of staff on short deployments;
- delays caused by pre-deployment training;
- concerns among potential volunteers, their families and friends about deteriorating security;
- extraction of volunteers from existing jobs;
- negative perceptions of the career impact of a posting to Iraq;

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<sup>370</sup> Minute Johnstone to PS/SofS [MOD], 1 April 2009, ‘CDS visit to Iraq (Basra) to attend the MND(SE) transfer of authority ceremony – 31 Mar 09’.

<sup>371</sup> Paper [FCO], [undated], ‘Iraq: What Went Wrong in Basra?’ attaching Paper, ‘Reflections on Basra and the lessons to be learned from the FCO’s experience in Iraq’.

- hostility in some departments to Iraq deployments; and
- Iraq fatigue.

**562.** In response to those constraints on recruitment:

- The Government took steps to establish a UK cadre of deployable civilian experts as part of a strategic review of the UK's approach to stabilisation and reconstruction. That process is addressed in Section 10.3.
- Individual departments introduced a range of ad hoc incentives to volunteer.

**563.** With the exception of problems associated with deploying volunteers from UK police forces, addressed in detail in Section 12.1, the Inquiry has seen no indication that difficulty attracting volunteers contributed to the delays in the deployment of UK civilians to Iraq in the early months of the CPA.

**564.** On 25 July 2003, Sir Michael Jay reported that, since his request for volunteers on 22 April, the Government had trained and deployed “over 100 civilian staff from sixteen different branches of government”, an exercise he described as having “no modern precedent”.<sup>372</sup>

**565.** A Treasury official recalled in mid-2004 that he had been very impressed by the turnout at an early meeting in the Treasury for people thinking of volunteering to go to Iraq:

“We had some 60 or so people arrive for that meeting – a very high quality response – in fact such a good response that we couldn't meet everyone's desire to go out to Iraq at that point.”<sup>373</sup>

**566.** By autumn 2003, as Ministerial pressure to deploy greater numbers of civilians grew, departments faced increasing difficulty attracting volunteers. Ministers and officials considered a range of incentives to aid recruitment.

**567.** The AHMGIR on 6 November 2003 discussed the need for CPA(South) to be staffed “properly and quickly” and requested a report on recruitment.<sup>374</sup>

**568.** Mr Desmond Bowen, Head of the Cabinet Office Overseas and Defence Secretariat (OD Sec), advised:

“It has not proved easy to recruit staff to serve in Iraq, despite financial inducements. Successful candidates need to have the right technical skills, aptitude for building Iraqi capacity and willingness to work in a difficult environment.”<sup>375</sup>

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<sup>372</sup> [Letter Jay to Turnbull, 25 July 2003, 'Iraq: UK support for reconstruction'](#).

<sup>373</sup> Paper Radio Technical Services, 19 July 2004, 'Transcript of Treasury Seminar Held in London on Monday, 19 July 2004'.

<sup>374</sup> Minutes, 6 November 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>375</sup> [Letter Bowen to Owen, 14 November 2003, 'Iraq: CPA \(South\) Staff'](#).

**569.** Mr Bowen reported that: “Extracting people from current jobs, security training and the logistics of deployment often take longer than we would want.”

**570.** In November 2003, the FCO Iraq Operations Unit (IOU) advised Sir Michael Jay that recruitment and succession planning were “difficult”.<sup>376</sup> A number of volunteers had dropped out in recent weeks. Staffing requirements were “just about manageable” but would become more difficult if security deteriorated.

**571.** At a meeting with Sir Michael Jay on 25 November, Sir Hilary Synnott reported vacancies in “key areas” in Basra and advised that, unless there was “a more positive approach to recruitment, the whole policy risked failure”.<sup>377</sup>

**572.** Sir Hilary reported that he had discussed the issue with Mr Straw, who had suggested that “the [FCO] administration (and by extension other departments in Whitehall) should try to encourage people by pointing out the career advantages”. Sir Hilary had suggested paying people more.

**573.** Sir Michael Jay told Sir Hilary Synnott there were drawbacks to those proposals:

“The strong view hitherto in Whitehall had been that all postings to Iraq should be volunteers. Andrew Turnbull had also taken the view that we should not try to pay people the market rate to get them there. This would work for the private sector, but not for us with our duty of care to staff, which was uppermost in the minds of a number of my Permanent Secretary colleagues ... It was important to maintain Whitehall solidarity if possible.”

**574.** On 5 December, Sir Hilary Synnott advised that recruitment had been made more difficult by “the widely held perception that secondment to Basra might involve danger, discomfort and long hours with little reward (although seen from here, some of these concerns are exaggerated)”.<sup>378</sup> Sir Hilary expressed sympathy with the view put in London that imprecise and changing job descriptions presented an additional obstacle, but argued that tasks could not be defined until there was an expert on the ground:

“We should not become mesmerised by job descriptions. The main thing is to have relatively expert people on the ground in sufficient numbers and quickly. Resourceful officers will find plenty to do for themselves. Contracts need to be sufficiently flexible to allow for this.”

**575.** In his valedictory on 26 January 2004, Sir Hilary Synnott expressed frustration at the slow deployment of staff, complicated by the short tours which constantly led to gaps between appointments:

“... it was brought home to me that officials could not be deployed like the military, despite notional mobility obligations; that the contracting processes to employ

<sup>376</sup> [Minute Parham to PS/PUS, 25 November 2003, ‘Iraq – Sir H Synnott’s call on the PUS today’.](#)

<sup>377</sup> [Minute Jay to Parham, 25 November 2003, ‘Iraq: Call by Sir Hilary Synnott’.](#)

<sup>378</sup> [Telegram 51 Basra to FCO London, 5 December 2003, ‘South Iraq: Before and After Transition’.](#)

non-official civilians were lengthy; that these had to be followed by pre-deployment training which was only intermittently available; and that, crucially, departments' duty of care constrained recruitment ... [I]n these circumstances, "as fast as possible" was simply not fast enough."<sup>379</sup>

**576.** In his memoir, Sir Hilary described the shortage of human resources and expertise as "the greatest single deficiency of our civilian operation":

"It is now clear that there were two main reasons for this. Partly it was a result of the excessive priority which was, and still is, placed on the security of civilian public servants ...

"But a more fundamental reason for the short supply of personnel and other resources stemmed from a lack of political direction ... The Army could, as always, be relied upon to find solutions for themselves, albeit cut according to their overstretched means. But in the civilian domain, Blair's exhortations and verbal commitments were not reflected in exceptional measures such as identifying and encouraging volunteers by means of trawls of Embassies around the world, fast-track recruitment procedures, or new management and co-ordination systems across government departments."<sup>380</sup>

**577.** Mr James Tansley, Consul General in Basra from October 2005 to April 2006, told the Inquiry:

"Under our current terms and conditions of service you can't tell someone in the Foreign Office to go to Basra. It's a voluntary thing, and that was the Foreign Office's policy. No matter how you present it, being told you are going to be sitting in a fortified camp, being mortared every evening and probably not seeing daylight for a number of – not so much daylight, but not seeing the outside world for six weeks at a time, is not a particularly good sell, particularly if you feel that no one in London appreciates what you are doing."<sup>381</sup>

**578.** Asked whether he had the right team to do what was needed, Mr Tansley replied: "The incentives weren't there."

**579.** Ms Lindy Cameron, Deputy Head of DFID Baghdad from January to November 2004 and Head of DFID Iraq from November 2004 to August 2005, told the Inquiry:

"Late 2003 before I got there and early 2004, it was quite hard for us to get the right people. It's important not to underestimate the impact that the bombing of the Canal Hotel had on willingness of staff to come and work in Iraq ... I recall having to brief staff before they arrived that they had to be aware that friends and family would be

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<sup>379</sup> [Telegram 10 CPA Basra to FCO London, 26 January 2004, 'Basra Valedictory' \[Parts 1 and 2\]](#).

<sup>380</sup> Synnott H. *Bad Days in Basra: My Turbulent Time as Britain's Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

<sup>381</sup> Private hearing, 22 June 2010, page 72.

quite aggressive with them about why it was they wanted to put themselves at risk to do something that many people considered to be something which was a mistake.”<sup>382</sup>

**580.** Mr Tim Foy, Head of DFID Iraq from August 2005 to August 2006, told the Inquiry:

“Generally speaking, I think we did reasonably well in terms of acquiring core staff from DFID, certainly in the early years. I think it’s got progressively harder as the engagement has progressed because the lustre of going has gone there.”<sup>383</sup>

**581.** The recruitment of UK police officers for deployment to Iraq faced additional obstacles.

**582.** CC Kernaghan, holder of the International Affairs portfolio for the Association of Chief Police Officers (ACPO) from 2001 to 2008, told the Inquiry that the impact of a posting to Iraq on police officers’ careers had been a significant obstacle to effective recruitment and deployment. He had considered it his responsibility to point out to potential recruits that Iraq might not be a good career move.<sup>384</sup>

**583.** CC Kernaghan added that the police experience had not been entirely negative. After a while, the positive testimonies of returning officers had started to encourage potential recruits: “I actually found it marginally easier to deploy people. They were not affected by the big picture.”

**584.** Former Chief Superintendent Dick Barton, UK Chief Police Adviser in Iraq from 2006 to 2007, told the Inquiry that “it was made quite clear to me that there were no guarantees regarding postings or jobs on my return”.<sup>385</sup>

**585.** The resource cost to the contributing police force was also a constraint on recruitment. ACC Smith told the Inquiry: “Some forces, particularly the larger metropolitan, refused to allow serving officers to deploy.”<sup>386</sup>

**586.** Government departments took a number of steps to encourage staff to volunteer for Iraq, including:

- financial allowances;
- decompression breaks;
- assistance with post-Iraq job placements; and
- temporary promotion.

**587.** Incentives to attract UK volunteers were not introduced uniformly across government. Differences in the terms and conditions applied by different organisations persisted throughout the Iraq campaign.

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<sup>382</sup> Private hearing, 22 June 2010, page 79.

<sup>383</sup> Private hearing, 22 June 2010, page 67.

<sup>384</sup> Public hearing, 23 July 2010, page 68.

<sup>385</sup> Statement, 7 June 2010, page 2.

<sup>386</sup> Statement, 25 June 2010, page 11.

**588.** In November 2003, FCO officials started to consider additional incentives to attract the growing number of volunteers needed to fill civilian roles in Iraq and to be able to replace them every few months for the foreseeable future.

**589.** On 3 November 2003, the IOU informed Sir Michael Jay that civil service secondees in Iraq received allowances worth about £1,500 a month, depending on grade.<sup>387</sup> By comparison, FCO and DFID contractors earned up to £1,000 a day. The IOU advised:

“There is no sign, yet, that money is a significant factor in finding civil service volunteers for Iraq. But we may have to consider some improvement in the financial terms if we find it increasingly difficult to recruit the civil service staff we need over the next few months.”

**590.** DFID’s November 2004 ‘Guide to Overseas Terms and Conditions for Long-term Assignments in Iraq’ explained:

“DFID’s work in Iraq is very high profile and has assumed major corporate importance. Working in Iraq is dangerous and the conditions are difficult. We need staff with appropriate skills, e.g. programme management, and a high degree of self-motivation to carry out this work. So, we have devised a package of allowances and benefits specifically to attract such people and meet their needs.”<sup>388</sup>

**591.** The details provided covered financial, travel and leave entitlements, health care, insurance, accommodation and security.”

**592.** Hardship allowances for Iraq were said to be high compared with other countries, at £26,900 per annum in November 2004.

**593.** Participants at the Inquiry’s civilian outreach event who served in Iraq between mid-2004 and mid-2007 viewed the financial package available to civilians positively, but expressed some resentment towards “overpaid” private sector contractors on “extraordinary” daily rates.

**594.** In 2003 the FCO introduced the “Golden Ticket” for staff deployed to Iraq for three months or longer.<sup>389</sup> The Golden Ticket gave the holder priority over other applicants when applying for their next job. It remained valid until a substantive job was secured.

**595.** The November 2004 text of the standard letter issued to FCO staff posted to diplomatic missions in Iraq stated: “HR and the wider Office value the contribution you have made, and we hope that this will go some way to recognising that.”<sup>390</sup> It also

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<sup>387</sup> Minute Parham to PS/PUS, 3 November 2003, ‘Iraq: Civilian Staffing’.

<sup>388</sup> [Paper DFID, 1 November 2004, ‘Working for DFID: Guide to Overseas Terms and Conditions for Long-term Assignments in Iraq’.](#)

<sup>389</sup> [Paper Foreign and Commonwealth Office, 25 October 2004, ‘Iraq Pre-Deployment Brief’.](#)

<sup>390</sup> Letter [FCO junior official], 17 November 2004, ‘Posting to British Diplomatic Missions in Iraq’.

explained that a posting to Iraq would not be counted as one of the maximum of two overseas postings usually allowed by the FCO before staff had to return to London.

**596.** The Golden Ticket policy remained unchanged in 2005.<sup>391</sup>

**597.** An official from the FCO HR Directorate told Mr Asquith in June 2006 that staff in Basra had asked whether the Golden Ticket really meant anything.<sup>392</sup> The official had explained to staff that the ticket was not a guarantee of a dream posting but “an added extra”. It was important that staff obtained timely, good quality appraisals of their performance in Iraq to support job applications.

**598.** The Golden Ticket was still on offer in January 2008, with an additional caveat:

“You will be able to ‘cash in’ your ticket when you next bid for jobs. A Golden Ticket will give your bid priority over other officers’ bids *provided you are considered equally credible in the job in other respects.*”<sup>393</sup>

**599.** In August 2008, an official in the FCO Human Resources Directorate informed DFID that although the Golden Ticket had not been abolished formally, “we recognise that it is increasingly difficult to deliver and the staff in post also recognise this”.<sup>394</sup>

**600.** Participants at the Inquiry’s civilian outreach event who had been posted to Iraq during the CPA period commented that some people had been “pressured” to volunteer for tours in Iraq with the offer of a Golden Ticket, but nobody knew of anyone rewarded with a favourable posting on their return. Some said they had not had jobs held open for them during their absence because of cost-saving pressures.

**601.** Members of the group also commented that many in their home departments did not want to hear about their experiences on return from Iraq because of the negative perceptions of the conflict in departments and the wider public.

**602.** Participants who served in Iraq from mid-2004 to mid-2007 said that the career impact of a posting to Iraq was often more negative than positive. There was a perception that human resources departments did not recognise adequately the skills acquired and that the career benefits had been oversold during recruitment. Some returnees felt their departments saw them as something of a problem. The MOD was a notable exception, where skills had been recognised and there had been a positive career impact.

**603.** Some non-MOD participants also commented that performance in jobs following an Iraq posting was often poor. Possible contributory factors included low motivation and lack of understanding by subsequent managers of what staff had been through.

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<sup>391</sup> [Paper \[unattributed\], 25 November 2005, ‘Terms and Conditions: Temporary Duties to Iraq’.](#)

<sup>392</sup> [Minute \[FCO junior official\] to Asquith, 4 July 2006, ‘Visit by HR Manager to Basra 14-19 June 2006’.](#)

<sup>393</sup> [Paper FCO, January 2008, ‘Terms, Conditions and Allowances in Iraq’.](#)

<sup>394</sup> Email FCO [junior official] to FCO [junior official], 8 August 2008, ‘Think piece on post-Iraq jobs’.

**604.** The Inquiry has seen evidence that temporary promotion was widely used in the MOD as an additional incentive for recruitment of volunteers.

**605.** In late 2007, Mr Jon Day, MOD Director General Operational Policy, commented unfavourably on the large number of MOD civilians given “T&G [temporary and geographical] promotion well above their grade”.<sup>395</sup>

**606.** Participants at the civilian outreach event suggested that, between 2007 and 2009, it had become more difficult to recruit suitable candidates. There was concern that availability rather than suitability became the deciding factor, and that some posts had been overgraded to attract applicants.

**607.** The US also experienced difficulty filling positions in Iraq.

**608.** In June 2004, the US General Accounting Office (GAO) reported that the CPA “had generally operated with about one-third of its direct positions vacant”.<sup>396</sup> Reasons suggested for the shortfall included the hardship of the posting, the security situation and budgetary constraints.

**609.** The RAND history of the CPA stated that the CPA suffered severe shortages of trained and experienced personnel throughout its existence, with a number of sectors, including police and justice, “chronically undermanned”.<sup>397</sup> Contributory factors included rapid staff turnover, the CPA’s inability to keep track of the staff it had, and its failure to identify requirements still to be met.

**610.** In January 2006, the Office of the Special Inspector for Iraq Reconstruction concluded that a number of circumstances had inhibited effective workforce planning, including:

- the wide-ranging role of the CPA;
- the CPA’s temporary status;
- deteriorating security;
- inaccurate pre-conflict assumptions about Iraq’s bureaucracy;
- limited sources of personnel;
- constantly changing requirements; and
- inconsistent inter-agency co-ordination.<sup>398</sup>

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<sup>395</sup> [Minute DG Op Pol to 2nd PUS \[MOD\], 9 November 2007, ‘MOD Civilians in Operational Theatres’.](#)

<sup>396</sup> *Rebuilding Iraq. Resource, Security, Governance, Essential Services, and Oversight Issues*, US General Accounting Office Report to Congressional Committees, June 2004, page 39.

<sup>397</sup> Dobbins J, Jones SG, Runkle B & Mohandas S. *Occupying Iraq: A History of the Coalition Provisional Authority*. RAND Corporation, 2009.

<sup>398</sup> Special Inspector General for Iraq Reconstruction, January 2006, *Iraq Reconstruction, Lessons in Human Capital Management*.

## Seniority

**611.** Ministers and officials frequently expressed concern about the difficulties faced by the UK in deploying the right people to positions where they would be able to exert UK influence in a US-dominated environment and achieve lasting impact in Iraq.

**612.** The issue arose in a number of different contexts. It appears not to have been addressed systematically.

**613.** The appointment of Major General Tim Cross as the senior UK member of ORHA in February 2003 is addressed earlier in this Section.

**614.** Section 9.2 describes the appointment of his successor, Mr Andy Bearpark.

**615.** In the Annotated Agenda for the AHMGIR on 22 May 2003, officials advised that Mr Bearpark needed to be given the right job to “maximise UK influence in ORHA”.<sup>399</sup>

**616.** Mr Bearpark was subsequently appointed CPA Director of Operations and Infrastructure. He arrived in Baghdad on 16 June.

**617.** Section 9.2 describes how, although UK officials in Whitehall regarded Mr Bearpark as the UK’s senior representative in the CPA, Mr Bearpark saw his primary loyalty as lying with the CPA and Ambassador Bremer.

**618.** Several weeks after Mr Bearpark’s arrival in Baghdad, the Government agreed that a senior UK figure should be appointed to head CPA(South).

**619.** On 10 July, the AHMGIR agreed that:

- Secondments to the CPA should be maintained at “approximately the current level”, but matched more closely to requirements, with more specialist than policy staff.
- The UK effort in CPA(South) should be increased “as required”, including through the appointment of a “suitably strong UK figure” to replace Ambassador Olsen.<sup>400</sup>

**620.** On 11 July 2003, Ms Hewitt advised Mr Blair of the need “to ensure that we are seconding sufficiently senior people to the CPA”. It was noticeable that the US was sending more senior people than the UK.<sup>401</sup>

**621.** Shortly afterwards, the IPU put forward recommendations for CPA staffing based on the principle that the UK should seek to exert influence at “all levels”.

These included:

- filling gaps, including at a senior level, in UK coverage of SSR, the economic ministries and the oil ministry;

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<sup>399</sup> Annotated Agenda, 22 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>400</sup> Minutes, 10 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>401</sup> [Letter Hewitt to Prime Minister, 11 July 2003, ‘Report of My Visit to Baghdad’](#).

- appointing a senior figure to lead CPA(South), where there were already 15 UK secondees; and
- leadership of four of the 18 CPA GTs scheduled to begin operations in September, with deployment starting in late August.<sup>402</sup>

**622.** On 25 July, Sir Michael Jay informed Sir Andrew Turnbull and Permanent Secretaries that Ministers had decided the UK would maintain “approximately the current level of overall commitment” with a focus in Baghdad on Security Sector Reform, the economic ministries and the oil sector, a “stronger lead” in CPA(South) and leadership of four CPA GTs.<sup>403</sup>

**623.** Sir Hilary Synnott arrived in Basra as Head of CPA(South) on 30 July.<sup>404</sup>

**624.** On 24 September, Sir Jeremy Greenstock, the Prime Minister’s Special Representative on Iraq, commented that the UK “has not yet put the intensity of resources into the civilian side of our operation, in terms of both personnel and project money, to convince the Americans that our analysis ... has to be listened to” (see Section 10.1).<sup>405</sup>

**625.** Sir Andrew Turnbull and Mr O’Donnell discussed the seniority of UK secondees to the CPA on 11 November.<sup>406</sup> They observed that the recent reorganisation of the CPA (see Section 10.1) had left the UK with no UK officials at Director level and concluded that: “It was difficult to continue to send staff as secondees if they were left with low level roles only.”

**626.** Although the Treasury and Bank of England deployed only junior officials to Iraq, they were noticeably effective (see Section 10.1).

**627.** A Treasury official speaking at a Treasury seminar in July 2004, said that securing people with the right skills had been “paramount” in Iraq:

“... we didn’t have many people to deploy so we took care to second people who could add value, and we are very fortunate in having a skill set within the Treasury that was able to deploy effectively in the circumstances.”<sup>407</sup>

**628.** Seniority was not a guarantee of influence.

**629.** In August 2003, officials informed Ministers that the UK was “seeking to engage the US Administration and CPA leadership over oil sector issues in order to gain influence

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<sup>402</sup> Annotated Agenda, 17 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting attaching Paper Iraq Policy Unit, 14 July 2003, ‘Ad Hoc Ministerial Meeting: 17 July, (Annex C) Future Staffing of the CPA’.

<sup>403</sup> [Letter Jay to Turnbull, 25 July 2003, ‘Iraq: UK support for reconstruction’](#).

<sup>404</sup> Synnott H. *Bad Days in Basra: My Turbulent Time as Britain’s Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

<sup>405</sup> Teleletter Greenstock to Sheinwald, 24 September 2003, [untitled].

<sup>406</sup> Minute [unattributed and undated], ‘Sir Andrew Turnbull’s Bilateral with Gus O’Donnell 11 November 2003’.

<sup>407</sup> Paper Radio Technical Services, 19 July 2004, ‘Transcript of Treasury Seminar Held in London on Monday, 19 July 2004’.

over decisions and policy” (see Section 10.1).<sup>408</sup> Two “senior people” were joining the CPA Oil Team, including Mr Terry Adams as the CPA Oil Technical Expert. The CPA had welcomed Mr Adams’ appointment, but had been “less than enthusiastic” about the second UK appointment.

**630.** TPUK informed Mr Blair on 10 October that the DTI’s efforts to understand and influence CPA policy on oil and gas had been “consistently unsuccessful” until Mr Adams’ arrival. Mr Adams’ appointment had improved the DTI’s understanding to some extent, although officials believed that the CPA had restricted Mr Adams’ access to information and decision-making meetings.<sup>409</sup>

**631.** On 14 October Ministers were informed that Mr Adams was “routinely excluded from some meetings”.<sup>410</sup>

**632.** A further instance of US resistance to senior UK appointments occurred in January 2004, when the Iraq Senior Officials Group concluded that, given the US lead in the media sector, there was little scope for UK involvement, and that the US was resisting the secondment of senior UK staff (see Section 10.1).<sup>411</sup>

**633.** At the end of January 2004, the US asked for UK help in staffing the Program Management Office (PMO) that had been set up to oversee CPA reconstruction funds (see Section 10.1).<sup>412</sup>

**634.** UKTI contracted two individuals to work in the PMO, initially for three months. The first deployed in early March 2004, the second in early April.<sup>413</sup>

**635.** In early June, UKTI began considering whether to continue to fund the two contractors.<sup>414</sup>

**636.** A UKTI official set out the arguments for Mr Mike O’Brien, FCO Parliamentary Under Secretary of State, on 21 June:

“We can claim indirect benefit to UK plc from these consultants, but it is difficult to quantify any direct commercial benefit. PMO procurement still (rightly) has to go through a full competitive process ... But these consultancies have earned us a great deal of goodwill from PMO senior management, ensured a UK voice at the highest levels of the organisation, and [have been] a useful but unacknowledged source of commercial information.”<sup>415</sup>

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<sup>408</sup> Annotated Agenda, 7 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>409</sup> [Letter Zimmer to Rycroft, 10 October 2003, ‘Iraq: Update on Commercial Issues’ attaching Paper UKTI, 10 October 2003, ‘Iraq: Update on Commercial Issues’.](#)

<sup>410</sup> Annotated Agenda, 14 October 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>411</sup> Letter Cabinet Office [junior official] to Sheinwald, 8 January 2004, ‘Iraq: senior officials group’.

<sup>412</sup> Minute UKTI [junior official] to PS/Sir Stephen Brown, 2 July 2004, [untitled].

<sup>413</sup> Minute UKTI [junior official] to PS/O’Brien, 21 June 2004, [untitled].

<sup>414</sup> Minute Lusty to Fletcher, 9 June 2004, ‘Iraq: UKTI consultancy support for the PMO’.

<sup>415</sup> Minute UKTI [junior official] to PS/Mr O’Brien, 21 June 2004, [untitled].

**637.** The official recommended that, given the difficulty in identifying any direct commercial benefit to the UK and the high cost of the contractors, UKTI should not agree to the US request to extend the contractors' contracts.

**638.** Discussions within UKTI and between UKTI, the FCO and DFID failed to identify further funding for the posts.<sup>416</sup>

**639.** In November 2004, in response to Mr Blair's suggestions that the UK needed to find more effective ways of getting the US to spend its funds more quickly and with greater impact, Mr Benn explained that Mr Bill Taylor, the US head of the Project Contracting Office (PCO), which had taken over some of the functions of the PMO after the transfer of sovereignty in June 2004, "has declined our offer of a senior reconstruction specialist but we are offering technical help instead" (see Section 10.2).<sup>417</sup>

**640.** Witnesses to the Inquiry offered contrasting views on the success of the UK's effort to deploy the right people to the right positions in Iraq.

**641.** Sir David Richmond told the Inquiry that the CPA generally received the people it needed from the UK:

"I think we did pretty well on that ... [T]here was a sort of little bit of a generation gap, perhaps inevitably, given the security circumstances, in that you got a large tranche of relatively young people, because they were single and didn't have families and children to worry about ... We also had quite senior people, whose families had grown up, again less concerned. So there was sort of a missing middle to some extent, but I think that's probably inevitable in the situation."<sup>418</sup>

**642.** Mr Bearpark was less sanguine. He highlighted the effect of the imbalance between military and civilian numbers. Because civilians could not cover all the meetings taking place each day that were relevant to their work, "99 military planners are going away saying, 'DFID is useless' and only one of them is admitting that DFID does actually know what it is talking about". That systemic problem had been resolved very quickly in Bosnia in 1994 and 1995:

"... whatever your limited civilian resource is ... it must match exactly into where you insert it into the military machine. If you can only afford one person, that person has to be the equivalent of the Commanding General. If you can afford three people, you can place them two ranks down, and if you can only afford one junior person, that person must be on the personal staff of the Commanding General."<sup>419</sup>

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<sup>416</sup> Minute UKTI [junior official] to PS/Mr O'Brien, 13 August 2004, 'UK secondees in the Project and Contracting Office (PCO) Baghdad'.

<sup>417</sup> Letter Benn to Blair, 10 November 2004, [untitled].

<sup>418</sup> Public hearing, 26 January 2011, page 78.

<sup>419</sup> Public hearing, 6 July 2010, page 97.

**643.** In his valedictory as Head of the IPU in May 2005, Mr Crompton criticised the FCO’s “inability (or unwillingness)” to redeploy senior staff at short notice:

“In summer 2003 we carried short gaps in both Baghdad and Basra at critical times, absences which damaged our reputation around Whitehall ... If the FCO aspires to be the lead on post-conflict issues, it needs to be willing to redeploy senior staff immediately from other positions, leaving gaps if necessary.”<sup>420</sup>

**644.** Mr Tinline, who served in Basra from 2007 to 2008, told the Inquiry that recruitment was less of a concern than it might have been because of the security situation:

“... if the security constraints had been less, I think a lot of these things would have been far bigger issues. Because the security constraints were such, we didn’t actually need that much staff. We couldn’t actually do that much. So the sort of lost opportunity was in fact minimal.”<sup>421</sup>

## Skills

**645.** Between 2003 and 2009, UK Ministers and officials expressed concern about a shortage of UK Arabic speakers and of expertise in a number of fields associated with reconstruction and stabilisation.

**646.** The Government’s response to the shortage of reconstruction and stabilisation expertise is addressed in Section 10.3, which considers the creation of the Post-Conflict Reconstruction Unit and its successor, the Stabilisation Unit.

**647.** Several witnesses to the Inquiry commented on the shortage of Arabic speakers deployed to Iraq throughout the period covered by the Inquiry.

**648.** Sir Mark Lyall-Grant, FCO Political Director from February 2007 to October 2009, who was not an Arabic speaker, explained that he had three experts on the Middle East working for him who were Arabic speakers: Mr McDonald, Dr Jenkins and Mr Prentice.<sup>422</sup>

**649.** Mr Tansley, Consul General in Basra from October 2005 to April 2006, told the Inquiry that he was the only Arabic speaker at the British Embassy Office Basra during his time there.<sup>423</sup> He explained that, not only was living in Basra more restrictive than in Baghdad, but there was also:

“... a view, in purely career terms that the high profile work ... was being done up in Baghdad, liaising with ministers, most of whom spoke English and were all western educated and quite smooth, suave and sophisticated, compared with the politicians we had to deal with down in Basra.

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<sup>420</sup> [Minute Crompton to Sawers, 4 May 2005, ‘Iraq: Reflections’](#).

<sup>421</sup> Private hearing, 24 June 2010, page 89.

<sup>422</sup> Public hearing, 20 January 2010, page 5.

<sup>423</sup> Private hearing, 22 June 2010, pages 70-72.

“So in many ways it was a certain sort of person who would have enjoyed his time or her time in Basra. I think there were those who did. I think I would have liked it if the Foreign Office could have come up with another Arabist.

...

“As I said, I think we could have had more impact in terms of personnel if we had people who were a bit more specialist in the region and who spoke Arabic, and if we could have got people to come at the time when I most needed them.”

**650.** Mr Nigel Heywood, Consul General in Basra from April 2008 to August 2009, told the Inquiry that he had one UK-based Arabic-speaking slot on his staff and a locally engaged political adviser who acted as interpreter.<sup>424</sup> Mr Heywood suggested that there was a competitive advantage to be gained from having Arabists in an environment like Iraq, where other countries did not have any on their staff.

**651.** Mr MacKiggan, Head of the Basra PRT from 2008 to 2009, did not speak Arabic, and worked through interpreters.<sup>425</sup> He told the Inquiry that it was necessary to prioritise skills and that it was difficult to find the person who had all the skills you were looking for in an environment like Iraq.

**652.** Shortage of Arabic language skills was also a consistent theme among participants at the Inquiry civilian outreach event.

**653.** The Inquiry has seen no evidence that any Kurdish speakers were deployed, or available to be deployed, by either the FCO or the MOD between 2003 and 2009.

**654.** In March 2002, FCO Research Analysts hosted a discussion on Middle Eastern and Islamic studies in the UK involving representatives of industry and the academic community.<sup>426</sup> The event raised concerns about the shortage of Arabic speakers in a range of institutions, including the FCO, and the decline in the teaching of Middle Eastern studies and languages in the UK. Some Middle Eastern languages, including Kurdish, were not being taught at all in the UK. Participants warned that, when money was tight, language teaching was often the first area to suffer.

**655.** In 2007, the FCO closed its Language Centre.<sup>427</sup> The British Academy’s 2013 report on languages in UK diplomacy and security described the closure as “the low point of what had been a gradual decline in language skills amongst diplomats”. The decline had been particularly marked among languages that were difficult to learn, including Arabic.

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<sup>424</sup> Public hearing, 7 January 2010, page 55.

<sup>425</sup> Public hearing, 7 January 2010, page 56.

<sup>426</sup> *The Middle East Quarterly*, Volume 10, Number 2, Spring 2003, *Middle Eastern Studies in the United Kingdom*.

<sup>427</sup> British Academy, *Lost for Words: The Need for Languages in UK Diplomacy and Security*, November 2013.

**656.** In 2011, Mr William Hague, the Foreign Secretary, told the Foreign Affairs Committee (FAC) inquiry into the role of the FCO in UK government that he wanted language expertise and regional knowledge to be “re-accentuated” in the FCO.<sup>428</sup>

**657.** Two witnesses to the FAC inquiry argued that there was a disjuncture between Mr Hague’s emphasis on language skills for UK diplomats and decisions to cut government support for the teaching of modern languages in UK universities.<sup>429</sup>

**658.** Dr Christian Turner, FCO Director Middle East and North Africa, informed the FAC that the FCO had taken a number of steps to improve Arabic language skills:

- restoration of the length of full time Arabic training to 18 months;
- more opportunities for staff in London to learn Arabic and maintain existing skills; and
- a 40 percent increase in “Arabic speaker capacity” in Middle East and North Africa posts compared to 2010.<sup>430</sup>

**659.** In its 2012 report on British foreign policy and the Arab Spring, the FAC concluded that the FCO had “significantly degraded” its language capacity by 2010, but had since recognised the need to improve Arabic language skills.<sup>431</sup>

**660.** At the opening of the new FCO language school on 19 September 2013, Mr Hague described expertise in a foreign language as “one of the fundamental skills of our diplomats”:

“It makes them vastly more effective at communicating the viewpoint of the United Kingdom. And it is vital to understanding the political mood in different countries and to spotting trends or anticipating crises.

...

“It helps us, for example to identify and influence individuals and groups playing a significant part in shaping events, such as in the context of the Arab spring. Arabic is the fastest growing language on social media platforms globally, and we need good language skills to tap into this rich conversation and to put across the UK position.

“Language skills are invaluable when trying to understand and predict the behaviour of countries that do not have transparent, democratic political systems, and where reliable information is harder to come [by] but vitally important to British companies or to our security interests.

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<sup>428</sup> Seventh Report from the Foreign Affairs Committee, Volume I, Session 2010-2012, *The Role of the FCO in UK Government*, 12 May 2011, page 70.

<sup>429</sup> Seventh Report from the Foreign Affairs Committee, Volume I, Session 2010-2012, *The Role of the FCO in UK Government*, 12 May 2011, page 70.

<sup>430</sup> Foreign Affairs Committee, Session 2012-2013, *Written Evidence from Dr Christian Turner, Director, Middle East and North Africa Directorate, Foreign and Commonwealth Office*, 7 July 2011.

<sup>431</sup> Second Report from the Foreign Affairs Committee, Session 2012-2013, *British Foreign Policy and the ‘Arab Spring’*, 19 July 2012, pages 22-23.

...

“With 40 classrooms we have space here to train up to 1,000 full and part-time language students over the course of 12 months, in up to 80 different languages from Arabic to Zulu. We will be offering 70,000 hours of teaching each year, not just for the men and women of the Foreign Office, but to those of other government departments if they wish to take advantage of our services.

...

“So we are also increasing the number of jobs overseas for which language skills are required in key parts of our overseas network. We’ve brought in a 20 percent increase in the number of posts for speakers of Latin American Spanish, Portuguese and Arabic, and a 40 percent increase in the number of Mandarin speakers.”<sup>432</sup>

**661.** In his speech, Mr Hague described the new language facility as just one part of “the biggest drive to enhance the diplomatic skills of the Foreign Office that the department has ever seen”. A stronger culture of learning and expertise was part of a “quiet revolution” that included “a greater emphasis on history and the retention and sharing of knowledge and expertise”. Changes included moving the FCO’s historians “back into the heart of the Foreign Office” and attaching greater importance to the work of Research Analysts.

**662.** The British Academy welcomed the opening of the new FCO language school, but warned that significant work was needed to embed the changes and reverse the decline.<sup>433</sup>

**663.** By November 2003, the UK military was also facing a shortage of Arabic speakers and interpreters.<sup>434</sup>

**664.** The Chiefs of Staff raised the shortfall in the number of linguists available at their meeting on 16 July 2003.<sup>435</sup> General Sir Michael Walker, Chief of the Defence Staff, directed Lieutenant General Robert Fry, Deputy Chief of Defence Staff (Commitments), to establish the exact requirement and where the linguists might be found.

**665.** In December 2003, MOD officials informed Lt Gen Fry that, in addition to “tactical linguist requirements” in military units, Op TELIC had a requirement for 39 linguists on six-month deployments.<sup>436</sup> By November 2003, officials expected that requirement would last three to four years.

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<sup>432</sup> Foreign & Commonwealth Office and the Rt Hon William Hague MP [from *GOV.UK*], 19 September 2013, *Foreign Secretary opens Foreign Office language school*.

<sup>433</sup> British Academy, *Lost for Words: The Need for Languages in UK Diplomacy and Security*, November 2013.

<sup>434</sup> Minute ACDS(Ops) to All TLB Holders, 19 November 2003, ‘Provision of Arabic Interpreters for Op TELIC’.

<sup>435</sup> Minutes, 16 July 2003, Chiefs of Staff meeting.

<sup>436</sup> Minute DJtCts-DCMCDACSO1 to DCDS(C), 3 December 2003, ‘Op TELIC – Augmentation of Linguists’.

**666.** Officials explained that the search for Arabic speakers across the three services had exhausted the pool of suitably qualified regular soldiers, and the mobilisation of reserves had exhausted the pool of linguists in the Territorial Army (TA). Training individuals to the level required for the 39 core posts took 10-12 months.

**667.** MOD officials explained that allocating 18 of the 39 posts to civilians offered a partial solution, but there was still a need to fill the remaining 21 posts every six months for the foreseeable future. Proposals included:

- an increase in the provision of training by the Defence School of Languages;
- expansion of the pool of TA linguists;
- further civilianisation;
- a request for FCO assistance, judged unlikely to succeed because of the FCO commitment to the CPA; and
- redeployment of Arabic-speaking Defence and Military Attachés at British Embassies, thought likely to damage relations with FCO staff in those Embassies and affect working relationships with host countries.

**668.** It is not clear from the papers seen by the Inquiry which, if any, of those recommendations was implemented during Op TELIC.

**669.** In early 2004, the press reported that several language students at UK universities were putting their degrees on hold to work in Iraq as interpreters and translators for the UK military.<sup>437</sup> By mid-February, 16 students had been employed, with five already working in Iraq.

**670.** MOD guidance on the military contribution to peace support operations published in June 2004 made only passing references to language skills. It stated:

“The ability to negotiate and mediate will place a premium on basic language skills. However, working through interpreters is currently more usual and therefore should be practised before deployment.”<sup>438</sup>

**671.** The absence of clear UK military doctrine on language capability was addressed in 2013.<sup>439</sup> A Joint Doctrine Note on linguistic support to operations stated that the military:

- had only “a modest standing language capability ... not well placed to support operational planning or high readiness deployment needs”; and
- had been “inherently slow to build capability for enduring operations”.

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<sup>437</sup> *The Guardian*, 18 February 2004, *Language students to help army in Iraq*.

<sup>438</sup> Ministry of Defence, *Joint Warfare Publication 3-50: The Military Contribution to Peace Support Operations*, June 2004.

<sup>439</sup> Ministry of Defence, *Joint Doctrine Note 1/13: Linguistic Support to Operations*, March 2013.

**672.** In 2013, the growing recognition of the importance of language skills was reflected in the opening of the new Defence School of Language and Culture 2013.<sup>440</sup>

**673.** The British Academy's 2013 report on the need for languages in UK diplomacy and security attributed the MOD's change of approach directly to lessons learned in the Iraq and Afghanistan campaigns.

**674.** Both the FCO and the Armed Forces failed to anticipate or prepare for the surge in demand for Arabic speakers in Iraq.

**675.** In its 2013 report, the British Academy described some of the steps taken by the MOD to generate language capacity quickly, but stated that, of the organisations consulted, only the secret intelligence agencies appreciated the need for and difficulty of ensuring sustainability of supply and surge capacity, especially for rare languages.<sup>441</sup>

**676.** The British Academy added that there appeared to be "little co-ordination across government to identify language needs and no overall strategic approach to enable future needs to be met." The report proposed more flexible working across departments, allowing staff with language skills to be seconded for specific projects, such as engaging with hard to reach groups. The new FCO language centre was identified as a significant opportunity for pooling resources.

## Tour length and continuity

**677.** The difficult working conditions for civilians in Iraq were reflected in short tour lengths and frequent leave breaks. Different departments adopted different arrangements throughout the Iraq campaign.

**678.** Officials expressed concern about the impact of those arrangements, including:

- breaks in continuity;<sup>442</sup>
- loss of momentum;<sup>443</sup>
- lack of institutional memory;<sup>444</sup> and
- insufficient local knowledge.<sup>445</sup>

**679.** Participants at the Iraq Inquiry civilian outreach event also referred to reduced credibility with external interlocutors.

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<sup>440</sup> British Academy, *Lost for Words: The Need for Languages in UK Diplomacy and Security*, November 2013.

<sup>441</sup> British Academy, *Lost for Words: The Need for Languages in UK Diplomacy and Security*, November 2013.

<sup>442</sup> [Telegram 10 CPA Basra to FCO London, 26 January 2004, 'Basra Valedictory' \[Parts 1 and 2\]](#).

<sup>443</sup> [Minute Etherington to \[Cabinet Office junior official\], 17 May 2006, 'Basra Provincial Reconstruction Team \(PRT\): Challenges and Opportunities'](#).

<sup>444</sup> [Telegram 77 Basra to FCO London, 12 July 2004, 'Basra: Creating and Supporting a new Consulate'](#).

<sup>445</sup> [Minute Hatfield to Loudon, 25 April 2005, 'Visit to Iraq'](#).

**680.** An initial tour length of three months for the first wave of secondees to the CPA was extended to six months in July 2003.<sup>446</sup>

**681.** The FCO pre-deployment letter for November 2004 stated that: “In light of the dangers and discomforts a posting to Iraq is six months with the option of a further six months thereafter.”<sup>447</sup> In addition to the FCO’s normal and overseas leave, staff would be entitled to an extra 10 days’ leave each year.

**682.** DFID’s November 2004 ‘Guide to Overseas Terms and Conditions for Long-term Assignments in Iraq’ explained that DFID postings were for up to 12 months with a rota of six weeks on, two weeks off, away from Iraq.<sup>448</sup>

**683.** In April 2005, the MOD considered introducing longer tours to mitigate some of the effects of the short tour length (six months with a 10-day break half way through).<sup>449</sup> Mr Richard Hatfield, MOD Personnel Director, reported that many MOD staff in Iraq were willing to do a second tour, or suggesting that slightly longer tours might be more effective, if more difficult to sell to potential volunteers. Mr Hatfield recognised the possible advantages of longer tours, particularly where continuity or local knowledge was at a premium. He proposed that the MOD take “a slightly more ‘mix and match’ approach about tour patterns, taking account of both the individual’s circumstances/ desires and the nature of the post”.

**684.** In May 2006, Mr Mark Etherington, Basra PRT Team Leader, reported that:

“The military component of the PRT – roughly a third – is invaluable, but cannot act as a repository of expertise because tour lengths are short. This civilian core must be large enough to withstand the turbulence of the six-and-two week leave system ... or we risk a loss of momentum.”<sup>450</sup>

**685.** In December 2007, Sir Peter Ricketts called for a reassessment of policy on the length of postings to Baghdad.<sup>451</sup> Many staff were able to cope with an extra six months, if not a second year: “Quite a head of steam is building up on this issue and it needs to be tackled.”

**686.** Tour lengths remained unchanged. The January 2008 version of the FCO terms and conditions for postings to Iraq stated:

“In light of the associated dangers and discomforts of living in Iraq, a posting to Iraq is six months with the option of a further six month extension. As you know, Iraq

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<sup>446</sup> Minutes, 10 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>447</sup> Letter [FCO junior official], 17 November 2004, ‘Posting to British Diplomatic Missions in Iraq’.

<sup>448</sup> [Paper DFID, 1 November 2004, ‘Working for DFID: Guide to Overseas Terms and Conditions for Long-term Assignments in Iraq’.](#)

<sup>449</sup> [Minute Hatfield to Loudon, 25 April 2005, ‘Visit to Iraq’.](#)

<sup>450</sup> [Minute Etherington to \[Cabinet Office junior official\], 17 May 2006, ‘Basra Provincial Reconstruction Team \(PRT\): Challenges and Opportunities’.](#)

<sup>451</sup> [Minute Ricketts to Baker, 12 December 2007, ‘Visit to Iraq: Administration Points’.](#)

remains a dangerous place, but the FCO has taken measures to minimise the risks to its staff, and will keep those measures under constant review. This is a volunteer only posting.

...

“Extensions beyond 12 months are rare and only granted if there are compelling operational reasons.”<sup>452</sup>

**687.** Staff were not permitted to bid for consecutive jobs in Iraq and/or Afghanistan with a combined duration of over 12 months “while these posts are at a security level warranting close protection teams and decompression breaks”.

**688.** The 2008 terms and conditions also stated that the length and frequency of decompression breaks were linked to the security situation and could change during a posting. The interval between decompression breaks was set at between six and seven weeks. In special circumstances, staff could seek authority to spend eight weeks at post without a break.

**689.** The Inquiry received a range of views on the merits of different models.

**690.** Mr MacKiggan, Head of the Basra PRT from 2008 to 2009, told the Inquiry:

“I think nine to 12 months should be the norm, perhaps even the minimum, because it takes time to develop relationships ... It is partly relationships with ... locals ... It is also about relationships between different parts of government.”<sup>453</sup>

**691.** Mr Tansley endorsed the MOD model:

“Comparing terms and conditions of service between the FCO and the political advisers who were attached to MND(South East), I would have preferred perhaps an arrangement that the POLADs had, which I thought was more effective than what the FCO was doing, both in terms of the level on health and safety reasons, what they could and could not do, in terms of how often they had their decompression breaks.”<sup>454</sup>

**692.** All three working groups at the Inquiry’s civilian outreach event debated the merits of different tour lengths, including the impact on civilian-military relations, business continuity, relationships with external partners and the impact on individuals and their families.

**693.** Participants who had served in Iraq during the CPA period commented that 12 months was the maximum time during which personnel could remain effective. Six weeks on and two off (6+2) was seen as an effective model. Tours were complicated

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<sup>452</sup> [Paper \[unattributed\], January 2008, ‘Terms, Conditions and Allowances in Iraq’.](#)

<sup>453</sup> Public hearing, 7 January 2010, page 51.

<sup>454</sup> Private hearing, 22 June 2010, page 71.

by the difficulty of getting out of Iraq, resulting in people not taking their leave, and by the shortage of staff to cover work while people were on leave.

**694.** Those who had been in Iraq between mid-2004 and mid-2007 commented that covering absences under the 6+2 model required a much higher degree of flexibility than was normal for the civil service, and that two-week absences had a negative impact on civilians' credibility with external interlocutors, including the UK military. 6+2 had the advantage that it allowed those with families to deploy and made it possible to sustain tours of one to two years, providing greater continuity than the six months (with a one-week break) served by MOD civilians.

**695.** There was also thought to have been an impact on relationships with Iraqi interlocutors, who were frustrated with frequent and apparently ill-planned changes of UK personnel. In some cases there was a suspicion that Iraqis had exploited the situation, for example by misrepresenting what had been agreed previously.

**696.** Some individuals who had been in Iraq from mid-2007 suggested that, at least initially, departments were too rigid about tour lengths. Those wanting to extend beyond 12 months had been forced by their departments to return. Different tour lengths for MOD civilians continued to inhibit business and the building of relationships during this period. The group concluded that different jobs called for different tour lengths.

## Learning operational lessons

**697.** Between 2003 and 2009, departments debriefed some civilian staff returning from Iraq in order to learn operational lessons from their experience.

**698.** Departments took steps to improve the debriefing process, but do not appear to have established a comprehensive or consistent approach.

**699.** At the AHMGIR on 24 July 2003, Mr Straw asked the Cabinet Office and the IPU to devise a debriefing system for secondees to Iraq.<sup>455</sup>

**700.** On 7 August, officials informed the AHMGIR that the IPU was debriefing the first wave of returning UK secondees to the CPA.<sup>456</sup>

**701.** The FCO drew on the contributions of returning secondees for its November 2003 review of pre-deployment training and terms and conditions for civilian staff, described later in this Section.<sup>457</sup>

**702.** Separately, the Cabinet Office Corporate Development Group (CDG) began assessing the benefits of CPA secondments to staff and departments. The aim was

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<sup>455</sup> Minutes, 24 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>456</sup> Annotated Agenda, 7 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>457</sup> [Letter Jay to Chakrabarti, 11 November 2003, 'Security of UK Civilian Secondees in Iraq' attaching Paper, 'Iraq: Civilian Staff: Training, Briefing, Security and Insurance'](#).

to report to Ministers in November, drawing on responses to a questionnaire to be given to secondees within a month of their return from Iraq.<sup>458</sup>

**703.** Mr Straw told Cabinet on 27 November that he had spoken to some 60 UK staff at CPA headquarters in Baghdad, whose “extraordinary stoicism”, commitment and contribution should be recognised.<sup>459</sup> There was, however, a sense that staff from departments that did not normally send people on overseas postings were not properly appreciated by those departments, either while in Iraq or on their return. Mr Straw asked colleagues to ensure Permanent Secretaries were “managing and supporting” their seconded staff and suggested that regular contact should be maintained between departmental top management and their secondees.

**704.** On 1 December, Mr John Barker, a Director in the Cabinet Office Corporate Development Group, updated Sir Andrew Turnbull on responses to the questionnaire given to returning UK secondees to the CPA.<sup>460</sup> Mr Barker reported:

“So far we have only had eight questionnaires returned. Although they have raised a small number of niggles for example in relation to visa problems in Kuwait delaying travel arrangements and to difficulties in getting help to arrange flights home, the overall response has been positive. Volunteers have enjoyed the experience, learned from it, felt proud to have been involved, enjoyed the comradeship and will be happy to recommend others to go out there. None of the questionnaires mention concerns about treatment on return to their department.

“There may of course be people who have not let us know of difficulties ...”

**705.** Mr Barker proposed that Sir Andrew Turnbull write to Permanent Secretaries, reminding them that:

“... colleagues are doing a splendid job in very trying circumstances and will be developing their competences in many of the areas we would want them to. We should ensure that their contribution is recognised and that they do not have grounds for believing that their careers have suffered because of being there.”

**706.** Sir Andrew Turnbull wrote to Permanent Secretaries on 3 December.<sup>461</sup> He reported that Ministers greatly appreciated the “courage, persistence and determination” of staff in Iraq and felt more could be done to recognise what they were achieving:

“Please encourage your Human Resources and Communications teams to address this, for example by generating reports for your house journals, sending messages

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<sup>458</sup> [Minute Dodd to Barker, 4 August 2003, ‘Iraq: feedback from secondees’](#).

<sup>459</sup> Cabinet Conclusions, 27 November 2003.

<sup>460</sup> [Minute Barker to Turnbull, 1 December 2003, ‘Iraq Volunteers’](#).

<sup>461</sup> [Letter Turnbull to Phillips, 3 December 2003, ‘Iraq: Civilian Staffing’](#).

of support and appreciation to secondees, and feeding stories to local newspapers and radio stations (as our military colleagues often do so well) ...

“We should also ensure that the experience gained by secondees in Iraq is valued properly, and reflected in their appraisals and future career development ...”

**707.** In July 2004, after the disbanding of the CPA, the Treasury held a seminar to learn lessons from the UK’s contribution to the rehabilitation of Iraq’s economic and financial administration during the CPA period.<sup>462</sup> Treasury and Bank of England secondees to the CPA spoke at the seminar, which was attended by Mr Brown, Mr Boateng, Sir Michael Jay and Mr O’Donnell.

**708.** After the seminar, Mr O’Donnell saw the secondees to the CPA “to talk about their time there and the lessons we can have”.

**709.** Several participants at the Inquiry’s civilian outreach event said that the Inquiry’s event was the first time they had been asked to talk about their experiences. Most of those who had served in Iraq during the CPA period felt let down. They felt that departments had not tried to make use of the knowledge they had acquired or to bring them into strategy discussions. Most of the participants had not had a post-tour debriefing. There was a feeling at the civilian outreach event that the Whitehall approach to human resources, leaving individuals to look after themselves, was not appropriate for this sort of expeditionary civilian deployment.

**710.** After a visit to Iraq in April 2005, Mr Hatfield reported that the MOD needed:

“... to make more active use of operational veterans to sell the prospect of a deployed tour to potential volunteers – their enthusiasm is catching and they are well placed to supply answers about both the real and imaginary concerns people may have about what is involved.”<sup>463</sup>

**711.** Mr Hatfield also reported that:

“The Ambassador [Mr Chaplin] was ... interested in our arrangements for debriefing – which at present it seems the FCO do not do. I suspect that we need to be a bit more systematic here, too. Debriefing is therapeutic as well as potentially informative – and may also help to identify any individuals with aftercare needs.”

## Staff welfare

**712.** The FCO, the MOD and DFID provided different pre-deployment training for staff posted to Iraq.

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<sup>462</sup> Paper Radio Technical Services, 19 July 2004, ‘Transcript of Treasury Seminar Held in London on Monday, 19 July 2004’.

<sup>463</sup> [Minute Hatfield to Loudon, 25 April 2005, ‘Visit to Iraq’](#).

**713.** Periodic efforts to synchronise approaches did not produce consistency across departments.

**714.** In October 2003, COBR commissioned an FCO-led review of training, security and insurance for UK civilians serving in Iraq to “ensure that there is consistency across all government departments seconding staff and consultants”.<sup>464</sup>

**715.** Sir Michael Jay sent the findings to Permanent Secretaries and the heads of organisations with secondees in Iraq on 11 November 2003.<sup>465</sup>

**716.** The paper stated that, before deployment to Iraq, staff from the FCO and other government departments (excluding DFID), and individuals contracted by the FCO, attended a security-focused training course at the Reserves Training and Mobilisation Centre in Nottingham (Chilwell). The initial course included:

- “• Medical and dental examination
- Inoculations
- Intelligence Brief
- NBC [nuclear, biological and chemical] kit issue and familiarisation
- Foreign Weapon familiarisation
- Issue of body armour and helmet, boots, kit bag etc
- Conduct after Capture
- Law of Armed Conflict
- Mine Awareness.”

**717.** The course had been “improved and adapted” at FCO request to include:

- “• Cultural Awareness Brief
- Hostage Situations
- Environmental Health
- Combat First Aid.”

**718.** The course also included a briefing by the FCO Iraq Directorate on working and living conditions, including a “preliminary security briefing”. Modules on NBC, “Conduct after Capture” and “Law of Armed Conflict” had been dropped.

**719.** The paper stated that, when no course was available at Chilwell, secondees attended an equivalent course provided by a private sector company. In a few cases, including that of Sir Jeremy Greenstock, the requirement for pre-deployment training had been “overridden”, but it was Iraq Directorate’s “firm policy to insist that all secondees receive such training”.

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<sup>464</sup> Minute OD Secretariat to Sheinwald, 28 October 2003, ‘Iraq: Review of Security Arrangements for UK Staff’.

<sup>465</sup> [Letter Jay to Chakrabarti, 11 November 2003, ‘Security of UK Civilian Secondees in Iraq’ attaching Paper, ‘Iraq: Civilian Staff: Training, Briefing, Security and Insurance’.](#)

**720.** The paper also stated that the MOD arranged its own training and briefing. For recent deployments, that had matched the FCO arrangements, although MOD staff continued to receive NBC training.

**721.** DFID training followed the same principles, but was provided by the private sector because those courses were more frequent.

**722.** The paper stated that debriefing of secondees on their return from Iraq indicated that they received good preparation “now that some deficiencies in the Chilwell course ... have been dealt with”. Feedback from staff still in Iraq “confirms that the training has been useful and appropriate”.

**723.** Concerns about the Chilwell course resurfaced in the MOD in 2005. After visiting Iraq in April 2005, Mr Hatfield reported that the course did not seem to be working:

“Apart from the cultural brief, hardly a good word was said about it. To be fair, it was not designed for civil servants. As a result of my discussions with our Ambassador [Mr Chaplin], I think the solution might be to join with the FCO who have their own preparatory course.”

**724.** In June 2006, the MOD established the Support to Operations (S2O) programme in response to lessons learned from the deployment of civilians on Op TELIC.<sup>466</sup> The programme’s aim was “to develop a more capable deployable civilian workforce, to reduce the risk to deployed civilian staff and to ensure MOD is meeting its duty of care to those deployed”.

**725.** S2O was designed as a “single portal” for all deployed civil servants and visitors to operations, to ensure they had been adequately trained, were medically fit and had the appropriate equipment before deployment.<sup>467</sup>

**726.** The MOD told the Inquiry that S2O oversaw both pre- and post-deployment processes, with much emphasis on the support to families.<sup>468</sup>

**727.** Mr Martin Howard, MOD Director General Operational Policy, visited Basra and Baghdad from 17 to 20 January 2007.<sup>469</sup> He reported to Vice Admiral Charles Style, DCDS(C), that the MOD POLAD team in Basra and the MOD training team in Baghdad were in “good spirits” and found their roles challenging and interesting, but felt that:

- pre-deployment training and briefing were not adequate;
- their accommodation and support package was not comparable to that received by FCO and DFID staff;
- succession planning was not adequate; and

<sup>466</sup> [Paper Support to Operations, 23 November 2007, ‘Project Management Plan’.](#)

<sup>467</sup> [Minute \[unattributed\] to PS/PUS \[MOD\], 4 December 2007, ‘TELIC Visit – Support to Operations Brief’.](#)

<sup>468</sup> Paper [unattributed and undated], ‘MOD Operational Deployment Frameworks for MOD Civilians for the period 2003-2009’.

<sup>469</sup> Minute DG OP POL/IRAQ to DCDS(C), 26 January 2007, ‘DG OP POL’s Iraq Visit Report’.

- they were not valued on return and did not get enough assistance finding a new position.

**728.** Mr Howard undertook to write to PJHQ about those issues.

**729.** The Inquiry has not seen any further material addressing those issues.

**730.** Participants at the civilian outreach event described the setting up of the S2O programme as a significant turning point for the MOD, rectifying problems with the previous system under which there had been no centralised unit for managing MOD civilian deployments.

**731.** Those deployed during the CPA period characterised training and the issuing of personal security equipment as ad hoc, with practice varying between departments. Several mentioned that military body armour was too big and heavy for people not used to it, and compared it unfavourably with the lighter armour issued to the media and some US civilians.

**732.** Participants who served in Iraq between 2004 and 2007 described pre-posting arrangements as ad hoc and haphazard. The MOD was felt to have performed better than the FCO, particularly after the creation of S2O in 2006. FCO participants were particularly critical of FCO workforce planning, including line managers' responsibility for recruiting their own staff, which did not work well when they were in theatre.

**733.** Participants at the outreach event who had been in Iraq between 2007 and 2009 saw no consistency in the pre-deployment preparation offered by different departments, but commented that there had been improvements to the security course at Chilwell.

**734.** Living conditions for personnel seconded to ORHA in April and May 2003 were difficult. Maj Gen Cross told the Inquiry:

“The reality was the living conditions [for ORHA personnel] were pretty atrocious, and although somebody like myself who had done a number of operations was relatively comfortable, for a lot of people just surviving was pretty hard work.”<sup>470</sup>

**735.** As early as June 2003, concerns emerged that civilian personnel deployed to Iraq were not prepared for the conditions they would encounter.

**736.** A DFID contractor seconded to CPA(South) asked the DFID Iraq Directorate to inform new consultants of the conditions in Basra, in particular the challenges of the working environment, climate and conditions.<sup>471</sup> One consultant had serious health issues and no medical insurance.

**737.** The PJHQ recruitment notice for civilian postings to Iraq published in July 2005 stated that applicants would need to be “fit and healthy, often to a higher standard than

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<sup>470</sup> Public hearing, 7 December 2009, page 50.

<sup>471</sup> Email [DFID contractor] to DFID [junior official], 14 June 2003, 'Secondments to CPA S'.

would be needed for a sedentary job in the UK ... Unfortunately individuals with Type 1 or Type 2 diabetes ... and individuals who have severe allergies cannot be deployed.”<sup>472</sup>

**738.** The November 2005 version of the FCO terms and conditions for postings to Iraq advised that the FCO had contracted a private company, Frontier Medical, to provide primary health care services at posts in Iraq.<sup>473</sup> Secondary care was managed by International SOS using the 24-hour FCO Healthline. Close protection personnel were all first aid trained.

**739.** The terms and conditions stated: “The onus is on you to behave responsibly whilst at post with regard to your own health, in order to make sure you are as fit as possible at all times.” Failure to act on the advice of the OSM, security personnel or Frontier Medical would be dealt with in a “firm manner”.

**740.** On 16 February 2006, the FCO Human Resources Directorate (HRD) reviewed procedures for hostile environment training and medical clearance in response to “concerns that some FCO personnel on posting to, or visiting, Iraq are not capable of meeting the physical requirements”.<sup>474</sup> Officials agreed a number of procedural changes, including new requirements that:

- the FCO Medical Examiner would confirm whether an officer was fit to go to Iraq before, not after, the posting board made the appointment; and
- hostile environment course instructors would comment on whether an officer was fit to deploy.

**741.** On 26 February, Mr Robert Gibson, Deputy Head of Mission at the British Embassy Baghdad, expressed concern about civilian staff already at post: “We judge subjectively that their fitness levels are low and their lack of speedy mobility might pose a danger to themselves and others.”<sup>475</sup>

**742.** In June 2006, as part of its review of the security of staff and missions in Iraq, the IPU updated Sir Michael Jay on the measures in place to assess the health of FCO staff before, during and after deployment to Iraq:

- All potential applicants were required to complete a pre-posting fitness questionnaire. Their applications would not be processed until occupational health doctors had confirmed applicants’ suitability.
- Successful applicants were required to attend hostile environment training. If the course organisers had concerns about an individual’s ability to cope with “extreme conditions”, the posting could be cancelled.

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<sup>472</sup> Paper PJHQ, July 2005, ‘Defence Instructions and Notices: PI 70-05: Short Operational Tours (SOTs) – Appointments on Behalf of Chief of Joint Operations (CJO)’.

<sup>473</sup> [Paper \[unattributed\], 25 November 2005, ‘Terms and Conditions: Temporary Duties to Iraq’](#).

<sup>474</sup> Minute IPU [junior official], 16 February 2006, ‘Iraq Hostile Environment Training & Medical Clearance: Record of the Meeting Held on 16 February 2006’.

<sup>475</sup> Email Gibson to [FCO junior official], 26 February 2006, ‘Staff: fitness levels’.

- “[H]ealth surveillance” was carried out on arrival in Iraq and at quarterly intervals “in liaison with Frontier Medical, Capita and HRD”.
- Three months after completion of the tour, Capita interviewed the officer to assess the impact of the posting.<sup>476</sup>

**743.** The IPU explained that pre-posting procedures were “rigorously followed” for FCO staff, but it had been “unable to confirm this to be the case ... for other government departments”. There had been a few cases where individuals the FCO would not consider medically fit to serve in Iraq had arrived at post or medical teams had identified their medical problems at post at the last minute.

**744.** The IPU advised that the FCO did not have the resources to carry out medical screening and hostile environment training for all government staff deployed to Iraq. Instead it would:

“... write to those departments and contractors most concerned, setting out our procedures and recommend that they either institute something similar or ensure their staff sit the Offshore Operators Association Medical. This is a rigorous medical required for staff working on oil rigs ...”

**745.** In June 2006, a member of the FCO HR Directorate briefed two Frontier Medical staff in Basra on the FCO’s process for pre-posting medical clearance.<sup>477</sup> During the discussion, it emerged that concerns persisted about the fitness of some contractors working for the FCO and other departments. The Frontier Medical staff also suggested that non-FCO personnel should have to pass a medical similar to that required for FCO staff as a condition of employment in Iraq. The FCO Iraq Directorate was reported to be pursuing the issue.

**746.** In July 2006, DFID officials explained to Mr Benn that, although DFID staff were covered by FCO procedures in most areas, that was not the case for pre-deployment procedures.<sup>478</sup> In the light of FCO concerns about the physical fitness of some DFID contractors, DFID had taken a number of steps, in consultation with the FCO, to tighten up pre-deployment medical fitness clearance and hostile environment training, including:

- asking staff to complete the FCO-led fitness pre-assessment form for postings to Iraq;
- discussing with the firms recruiting contractors the possibility of all staff undergoing a pre-assignment medical with a specialist organisation, rather than obtaining medical clearance from their GP;

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<sup>476</sup> [Minute IPU \[junior official\] to PS/PUS \[FCO\], 30 June 2006, ‘Iraq: Review of Security’ attaching Paper Iraq Policy Unit, June 2006, ‘Review of Security of Staff and Missions in Iraq’.](#)

<sup>477</sup> [Minute \[FCO junior official\] to Asquith, 4 July 2006, ‘Visit by HR Manager to Basra 14-19 June 2006’.](#)

<sup>478</sup> [Minute MENAD \[junior official\] to PS/Secretary of State \[DFID\], 14 July 2006, ‘Information Note: Security Update – Iraq’ attaching Paper, ‘DFID planned improvements to pre-deployment procedures July 2006’.](#)

- considering the possibility of introducing additional psychological assessments;
- making available a number of counsellors with security clearance; and
- improving Iraq-specific hostile environment training to include a fitness assessment.

**747.** In November, a representative of Frontier Medical in Iraq responded to concerns expressed by a junior official in DFID about medical fitness requirements.<sup>479</sup> He reported that: “Despite our frequent requests the FCO has still not clarified any set criteria for medical fitness for deployment to this theatre.” In contrast, DFID had “instigated quite strict medical assessments prior to deployment ... undertaken by an independent company, who have so far proved to be excellent”.

**748.** Departments also provided psychological support to civilians deployed to Iraq.

**749.** On 5 March 2004, Mr Philip Parham, Head of the FCO Iraq Operations Unit (IOU), sent Sir Michael Jay a contingency plan for the FCO’s response in the event of an attack that incapacitated the senior UK leadership in Baghdad or resulted in the death or injury of five or more UK civilian staff in Iraq.<sup>480</sup> The plan built on existing FCO procedures. Objectives included:

- “• ensure that all civilian staff in Iraq are promptly informed of what has happened, what remedial action is being taken, and what services and options are available to them;
- assess the attack’s psychological impact on staff and advise whether staff should remain or be withdrawn.”

**750.** The October 2004 version of the FCO pre-deployment briefing pack for staff from all departments and contractors referred to the availability of a trauma risk management (TRiM) interview for those exposed to “specific events”.<sup>481</sup> The briefing also listed the range of medical and counselling services available, some of them 24 hours a day, and gave contact details for the information network set up “to inform and support” the relatives and friends of people serving in Iraq.

**751.** During the drawdown from the Basra Palace site in October 2006, the FCO confirmed that TRiM assessment was open to staff from other departments and contractors.<sup>482</sup>

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<sup>479</sup> Email [Frontier Medical] to [DFID junior official], 30 November 2006, ‘Medical Fitness Requirements for Baghdad’.

<sup>480</sup> Minute Parham to PS/PUS, 5 March 2004, ‘Iraq – Contingency Plan’.

<sup>481</sup> [Paper Foreign and Commonwealth Office, 25 October 2004, ‘Iraq Pre-Deployment Brief’.](#)

<sup>482</sup> Email Middle East and North Africa Department [junior official] to Anderson, 27 October 2006, ‘Basra drawdown’.

**752.** At the same time, DFID introduced its own counselling service for civilians returning from fragile states.<sup>483</sup>

**753.** DFID officials recommended that service in November when approached by consultancy firms asking what counselling or debriefing was available to staff recently withdrawn from the Basra Palace site.<sup>484</sup>

**754.** Details of the new service were sent to DFID staff in London and Iraq on 28 November.<sup>485</sup> Staff would be expected to attend debriefing counselling sessions as part of existing security and medical procedures, in order to complement pre-deployment medical clearance and the facilities provided in Iraq by Frontier Medical.

**755.** DFID's Procurement Group agreed that the service should be made available to contractors on an exceptional basis, reflecting the particular conditions in Iraq, and should not set a precedent for other countries.<sup>486</sup>

**756.** Participants at the Inquiry's civilian outreach event commented on the range of security and welfare support offered by different departments before, during and after deployment.

**757.** Non-MOD participants who had served in Iraq between mid-2004 and mid-2007 reported that support in Iraq was poor. Staff were not briefed on what to expect psychologically and there was criticism of the fact that Deputy Heads of Mission were not trained as TRiM assessors or taught actively to look for stress warning signs in their staff. Non-MOD staff had to take the initiative to find support if they needed it. Participants also commented that there seemed to be no structured post-deployment follow-up, although there was some suggestion that the FCO support had improved by the first half of 2007.

**758.** Participants also commented on the serious damage caused to staff morale when senior staff without the right interpersonal skills were deployed to Iraq. FCO staff suggested that the "can do" approach of FCO senior management limited its ability to recognise when tasks might be impossible and to provide appropriate support to staff.

**759.** Dr Nemat Shafik, DFID Permanent Secretary from March 2008 to March 2011, told the Inquiry:

“When we select people for these postings, we do look at ... their personal qualities and their emotional resilience, and they do get pre-deployment training and a bit

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<sup>483</sup> Email [DFID junior official] to [DFID junior official], 2 November 2006, 'Welfare – Basra – DFID Consultants'.

<sup>484</sup> Email [DFID junior official] to [PA Consultants], 6 November 2006, 'Counselling services for DFID Basra Enterplan consultants'.

<sup>485</sup> Email [DFID junior official] to Iraq Programme Team London, 28 November 2006, 'New procedures & services – Staff Welfare – Iraq'.

<sup>486</sup> Email [DFID junior official] to Baugh, 5 June 2007, 'Welfare arrangements for consultants – Cost management'.

of psychological profiling, to see if they have the tenacity and resilience to be able to work in such tough environments.

“We also make sure to support them when they are there. So – particularly after security incidents, we make sure that our welfare people and our counselling services are available to them to deal with any concerns that they have, but it is providing emotional support.”<sup>487</sup>

**760.** Civil servants deployed to Iraq were covered for death and injury by the provisions of the Civil Service Pension Scheme.<sup>488</sup>

**761.** In June 2003, Treasury Solicitors advised DFID that its duty of care in Iraq did not extend to “the provision of personal accident insurance against special risks arising out of postings or travel overseas or, for that matter, advising employees to obtain appropriate insurance cover”.<sup>489</sup>

**762.** In October 2003, COBR commissioned an FCO-led review of training, security and insurance for UK civilians serving in Iraq to “ensure that there is consistency across all government departments seconding staff and consultants”.<sup>490</sup>

**763.** On 11 November, Sir Michael Jay reported to Permanent Secretaries and the heads of other organisations with personnel serving in Iraq that the review had found “no material gaps or inconsistencies” between departments, except in the case of insurance, where there was a difference between arrangements for MOD civilians and other civil servants.<sup>491</sup>

**764.** Sir Michael enclosed a paper summarising the death and injury provisions of the Civil Service Pension Scheme and the advice on life insurance offered to secondees by the FCO, the MOD and DFID. The paper explained that the FCO advised secondees from the FCO and other government departments (excluding DFID and the MOD) to check whether their life insurance policies covered death in Iraq. If insurers required an extra premium to provide cover under an existing policy, the FCO would cover that cost for maximum life cover of four times the officer’s salary. If insurers were unwilling to provide cover, the FCO recommended taking out a new policy, on which the Iraq Directorate could offer advice. As long as the policy had a term of at least 10 years, the FCO would cover the costs on the same terms as for those paying extra premiums for existing policies.

**765.** The paper stated that DFID offered its staff the same support.

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<sup>487</sup> Public hearing, 13 January 2010, page 30.

<sup>488</sup> [Letter Jay to Chakrabarti, 11 November 2003, ‘Security of UK Civilian Secondees in Iraq’ attaching Paper, ‘Iraq: Civilian Staff: Training, Briefing, Security and Insurance’.](#)

<sup>489</sup> [Letter Treasury Solicitors \[junior official\] to Department for International Development \[junior official\], 25 June 2004, ‘Duty of care to staff in Iraq’.](#)

<sup>490</sup> Minute OD Secretariat to Sheinwald, 28 October 2003, ‘Iraq: Review of Security Arrangements for UK Staff’.

<sup>491</sup> [Letter Jay to Chakrabarti, 11 November 2003, ‘Security of UK Civilian Secondees in Iraq’ attaching Paper, ‘Iraq: Civilian Staff: Training, Briefing, Security and Insurance’.](#)

**766.** The MOD provided additional cover. If an insurer rejected a claim on a secondee's life policy solely because the secondee was deployed to Iraq or travelling in an MOD aircraft, the MOD would pay the beneficiaries whatever sum they would otherwise have received from the insurer. The MOD would indemnify a secondee injured in Iraq on the same basis, but to a maximum of £50,000. Those indemnities were standard terms of MOD deployment to operational areas and not Iraq-specific.

**767.** The paper listed two discrepancies not mentioned in Sir Michael Jay's covering letter:

- DFID alone had encouraged staff to increase death benefit by making additional voluntary contributions to the Civil Service Pension Scheme.
- FCO and DFID contracts required contractors to take out personal accident and travel insurance before deployment. The full cost was reimbursed by the FCO and DFID up to a maximum death benefit of £300,000 (FCO) or £250,000 (DFID).

**768.** In May 2004, DFID reviewed insurance provisions for its staff working in or visiting dangerous locations.<sup>492</sup> The absence of adequate provision was said to be discouraging some existing staff from continuing to contribute to reconstruction in Iraq and Afghanistan. Financial incentives were not thought to be an issue.

**769.** The review stated:

“Ministry of Defence research suggests that there is no significantly greater risk of death for service personnel embarking on operational deployment to dangerous locations compared to working in the UK. Our own discussions with the Government Actuary Department and the Office of National Statistics suggest that the probability of death or injury in Iraq or Afghanistan is too random to predict.”

**770.** DFID officials believed that there was a limited and, arguably, small additional risk of death and injury. DFID staff were generally “less exposed to the same risks as service personnel in Iraq/Afghanistan”. In line with its duty of care obligations, DFID had taken all reasonable steps to protect staff:

“However, in the prevailing circumstances in Iraq and Afghanistan, it is understandable that staff have reviewed their insurance cover ... And insurance companies have responded to the increased perception of a higher risk of death and injury ... by substantially increasing premiums ...”

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<sup>492</sup> Minute MacDonald to PS/Suma Chakrabarti, 13 May 2004, ‘Insurance for DFID Personnel Working [in] or Visiting Dangerous Locations, Particularly Iraq and Afghanistan’.

**771.** The arguments for DFID providing additional cover were:

- to respond to “a partly irrational, but understandable, fear amongst our staff”: if DFID did not give them what they wanted, they would not go; and
- to allow for the difficulties and/or expense they faced in getting additional cover.

**772.** DFID officials discussed options with FCO and MOD counterparts and with the Treasury. Among the changes proposed was the introduction of the MOD policy of indemnifying secondees where an insurer rejected a claim. The FCO was reported to be considering the same options, but had put a decision on hold while it waited for the outcome of consideration by the Criminal Injuries Compensation Board of a compensation payment for two employees killed in the bombing of the British Consulate General in Istanbul in 2003.

**773.** The Treasury approved the DFID proposals, but urged officials to continue discussions with the FCO and MOD “in the interests of joined-up government”.

**774.** Revised DFID provisions, including indemnity cover to a maximum of £300,000, were incorporated into the DFID terms and conditions for long-term assignments in Iraq published in November 2004.<sup>493</sup>

**775.** Participants at the civilian outreach event described a striking and persistent diversity of security and welfare support provided by different departments.

**776.** On 22 December 2006, Mr Bill Jeffrey, MOD PUS, sent Sir Peter Ricketts and Mr Chakrabarti an MOD study on the deployment of civil servants in operational theatres.<sup>494</sup> The letter was also sent to Sir Gus O’Donnell, the Cabinet Secretary.

**777.** Mr Jeffrey reported that the study had looked in particular at co-ordination between different departments, their security advisers and providers. It had become apparent that:

“... there were different practices in different locations, both within and between departments ... but there must be scope for identifying and spreading best practice. For example, it may be useful for all to see the results of the risk assessment which the MOD has undertaken for each of the roles in which our civilian staff deploy.”

**778.** The paper recommended sharing best practice and taking advantage of economies of scale on pre-deployment training.

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<sup>493</sup> [Paper DFID, 1 November 2004, ‘Working for DFID: Guide to Overseas Terms and Conditions for Long-term Assignments in Iraq’.](#)

<sup>494</sup> Letter Jeffrey to Ricketts, 22 December 2006, ‘Deployment of Civil Servants in Operational Theatres’ attaching Paper S2O, 30 November 2006, ‘A Report on Safety & Security of MOD Civil Servants on Operations’.

**779.** Mr Jeffrey explained that the paper proposed “a formal standing cross-Government group” on security and reported that he had agreed to create a new Directorate of Operational Deployment Capability in PJHQ to provide a single focus within the MOD.

**780.** Mr Jeffrey visited Iraq with Sir Peter Ricketts and Ms Susan Wardell, DFID Director General Operations, from 4 to 7 December 2007.

**781.** Mr Jeffrey’s briefing included a paper from Mr Jon Day, MOD Director General Operational Policy, about the use of MOD civilians in operational theatres.<sup>495</sup> Mr Day expressed concern about “whether we are right to continue the current course in high risk environments such as Iraq and (increasingly) Afghanistan”. Concerns about security had led the FCO to spend £37 million per annum on close protection for their “relatively small number” of staff in Iraq. The security threat had also:

“... introduced a risk averse culture which is preventing MOD civilians embedded in the Embassy and working in the Iraqi MOD from doing their jobs effectively – to such an extent that I am increasingly inclined to start pulling them out.

“... [T]he growing difficulty we are having in filling posts suggests that some – many – will not be as suitable as we would wish. I am not at all sure that all of the civilians I met in Iraq would pass the new S2O fitness and health tests ...”

**782.** Mr Jeffrey described much of what was being done by MOD civilians in Iraq as “a legacy of the more benign environments of the Balkans and post-TELIC 1 euphoria”. Nobody appeared to be auditing the roles filled by civilians against the much more hostile conditions that had prevailed until recently in Iraq. Mr Jeffrey cited the example of civilian finance staff, whose roles could be taken by appropriately trained service personnel. The MOD should minimise the number of non-essential civilian posts in operational theatres. A small number of posts would have to be filled by civilians – POLADs and perhaps scientific and contracts staff – but the right people would not volunteer “simply for the money”. The MOD should “listen to what the current generation say will continue to motivate them”.

**783.** Mr Jeffrey advised discussing a coherent and sustainable approach to duty of care with the FCO, observing that “at present we are less risk aware than the FCO in Iraq but more risk aware in Afghanistan!”.

**784.** Mr Benn told the Inquiry:

“... you need to have a common approach for everybody, not a difference between departments and that includes a responsibility of the duty of care you have for consultants and contractors whom you have asked to come and work”.<sup>496</sup>

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<sup>495</sup> [Minute DG Op Pol to 2nd PUS \[MOD\], 9 November 2007, ‘MOD Civilians in Operational Theatres’.](#)

<sup>496</sup> Public hearing, 2 February 2010, pages 43-44.

**785.** The Inquiry received conflicting evidence about whether those differences had been resolved.

**786.** Dr Shafik told the Inquiry:

“Peter Ricketts, the Permanent Secretary of the Foreign Office, and Bill Jeffrey, the Permanent Secretary at the Ministry of Defence, and I, had a series of conversations about this over 2008 and we worked very hard to see whether we could develop a common duty of care regime for all civilians, and the security teams, particularly in the MoD and the FCO, worked very hard on this, and I’m sure they could give you more detail, but in the end of that process, we realised that our civilians are doing such different things that it didn’t make sense to have identical regimes.”<sup>497</sup>

**787.** Mr Bowen told the Inquiry:

“Duty of care was a problem, but it was a problem actually that was gripped, or we tried to grip it at a very senior level. Permanent secretaries were engaged in this, and tried to resolve issues.”<sup>498</sup>

**788.** Sir Suma Chakrabarti identified two key lessons about duty of care:

“One is about unifying our lengths, and the other is about trying to unify terms and conditions around staff security and duty of care. The latter has happened. So FCO and DFID have the same standards.”<sup>499</sup>

**789.** Sir Gus O’Donnell told the Inquiry that, after a trip to Helmand Province in Afghanistan with the FCO and MOD PUSs, he said to one of them: “One of the issues we really need to sort out here is terms and conditions for people sent abroad and duty of care issues.”<sup>500</sup> Sir Gus concluded that terms and conditions were “not completely harmonised”. The process was “not finished yet, but I think it has made a lot of progress”.

**790.** In additional evidence to the Inquiry, Sir Gus O’Donnell stated:

“The FCO and MOD use different systems of risk assessment and management, reflecting the different roles, purposes, and levels of training for their personnel when deployed to high threat environments (DFID follow FCO arrangements). In all locations, security arrangements for military and civilian personnel are determined according to the threats present, and assessed on a case by case basis. There is no “standard” or “standards” of duty of care as the practical discharge of duty of care is case and context specific.

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<sup>497</sup> Public hearing, 13 January 2011, page 35.

<sup>498</sup> Public hearing, 16 December 2009, page 76.

<sup>499</sup> Public hearing, 22 January 2010, page 36.

<sup>500</sup> Public hearing, 28 January 2011, page 85.

“The Building Stability Overseas (BSO) Board, made up of MOD, DFID and FCO Directors (including the previous Stabilisation Unit Board) oversees ongoing discussions between departments on duty of care, seeking to provide the best possible security arrangements for delivering coherent HMG effect and exploring opportunities for greater flexibility where circumstances allow ...

“However there do remain key differences between the FCO and MOD practices. In Afghanistan, FCO civilians use close protection bodyguards, while MOD civilians rely on military protection. Pay and allowances, duration of postings, R&R arrangements as well as compensation and insurance arrangements vary across all departments, often reflecting differing roles of personnel. As noted earlier, in all locations, security arrangements are determined according to the threats present, and assessed on a case by case basis.”<sup>501</sup>

## The Iraq Reconstruction Service Medal

**791.** In May 2004, Mr David Blunkett, the Home Secretary, wrote to Mr Straw as Chair of the AHMGIR to propose that UK police officers and other civilians seconded to Iraq should be eligible for the Iraq campaign medal or a civilian equivalent.<sup>502</sup> Home Office officials had advised the police that UK police officers seconded to Iraq might be eligible for the Iraq Campaign Medal, but had since been advised by the Cabinet Office Ceremonial Secretariat that it was a military medal for which police officers were not eligible. Mr Blunkett suggested that would have been a reasonable position were the campaign medal awarded solely to members of the Armed Forces, but civilians serving directly with the Armed Forces in support of Op TELIC were also eligible. It was “abundantly clear that our civilians in Iraq run risks to their own lives often comparable to those faced by the military, and certainly probably [sic] greater than in civilian deployments almost anywhere in the world”.

**792.** Mr Blunkett warned that the repercussions for the police, who had been given to understand that they were eligible, “could be very serious”. He recommended that the eligibility criteria be changed or a new medal created.

**793.** Mr Straw commended Mr Blunkett’s letter to Mr Douglas Alexander, Minister for the Cabinet Office, and sent it to Mr Blair. Mr Straw stated: “I believe that the recognition of all personnel serving directly in support of government policy in Iraq, whether serving in Jordan or Iraq, should be appropriately rewarded.”<sup>503</sup>

**794.** Sir Andrew Turnbull put three options to Mr Blair:

- extending the Iraq campaign medal to include other civilians, which was not supported by the military;

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<sup>501</sup> Letter O’Donnell to Aldred, [undated], ‘Iraq Inquiry’ attaching Paper Cabinet Office, 7 March 2011, ‘Iraq: Inquiry further questions for the Cabinet Secretary’.

<sup>502</sup> [Letter Blunkett to Straw, 17 May 2004, \[untitled\]](#).

<sup>503</sup> [Letter Straw to Alexander, 8 June 2004, ‘Honouring Service in Iraq’](#).

- a new medal to recognise civilian service in Iraq, which would create pressure for a series of other medals, including for past campaigns; and
- use of the Humanitarian Service Medal, approved in principle by the Queen in 1999, which could provide appropriate means for rewarding civilian service in Iraq and have longer-term application.<sup>504</sup>

**795.** Mr Benn supported the idea of a separate civilian medal.<sup>505</sup> He also requested either greater flexibility in the allocation of honours to DFID, which, he said, only received a small number, or an additional special list for Iraq.

**796.** Mr Hoon told Mr Blair that he had “no difficulty with marking the contribution made by civilians abroad”, but could not support use of the military campaign medal.<sup>506</sup> He recommended an urgent review by the Cabinet Office Honours and Decorations Committee of ways to provide wider recognition of civilian service “appropriate to the fast moving situations in which we are increasingly likely to find ourselves”.

**797.** Mr Blair asked the FCO to seek approval from the Queen for a special civilian medal for Iraq and endorsed Mr Hoon’s separate proposal for a wider review.<sup>507</sup>

**798.** Mr Blair announced the Queen’s approval of the new medal in Parliament on 30 June:

“We should pay tribute ... to the many British public servants, policemen and women and volunteers, so ably led by David Richmond, the UK Special Representative, who played a crucial role in helping the Iraqi people to rebuild their lives under difficult and stressful conditions. Her Majesty the Queen has graciously agreed that their extraordinary contribution should be recognised with the award of a special civilian medal.”<sup>508</sup>

**799.** FCO officials explained to Sir Michael Jay in July 2004 that eligibility criteria, periods of qualifying service and details of the medal design were still to be worked out.<sup>509</sup> Late October 2004 was suggested as a possible date for a further public announcement, because of the “not inconsiderable work required to produce the Civilian Iraq Medal from scratch”.

**800.** The first set of eligibility criteria proposed by the FCO Iraq Directorate in January 2005 excluded locally engaged staff and sub-contractors not directly employed by the UK Government.<sup>510</sup>

<sup>504</sup> [Minute Turnbull to Prime Minister, 11 June 2004, ‘Recognition for Service in Iraq’.](#)

<sup>505</sup> [Letter Benn to Alexander, 16 June 2004, \[untitled\].](#)

<sup>506</sup> [Letter Hoon to Blair, 17 June 2004, ‘Recognising Non-military Service in Iraq’.](#)

<sup>507</sup> [Letter Quarrey to Owen, 21 June 2004, ‘Recognition For Civilian Service in Iraq’.](#)

<sup>508</sup> House of Commons, *Official Report*, 30 June 2004, column 285.

<sup>509</sup> Minute Protocol [junior official] to APS/PUS [FCO], 12 July 2004, ‘Iraq: Special Honours List and Special Civilian Medal’.

<sup>510</sup> Minute Iraq Directorate [junior official] to PS [FCO], 18 January 2005, ‘Iraq Civilian Medal’.

**801.** Sub-contractors, who included guards employed by Control Risks Group and ArmorGroup, were excluded on the grounds that the numbers involved would “very significantly increase production costs” and “risk devaluing the medal”. The Iraq Directorate also observed that most sub-contractors “already receive considerable financial reward for their efforts”.

**802.** The proposal also excluded UK police officers employed at the Jordan International Police Training Centre. While recognising that the police officers who set up the centre had volunteered for service in Iraq, were expecting to be deployed there, and worked, initially, in physically difficult conditions, the Iraq Directorate advised that service in Iraq had carried an entirely different level of risk.

**803.** A revised proposal, including sub-contractors, was put to Mr Straw in February.<sup>511</sup> Officials advised that:

“Although these guards are well paid for their work, we believe that the risks that they undertake merit their inclusion. They are an essential part of our operation. Posts argue strongly that to exclude them would damage morale and create divisions.”

**804.** Mr Straw was “generally content” with the proposal, but asked whether a “blanket exception” for LE staff was fair.<sup>512</sup>

**805.** The paper prepared by the FCO for the Cabinet Office in July 2005 included sub-contractors, but not LE staff.<sup>513</sup>

**806.** The FCO paper listed the “risks and rigours” facing civilians who had served in Iraq since 2003:

**“RISKS**

- Overall a high risk to personnel both on and off duty.
- High risk of rocket and mortar attack on all civilians, both in office and staff accommodation.
- High risk of attack by IED (improvised explosive devices), VBIED (vehicle borne improvised explosive devices) and suicide car bombers, when travelling in official transport on the ground.
- High risk of attack by individual suicide vest bombers.
- High risk of attack from surface to air weapons when travelling in either RAF or Army helicopter flights.
- High risk of kidnapping.

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<sup>511</sup> Minute Iraq Directorate [junior official] to PS [FCO], 16 February 2005, ‘Iraq Civilian Medal’.

<sup>512</sup> [Manuscript comment Siddiq to Crompton, 24 February 2005, on Minute Iraq Directorate \[junior official\] to PS \[FCO\], 16 February 2005, ‘Iraq Civilian Medal’.](#)

<sup>513</sup> [Paper FCO, July 2005, ‘Memorandum by the Foreign and Commonwealth Office: Iraq Civilian Medal’.](#)

- High risk of injury/fatality from becoming involved in civil disturbances or violent attacks, including muggings.
- High risk of contraction of endemic diseases. Extensive range of inoculations required. Malaria prophylaxis required in many areas (mosquitoes present throughout Iraq).

## RIGOUR

- Basic infrastructure lacking, damaged or in disrepair.
- Personnel required constantly to live and work in an extremely hostile and dangerous environment.
- Constant requirement to carry or wear heavy, restrictive and uncomfortable body armour and helmet.
- Personnel required to work and live in hardship conditions, (until recently in Basra, but still in Baghdad: shared accommodation and communal washing/toilet facilities) in unsocial circumstances, with very limited amenities and near non-existent social facilities.
- Severe restrictions on movement. All movements outside secure area are in armoured vehicles with armed Close Protection Teams.
- Hostile climate, with high temperatures sometimes in excess of 50 degrees Celsius in the summer. Frequent sandstorms, which further impede movement of personnel.”

**807.** The FCO estimated that the number eligible, which was likely to increase as new personnel were deployed, was approximately:

- 550 civilian public servants;
- 60 contractors not involved in the provision of security, mostly employed by the FCO and DFID;
- 850 security-related contractors; and
- 80 police officers.

**808.** The Ceremonial Secretariat of the Cabinet Office and the MOD raised questions about the absence of any reference to NGOs and aid or charity workers.<sup>514</sup>

**809.** In December 2005, FCO officials advised Ministers that the award, now referred to as the Iraq Reconstruction Service Medal (IRSM), should not be given to aid workers and NGO personnel on the grounds that it could compromise their independence and have a negative impact on their security. NGOs and aid organisations working in Baghdad would be encouraged to consider nominating individuals for the six-monthly honours lists.

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<sup>514</sup> Minute Iraq Directorate [junior official] to PS [FCO], 15 December 2005, 'Iraq Reconstruction Service Medal (IRSM)'.

**810.** Officials also recommended that LE staff employed at the British Embassy Baghdad and British Embassy Offices Basra and Kirkuk since May 2003 should receive a certificate commending each individual's contribution to the reconstruction of Iraq.

**811.** Mr Benn recommended that, before Ministers took a final decision, the main NGOs should be contacted to confirm that they did not want their personnel to receive the award.<sup>515</sup> That consultation process, which was carried out by DFID and took several months, reaffirmed the FCO's advice that individuals working for NGOs should not be eligible.

**812.** Dr Howells approved the FCO's eligibility criteria for the IRSM on 19 May 2006.<sup>516</sup>

**813.** In April 2006, with the details of the medal still not agreed, Acting ACC Barton, Chief Police Adviser – Iraq (CPA-I), reported that awards to UK police officers serving in Iraq remained a “bone of contention”.<sup>517</sup> Several staff had commented that police officers and FCO staff did not receive the Op TELIC campaign medal. ACC Barton proposed to award every member of staff who served three months in Iraq a Contingent Commander's Certificate of Merit. Commendations would be reserved for outstanding commitment or acts beyond the call of duty. Serving officers would also receive a letter to their Chief Constable. Retired officers would be sent a testimonial letter.

**814.** The Cabinet Office submitted the July 2005 FCO paper to the Committee on the Grant of Honours, Decorations and Medals in August 2006, after the negotiation of a number of amendments.<sup>518</sup>

**815.** The Secretary to the Committee explained in a covering note that:

“No civilian medal has ever been awarded for civilian service in a war zone. It is therefore important that this case is considered carefully. It is essential that members of the military who have been awarded the military medal should not feel that they are disadvantaged by the application of less rigorous standards to a parallel medal for civilians and members of the military in non-operational roles.

“The situation in Iraq has been unprecedented in terms of the number of civilians who have been involved in reconstruction and the transition to democracy ...

“These civilians have volunteered for this work. The work has been generally well-rewarded financially. A concern of the MOD is the fact that the military have been haemorrhaging personnel who leave the forces to become highly paid security contractors in Iraq. There is some discomfort over the prospect of these people becoming eligible for a medal on the same basis as their former colleagues.”

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<sup>515</sup> Minute Iraq Directorate [junior official] to PS/Dr Howells, 17 May 2006, 'Iraq Reconstruction Service Medal (IRSM)'.

<sup>516</sup> Manuscript comment [Dr Howells' Private Office] on Minute Drake to PS/Dr Howells, 19 May 2006, 'Iraq Reconstruction Service Medal (IRSM)'.

<sup>517</sup> [Report Barton, 20 April 2006, 'Situational Review of the United Kingdom Civilian Police Mission in Iraq'](#).

<sup>518</sup> [Paper Ceremonial Secretariat \[junior official\], 9 August 2006, 'Iraq Reconstruction Service Medal'](#).

**816.** The IRSM was introduced in January 2007.<sup>519</sup> It was decommissioned in 2013.<sup>520</sup>

**817.** The FCO told the Inquiry that “around 4,100” medals were awarded.<sup>521</sup>

**818.** A small number of recipients criticised the administration of the medal.

**819.** In June 2008, Sir Peter Ricketts received an email from a recipient of the IRSM, who believed that the medal’s value as a good way of honouring those who served in Iraq had been “somewhat diminished by the manner in which it is administered”.<sup>522</sup> The individual recognised that work was in hand in the FCO to improve administration of the medal, but criticised the fact that individuals had to fill out an application form, received the medal in a Jiffy bag, and that there was no presentation ceremony.

**820.** Sir Peter commented to the IOU: “I don’t want any medals sent in Jiffy bags unless staff specifically ask for that.”<sup>523</sup>

**821.** In his reply to the original email, Sir Peter explained that the application form provided the FCO with important documentation for auditing purposes.<sup>524</sup> Presentation of the medal was complicated by the need to balance the wishes of those who wanted to receive theirs quickly, without great ceremony, and those preferring to wait for a more formal ceremony, at post or in London. Dr Howells and Sir Peter had hosted a reception for London-based recipients of the first batch of medals in 2007. A second reception was planned for later in 2008.

**822.** There were some critical comments about the medal from participants at the Inquiry’s civilian outreach event, including that it had been sent in a rolled up brown envelope, addressed to “Dear Colleague” and not even signed by the Permanent Secretary. One participant had refused to accept a medal on the grounds that the qualification was simply to have been in Iraq for a minimum period.

## Locally engaged staff

**823.** UK government departments and the UK military employed Iraqi citizens in various capacities from 2003 onwards, including as supervisors of reconstruction projects, interpreters and office staff.

**824.** As security deteriorated and the mobility of UK personnel became increasingly constrained, locally engaged (LE) staff and contractors became critically important to the UK reconstruction effort.

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<sup>519</sup> Foreign & Commonwealth Office, *The Iraq Reconstruction Service Medal*, January 2007, Cm 7000.

<sup>520</sup> Foreign & Commonwealth Office [from GOV.UK], 1 July 2013, *Iraq Reconstruction Service Medal to be decommissioned*.

<sup>521</sup> Email FCO to Iraq Inquiry, 15 March 2016, ‘Iraq Reconstruction Service Medal’.

<sup>522</sup> Email FCO [junior official] to Ricketts, 4 June 2008, ‘Iraq Reconstruction Medal’.

<sup>523</sup> Email FCO [junior official] to FCO [junior official], 13 June 2008, ‘Iraq Reconstruction Medal’.

<sup>524</sup> Email FCO [junior official] to FCO [junior official], 17 June 2008, ‘Iraq Reconstruction Medal’.

**825.** Concern about the safety of LE staff emerged in September 2003.<sup>525</sup>

**826.** On 18 September, during a visit to Baghdad, Mr Benn was told by UK secondees to the CPA that “there was increased nervousness amongst Iraqi staff about doing their jobs. Daily lives were difficult and the UN bombing [on 19 August 2003] had increased these tensions.”<sup>526</sup>

**827.** Mr Dinham told the Inquiry that, during 2006 and 2007, access to a number of infrastructure projects was so difficult that “we had to arrange to work through local contractors ... taking videos, taking digital images, contacting us by email, meeting them in safe locations so we could actually supervise at one remove”.<sup>527</sup>

**828.** Sir Suma Chakrabarti paid tribute to the bravery of local staff:

“Some quite innovative project management techniques had to be applied when staff could not get out of the Consul General’s office to go and monitor progress on some of the infrastructure programmes. I have to say something about the courage of our Iraqi staff, actually, in helping with a lot of that until they also faced threats as well and then we had to stop employing them.”<sup>528</sup>

**829.** On 20 April 2006, Mr Robin Lamb, British Consul General in Basra, reported that law and order in Basra had deteriorated over the preceding few weeks and that:

“Most of our critical local staff (ie those who interpret or conduct external business for us) now consider it too dangerous to come into work ...

“We are taking steps to manage LE staff’s perceptions. We judge that the risk to them is probably lower than they believe, and we have designed ways of working to lower their exposure (flexible patterns, shifts, rotations). But it is hard to argue with the facts on the ground. Murders have spiked in the last three weeks and there is evidence that interpreters associated with MND(SE) and the wider Coalition have been targeted.

...

“We judge that local staff will feel safe to return to work when the Council boycott [see Section 9.4] is lifted ... Local staff tell us that they think it will be easier for them once relations with the Council are restored ...

“DFID see their situation slightly differently ... Although two of DFID’s local partners have been threatened, the risks to them are not as great as to our permanent local

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<sup>525</sup> Minute [DFID junior official] to Drummond, 25 September 2003, ‘Hilary Benn’s Meeting with UK Secondees to CPA-HQ in Baghdad, 18 September’.

<sup>526</sup> Minute [DFID junior official] to Drummond, 25 September 2003, ‘Hilary Benn’s Meeting with UK Secondees to CPA-HQ in Baghdad, 18 September’.

<sup>527</sup> Public hearing, 17 December 2009, page 43.

<sup>528</sup> Public hearing, 22 January 2010, pages 33-34.

staff ... Key local government politicians and officials are more willing to engage with DFID than with the UK military and FCO.”<sup>529</sup>

**830.** On 25 April, DFID officials advised Mr Benn that two LE staff working for the UK at the Basra Palace site had left Iraq in fear of their lives after being followed home from work.<sup>530</sup> The incident had caused concern among other LE staff, who had been given the remainder of the week off. All local staff continued to have “standing permission not to come to work if they felt unsafe”. The situation was to be reviewed once it was clearer how many local staff considered it safe to return to work and it was possible to assess the impact on the DFID programme.

**831.** Mr Benn commented: “The right approach – our local staff have shown a lot of courage and deserve all our support.”<sup>531</sup>

**832.** On 18 June, an LE member of staff at the British Embassy Office Basra was murdered. His wife, also a local member of staff, was seriously injured.<sup>532</sup>

**833.** On 29 June, local staff working for the British Embassy Office Basra were advised that they could take the available severance package if they no longer felt safe working there.<sup>533</sup> They were told there might come a point when their employment would have to be terminated because of the risk to their safety, but the Embassy Office judged that point had not yet been reached.

**834.** During the second half of 2006, FCO and DFID officials exchanged views on departments’ duty of care to LE staff.

**835.** Ms Diana Brookes, FCO Legal Counsellor, advised FCO officials:

“The important point is that even if they [LE staff] have accepted the risks involved this does not absolve the FCO from liability in terms of duty of care in an individual case. If the view is taken that the risk is so great that LE staff should not continue working at this time then I do not see how we could be meeting our duty of care to them by allowing them to turn down the voluntary severance package. If the risk is that high then the severance package should be made compulsory for all LE staff, otherwise we risk the possibility of liability for breach of our duty of care if a further incident were to happen.”<sup>534</sup>

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<sup>529</sup> Letter Lamb to IPU [junior official], 20 April 2006, ‘Basra: Security and Drawdown’.

<sup>530</sup> Minute DFID [junior official] to PS/Secretary of State [DFID], 25 April 2006, ‘Basra Security and Staffing’.

<sup>531</sup> Manuscript comment Benn on Minute [DFID junior official] to PS/Secretary of State [DFID], 25 April 2006, ‘Basra Security and Staffing’.

<sup>532</sup> Minute Asquith to Private Secretary [FCO], 21 June 2006, ‘Assassination of Locally Engaged Staff in Basra’.

<sup>533</sup> Email [Basra junior official] to [FCO junior official], 29 June 2006, ‘Local Staff’.

<sup>534</sup> Email Brookes to [FCO junior official], 29 June 2006, ‘Local Staff’.

**836.** Ms Liz Davis, DFID Human Resources Director, advised DFID officials:

“It is our responsibility to ensure the health, safety and welfare of our staff. A failure to do so is a breach of our responsibilities in law and potentially a failure of our common law duty if we act negligently. This framework is not the same for the military. The test at law will be:

- have we assessed the risks,
- controlled those risks as far as possible,
- trained staff where appropriate,
- and monitored the issues.”<sup>535</sup>

**837.** Those responsibilities would normally be confined to “working time”, an approach Ms Davis did not believe to be reasonable in Iraq. Ms Davis advised that, as an employer, DFID could not be held responsible for the overall security situation, but that the picture was clouded by the wider role of the UK Government.

**838.** A table prepared by the British Council in July itemised some of the differences between the packages offered by the FCO and DFID (and the British Council), including grievance procedures, “security leave” and entitlement to termination benefits.<sup>536</sup>

**839.** By October 2006, all but one of the Iraqi civilian staff working at the Basra Palace site had been replaced by third country nationals because of “a growing campaign of intimidation at the hands of extremists.”<sup>537</sup>

Table 1: FCO LE staff in Baghdad and Basra, 2004-2008<sup>538</sup>

	2004/05	2005/06	2006/07	2007/08
Baghdad	370	34	34	35
Basra	251	22	2	2
<b>Total</b>	<b>621</b>	<b>56</b>	<b>36</b>	<b>37</b>

## The Locally Engaged Staff Assistance Scheme

**840.** In August 2007, faced with a further deterioration in security and growing press interest in LE staff,<sup>539</sup> officials sought to establish “a coherent cross-Whitehall approach” to LE staff.<sup>540</sup>

<sup>535</sup> Email Davis to Dinham, Foy, Shafik, 30 June 2006, ‘Local Staff’.

<sup>536</sup> [Email Shafiq to Gibson, 26 July 2006, ‘TACOS for Iraq’.](#)

<sup>537</sup> [Paper Iraq Policy Unit, 25 October 2006, ‘Iraq: Basra Palace Site’.](#)

<sup>538</sup> [Letter Fraser to Aldred, 22 July 2013, ‘Iraq Inquiry: Deployment of Civilian Personnel: Statistics, Annex C – Iraq: Activity Recording – Schedule 5 Summary’.](#)

<sup>539</sup> *BBC News*, 7 August 2007, *Interpreters ‘abandoned’ in Iraq*; *Times Online*, 7 August 2007, *Abandoned – the 91 Iraqis who risked all*.

<sup>540</sup> [Minute IPU \[junior official\] to Private Secretary \[FCO\], 1 August 2007, ‘Iraq: Locally Engaged Staff’.](#)

**841.** Mr Giles Lever, Head of the IPU, advised Mr Miliband that officials in the FCO, MOD, DFID, Home Office and Cabinet Office had found it difficult to agree a common approach:

- The FCO saw a strong moral, reputational and operational case for doing more to assist Iraqi staff facing security threats and those who had been forced to leave UK government employment due to security. The FCO had around 27 LE staff in Baghdad and estimated no more than 100 current and former staff in Basra would be eligible.
- DFID, with a very small number of LE staff, broadly shared the FCO view.
- The MOD had directly employed around 15,000 Iraqi citizens since 2003, and tens of thousands more through international or local contractors. It was “nervous about the resource implications for any commitment to do more for Iraqi staff”. The MOD was also concerned that any promise of assistance to LE staff (for example, asylum in the UK) would be “a catalyst for an exodus of staff” and “would undermine MND (SE)’s ability to operate effectively”.
- The Home Office was “predictably unwilling to contemplate any relaxation of the asylum/immigration rules for Iraqis who have worked for HMG, especially in view of MOD’s numbers”. It was also concerned that any change in policy “could act as a pull factor for a large number of Iraqis”.<sup>541</sup>

**842.** On 7 August, the Cabinet Office advised Mr Brown that the numbers involved were large, policy differed between the FCO/DFID and the MOD, and “our current immigration/asylum policies mean that there are few straightforward options”.<sup>542</sup> The two principal alternatives were resettlement and financial assistance.

**843.** Three options were put forward for reducing the number of eligible staff to more manageable levels:

- Distinguishing between LE staff directly employed by the UK and those hired on a casual basis or via contractor. More than 15,000 Iraqi citizens would still be eligible, but a large number hired through international or local contractors would be excluded.
- Establishing a minimum level of service of perhaps 12 or 24 months. Depending on the timeframe, about 330 or 230 Iraqi citizens would be eligible.
- Prioritising interpreters and other white collar staff on the grounds that professional staff were mission critical and more closely identifiable with the UK. Questions of fairness could arise. Around 120 (12-month minimum service) or 100 (24-month minimum service) were estimated to be eligible.

**844.** Mr Brown asked the Cabinet Office to co-ordinate a Whitehall-wide review, reporting to the Defence, Foreign and Home Secretaries.<sup>543</sup> The review should establish

<sup>541</sup> [Minute IPU \[junior official\] to Private Secretary \[FCO\], 1 August 2007, ‘Iraq: Locally Engaged Staff’.](#)

<sup>542</sup> [Minute Turner to Prime Minister, 7 August 2007, ‘Iraq: Locally Engaged Staff’.](#)

<sup>543</sup> [Letter Turner to Carver, 8 August 2007, ‘Iraq: Locally Engaged Staff’.](#)

a minimum threshold for assistance and consider whether more could be offered to a subset of Iraqi employees, against clear criteria and with possible resettlement in third countries. It should also consider the implications for UK operations in Iraq and elsewhere, and for UK asylum policy.

**845.** The ‘Review of Locally Engaged Staff’, written by the FCO with input from other departments, was sent to Ministers on 1 October.<sup>544</sup> The review recommended the establishment of “discrete schemes to assist sub-sets of a) serving and b) former Iraqi LE staff”. Objective criteria, such as the length of service should be the main method for deciding which staff should be eligible.

**846.** The review stated:

“Because records of former staff, in particular the estimated 20,000 employed by MOD, are incomplete, it is extremely difficult to assess with any certainty the numbers of former staff who might be ... eligible ...”

**847.** Ministers agreed on 3 October that “the best solution was to offer assistance as an ex-gratia package, not as a reward for service, but with the implicit recognition that the uniquely difficult circumstances formed part of the justification for that package”.<sup>545</sup>

**848.** Ministers also agreed to set a minimum of 12 months’ service for serving staff and that for former staff, only the “professional cadres” would be eligible. The package would include financial assistance, resettlement in third countries and resettlement via the Gateway Protection Programme.<sup>546</sup> On funding, the Home Office would offer £6 million from the annual Gateway budget. Additional costs should be met where possible by employing departments. In the MOD’s case that would entail a call on the Reserve.

**849.** Ministers met again on 8 October to reach agreement on whether existing staff should be offered the additional option of Exceptional Leave to Enter the UK direct from Iraq and, if so, how that would be funded.<sup>547</sup> Ministers agreed that the MOD should be able to claim up to £20 million from the Reserve and would provide up to a further £5 million from its existing budgets.

**850.** Mr Brown announced the scheme to Parliament later on 8 October:

“I would ... like to take this opportunity to pay tribute to the work of our civilian and locally employed staff in Iraq, many of whom have worked in extremely difficult circumstances, exposing themselves and their families to danger. I am pleased therefore to announce today a new policy which more fully recognises the

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<sup>544</sup> [Paper Cabinet Office, 1 October 2007, ‘Ministerial Meeting on Iraq Review of Locally Engaged Staff, Iraq: Locally Engaged Staff’.](#)

<sup>545</sup> Minutes, 3 October 2007, Ministerial Meeting on Iraq – Review of Locally Engaged Staff.

<sup>546</sup> The Gateway Protection Programme, introduced in 2004, is operated by the UK Government in partnership with UNHCR. It offers a legal route for a fixed number of refugees from different countries to settle in the UK each year.

<sup>547</sup> Minutes, 8 October 2007, Ministerial Meeting on Iraq – Review of Locally Engaged Staff.

contribution made by our local Iraqi staff, who work for our armed forces and civilian missions in what we know are uniquely difficult circumstances. Existing staff who have been employed by us for more than 12 months and have completed their work will be able to apply for a package of financial payments to aid resettlement in Iraq or elsewhere in the region, or – in agreed circumstances – for admission to the UK. Professional staff, including interpreters and translators, with a similar length of service who have left our employ since the beginning of 2005 will also be able to apply for assistance.”<sup>548</sup>

**851.** Mr Miliband gave a fuller explanation in a Parliamentary Written Statement the next day.<sup>549</sup>

**852.** Neither the MOD nor the FCO was able to provide precise figures for the number of Iraqi citizens employed since 2003 and likely to be eligible under the scheme.<sup>550</sup>

**853.** At a Ministerial meeting to discuss LE staff on 18 September, Lord Drayson, Minister of State for Defence Equipment and Support, conceded that the MOD “had not done a good job on record keeping”. In discussion, Ministers commented that further work on the issue was “unlikely to deliver much more clarity given the nature of the records”.<sup>551</sup>

**854.** On 30 October, Mr Miliband gave more detail on eligibility, the package on offer and application procedures:

“Both fairness and realism demand that we focus on that sub-set of staff who have had the closest and most sustained association with us, in circumstances which we judge to be uniquely difficult. We have therefore established clear and transparent eligibility criteria which are, as far as possible, objective in nature.

“... We need to preserve our ability to recruit and retain qualified staff ... Both the overall policy, and the design of the scheme in respect of serving staff have been designed with this in mind.

“Finally, we have taken into account the need to ensure that any assistance ... is practical, realistic and preserves the integrity of wider immigration and asylum policy ...

“The assistance ... is offered ex-gratia and goes above and beyond the confines of what is lawfully or contractually required.”<sup>552</sup>

**855.** On 19 December, Mr Tinline reported that implementation of the scheme was starting to work. All precedent-setting cases were referred to MND(SE) and London.

<sup>548</sup> House of Commons, *Official Report*, 8 October 2007, column 23.

<sup>549</sup> House of Commons, *Official Report*, 9 October 2007, column 27WS.

<sup>550</sup> Minute [Cabinet Office junior official] to McDonald, 7 September 2007, ‘Iraq Senior Officials Group’.

<sup>551</sup> Minutes, 18 September 2007, Ministerial Meeting on Iraq – Review of Locally Engaged Staff.

<sup>552</sup> House of Commons, *Official Report*, 30 October 2007, column 30WS.

Many applications were “obviously inadmissible”, but a surprising number raised difficult questions. A number of principles had informed decisions:

- Individuals on Letters of Appointment who did not fulfil the “Eligibility criteria for former staff” were not eligible.
- Those still on the payroll on 8 August 2007 but not currently working because of threats should be counted as current staff.
- Those meeting the job criteria for only a brief period, such as providers of “occasional interpreting”, were not eligible, however long they had worked for the UK.

**856.** The first 18 “current staff” arrived in the UK from Basra on 8 April 2008.<sup>553</sup> By 22 May, the UK had received 1,138 applications for assistance, of which 503 had been assessed as eligible, with almost half the successful applicants opting for the financial package.

**857.** In March 2009, Mr Miliband informed Ms Jacqui Smith, the Home Secretary, that an assessment of the Locally Engaged Staff Assistance Scheme by Home Office, FCO, MOD, DFID and Cabinet Office officials had concluded that it was “working well” and only “minor adjustments” were needed.<sup>554</sup> Mr Miliband explained that he had agreed a recommendation to set a cut-off date after which new applications from “former” staff would not be accepted. He sought Ms Smith’s agreement to continue the scheme for serving staff, with a review of its future in September 2009.

**858.** On 23 March, Mr Miliband announced to Parliament that the scheme was “popular and effective” and would remain unchanged, but new applications from “former” staff (those who had left their jobs before 7 August 2007) would not be accepted after 19 May.

**859.** The scheme was closed to all applicants on 16 January 2011.<sup>555</sup>

**860.** The total number of individuals who have taken up the option to be resettled in the UK under the Locally Engaged Staff Assistance Scheme is 1,389 (see Table 2).<sup>556</sup>

Table 2: Iraqi citizens settled in UK under the Locally Engaged Staff Assistance Scheme

	Gateway	Direct entry
Principal applicants	183	186
Dependants	413	607
<b>TOTAL</b>	596	793

<sup>553</sup> Letter Felton to Acland-Hood, 22 May 2008, ‘Locally Engaged Iraqi Staff Scheme: Progress and Next Steps’.

<sup>554</sup> [Letter Miliband to Secretary of State for Home Affairs, 11 March 2009, ‘Iraq: Locally Engaged Staff Assistance Scheme’](#).

<sup>555</sup> House of Commons, *Official Report*, 16 September 2010, column 58WS.

<sup>556</sup> Email FCO to Iraq Inquiry, 15 February 2016, ‘Locally Engaged Staff Assistance Scheme’.

## UK civilian deployments to Iraq: statistics

**861.** The Inquiry asked government departments to provide quarterly data on the numbers, roles and location, of civilian staff and contractors deployed to Iraq between 2003 and 2009.<sup>557</sup>

**862.** In the case of the FCO, the request included information on secondees from other government departments for whom the FCO had duty of care responsibilities.

**863.** None of the three principal departments responsible for the deployment of civilians (the FCO, the MOD and DFID) was able to provide data in the form requested.

**864.** FCO data were drawn principally from the department's human resources (HR) database, Prism. An initial return covering the period from March 2003 to June 2009 was submitted to the Inquiry in 2011.<sup>558</sup> In 2013, the FCO updated the figures for March 2004 to June 2009.<sup>559</sup>

**865.** The Prism figures indicate the number of FCO staff deployed to bilateral FCO missions in Iraq, but do not include FCO contractors, staff from other government departments for whom the FCO was responsible, or FCO staff seconded to ORHA or the CPA.

**866.** The FCO supplemented the Prism material with miscellaneous data from other sources, including telephone lists and policy documents, which provided occasional snapshots of overall numbers of civilians deployed by the FCO and other departments, excluding support for Op TELIC.

**867.** Sir Simon Fraser, the FCO PUS from 2010 to 2015, told the Inquiry that the FCO had learned lessons from the experience of Iraq and that “the current recording system in FCO is both more robust, more complete and more accurate than was previously the case”.<sup>560</sup>

**868.** The MOD provided average quarterly figures for three groups of civilians deployed in support of Op TELIC: MOD staff; staff from other government departments; and contractors.<sup>561</sup>

**869.** The figures for 2003 to 2006 are drawn from returns compiled by individual military units and based on physical counts of civilians present. The returns were collated by PJHQ.

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<sup>557</sup> [Letter Aldred to Heads of Iraq Inquiry Departmental Liaison Units, 8 April 2011, 'Iraq Inquiry – Role of Civilians in Iraq'](#).

<sup>558</sup> [Letter FCO to Iraq Inquiry, 27 May 2011, 'Iraq Inquiry – Role of Civilians in Iraq' attaching Table, \[untitled\]](#).

<sup>559</sup> [Letter Fraser to Aldred, 22 July 2013, 'Iraq Inquiry: Deployment of Civilian Personnel: Statistics'](#).

<sup>560</sup> [Letter Fraser to Aldred, 22 July 2013, 'Iraq Inquiry: Deployment of Civilian Personnel: Statistics'](#).

<sup>561</sup> [Letter Ministry of Defence to Iraq Inquiry, 31 May 2013, 'Civilian Roles in Iraq'](#).

**870.** In 2006, the requirement to produce a combined total for the three groups of civilians lapsed, resulting in large gaps in the record for the later period. Figures for 2006 onwards were compiled for the Inquiry by the MOD from units' individual returns.

**871.** Mr Jon Thompson, the MOD PUS from 2012 to 2016, told the Inquiry:

“... I do not see any prospect of our being able to provide you with figures which we can guarantee to be comprehensive. I am at least assured that systems now in place would enable us to provide the current data for Afghanistan without difficulty.”<sup>562</sup>

**872.** The information provided by DFID was compiled from a number of sources, including duty of care sheets, contractors' records and medical spreadsheets.<sup>563</sup>

**873.** Mr Mark Lowcock, the DFID Permanent Secretary since 2011, explained that “achieving 100 per cent accuracy in this data would require a disproportionate amount of staff time (if it was possible at all)”, but expressed confidence that “the trends present in the data are reliable”.<sup>564</sup>

**874.** The Inquiry has produced a set of graphs and tables, drawing mostly on the data submitted by the FCO, the MOD and DFID, that gives a broad indication of overall numbers and trends.

**875.** Because of the limitations of the source material and the variety of sources used, the numbers quoted are approximate and, in some cases, are inconsistent with each other and cannot be reconciled.

**876.** Unless stated otherwise, all statistics in this Section exclude UK police officers deployed to Iraq in support of the SSR programme. The deployment of police officers is addressed in more detail in Section 12.1.

**877.** Figure 1 shows FCO,<sup>565</sup> MOD<sup>566</sup> and DFID<sup>567</sup> civilian deployments to Iraq between March 2003 and June 2009.

**878.** The underlying data, reproduced in Table 7 at the end of this Section, show that between March 2003 and June 2009:

- The MOD deployed an average<sup>568</sup> of 320 civilians to Iraq in support of Op TELIC at any one time.

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<sup>562</sup> [Letter Thompson to Aldred, 8 July 2013, \[untitled\]](#).

<sup>563</sup> [Email DFID to Iraq Inquiry, 5 May 2011, 'Iraq Inquiry – Role of Civilians in Iraq'](#).

<sup>564</sup> [Letter Lowcock to Aldred, 24 June 2013, \[untitled\]](#).

<sup>565</sup> [Letter FCO to Iraq Inquiry, 27 May 2011, 'Iraq Inquiry – Role of Civilians in Iraq' attaching Table, \[untitled\]](#); [Letter Fraser to Aldred, 22 July 2013, 'Iraq Inquiry: Deployment of Civilian Personnel: Statistics, Annex B – Iraq: FCO Staff in post on the last day of each quarter, 2003-04 to 2009-10'](#).

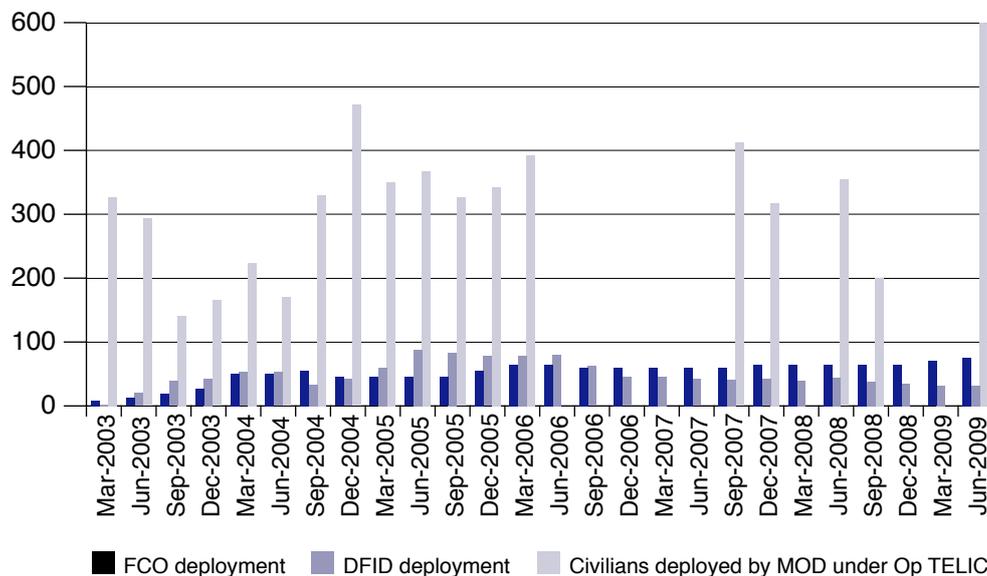
<sup>566</sup> [Letter Ministry of Defence to Iraq Inquiry, 31 May 2013, 'Civilian Roles in Iraq'](#).

<sup>567</sup> [Letter Lowcock to Aldred, 24 June 2013, \[untitled\] attaching Table, \[untitled\]](#).

<sup>568</sup> All averages quoted in this Section are arithmetic means.

- The FCO and DFID deployed a combined average of 100 civilians (including DFID contractors, but excluding police, security contractors and officials from other government departments) for post-conflict reconstruction and the UK's bilateral representation in Iraq.
- There were two peaks in DFID's contribution to reconstruction:
  - 53 personnel from March to June 2004, towards the end of the CPA period; and
  - 88 personnel in June 2005.
- The number of DFID personnel fell significantly in the face of deteriorating security in late 2006.
- The number of FCO staff deployed to Iraq reached 50 towards the end of the CPA period and climbed to 75 in mid-2009.

Figure 1: Civilians deployed to Iraq by the FCO,<sup>569</sup> DFID<sup>570</sup> and the MOD,<sup>571</sup> 2003-2009



**879.** Table 3 shows estimates of the number of UK police officers deployed in Iraq on selected dates between July 2003 and April 2009 for which data are available.<sup>572</sup>

**880.** Section 12.1 also includes data on the number of UK police officers deployed to train Iraqi police at the police training facility in Jordan.

<sup>569</sup> [Letter FCO to Iraq Inquiry, 27 May 2011, 'Iraq Inquiry – Role of Civilians in Iraq' attaching Table, \[untitled\]](#); [Letter Fraser to Aldred, 22 July 2013, 'Iraq Inquiry: Deployment of Civilian Personnel: Statistics, Annex B – Iraq: FCO Staff in post on the last day of each quarter, 2003-04 to 2009-10'](#).

<sup>570</sup> [Letter Lowcock to Aldred, 24 June 2013, \[untitled\] attaching Table, \[untitled\]](#).

<sup>571</sup> [Letter Ministry of Defence to Iraq Inquiry, 31 May 2013, 'Civilian Roles in Iraq'](#).

<sup>572</sup> This is an edited version of Table 6 in Section 12.1. Sources are explained in Section 12.1.

Table 3: UK police officers deployed to Iraq, 2003-2009

Date	Estimated total in Iraq
July 2003	4
October 2003	10
November 2003	10
December 2003	34
January 2004	34
March 2004	43
September 2004	43
October 2004	46
November 2004	44
May 2005	47
October 2005	47
December 2005	35
February 2006	33
April 2007	12
July 2007	17
November 2007	11
February 2008	5
March 2008 – April 2009	14

## The UK civilian deployment during the CPA period, May 2003 to June 2004

**881.** During the CPA period<sup>573</sup> the UK deployed:

- an average of 220 civilians in support of Op TELIC on any given day;
- 61 civilians to the CPA in May 2003, rising to 260 in April 2004;
- two police officers in support of the UK's SSR programme in Iraq in July 2003, rising to 37 in March 2004; and
- between four and eight staff to the British Office Baghdad.<sup>574</sup>

**882.** Table 4 shows the number and location of UK civilian secondments to the CPA between May 2003 and April 2004. In the absence of continuous data covering the whole period, the figures have been taken from four summaries prepared for senior officials and Ministers between May 2003 and April 2004.

<sup>573</sup> The available data do not match precisely the dates of the CPA. Some earlier figures describe deployments to ORHA, before its absorption into the CPA.

<sup>574</sup> All figures in this list exclude security contractors.

**883.** Secondments to the CPA appear to have peaked in April 2004, with approximately 260 UK civilians working for the organisation across Iraq.<sup>575</sup>

Table 4: UK secondments to the CPA

	<b>22 May 2003<sup>576</sup></b>	<b>25 July 2003<sup>577</sup></b>	<b>14 January 2004<sup>578</sup></b>	<b>21 April 2004<sup>579</sup></b>
<b>Total UK secondments to the CPA</b>	<b>61</b>	<b>100</b>	<b>143</b>	<b>260</b>
Baghdad	50	65	50	120
<i>percentage of UK total</i>	82	65	35	46
South	11	30	72	120
<i>percentage of UK total</i>	18	30	50	46
Other CPA	0	5 <sup>580</sup>	21	20
<i>percentage of UK total</i>	0	5	15	8

**884.** The British Office Baghdad opened on 5 May 2003.<sup>581</sup> Originally staffed by a team of four, by late summer 2003 it had eight UK-based staff.

**885.** Information on the location of personnel outside Baghdad and Basra during the CPA period is sparse.

**886.** A contact list for UK personnel present in Iraq on 30 December 2003 listed 51 people (civilian and military) deployed to the CPA Governorate Teams (GTs) across Iraq:

- Basra 22 (including a UK military close protection team);<sup>582</sup>
- Dhi Qar 4;
- Wasit 6;
- Ta'Mim (Kirkuk) 7;
- Maysan 10 (including a UK military close protection team);
- Muthanna 1; and
- Erbil 1.<sup>583</sup>

<sup>575</sup> [Letter Tebbit to Turnbull, 21 April 2004, \[untitled\]](#).

<sup>576</sup> Annotated Agenda, 22 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting, 'Annex C, UK Secondees to ORHA'.

<sup>577</sup> [Letter Jay to Turnbull, 25 July 2003, 'Iraq: UK support for reconstruction'](#).

<sup>578</sup> [Letter Jay to Turnbull, 14 January 2004, 'Iraq – Civilian Staffing' attaching Paper, 'Iraq: Civilian Staffing'](#).

<sup>579</sup> [Letter Tebbit to Turnbull, 21 April 2004, \[untitled\]](#).

<sup>580</sup> Inquiry estimate. No figure was given by Sir Michael Jay, who referred to "small numbers" in CPA regional offices in central and northern Iraq.

<sup>581</sup> [Minute IPU \[junior official\] to PS \[FCO\], 'Iraq: Briefing for Visit – 25-26 November 2003' attaching Paper \[unattributed\], 'Background on Other Issues'](#).

<sup>582</sup> The Basra Governorate Team was not part of CPA(South).

<sup>583</sup> Paper [unattributed], 12 January 2004, 'UK Personnel Deployed (As at 30 Dec 03)'.

**887.** Excluding 27 members of UK military close protection teams and the CPA Regional Co-ordinator in Erbil, who was not a member of a GT, the total number of personnel deployed to the CPA GTs was 23:<sup>584</sup> five in the Basra GT and 18 elsewhere.

**888.** Most of the 23 were from the MOD (a mix of civilian and military personnel), DFID and the FCO. The Governorate Co-ordinator for Dhi Qar was from the Department for Environment, Food and Rural Affairs (DEFRA).

**889.** There is no continuous set of data for the number of civilians deployed during the CPA period by UK government departments and organisations other than the FCO, the MOD and DFID.

**890.** A snapshot produced for the AHMGIR on 22 May 2003 listed 13 organisations other than the FCO, MOD and DFID with staff seconded to ORHA, and 11 “miscellaneous” secondees:

MOD	13
DFID	8
FCO	6
Department of Health (DoH)	6
Department of Trade and Industry (DTI)	5
No.10 Communications Information Centre (CIC)	2
British Council	1
Department of Culture, Media and Sport (DCMS)	1
HM Customs and Excise (HMCE)	1
HM Treasury (HMT)	1
Highways Agency	1
Lord Chancellor’s Department (LCD)	1
Maritime and Coastguard Agency	1
Northern Ireland Office (NIO)	1
Office of the Deputy Prime Minister (ODPM)	1
Office of Telecommunications (OfTel)	1
Miscellaneous	11
<b>Total</b>	<b>61</b> <sup>585</sup>

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<sup>584</sup> Sir Michael Jay quoted a figure of 21 personnel deployed to the GTs in his update for Permanent Secretaries on 14 January 2004. This is the figure quoted in Table 4.

<sup>585</sup> Annotated Agenda, 22 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting, ‘Annex C: UK Secondees to ORHA’.

## The post-CPA UK civilian deployment, July 2004 to July 2009

**891.** On 28 June 2004, the CPA handed over to a sovereign Iraqi government (see Section 9.3).

**892.** During the post-CPA period the UK deployed:

- an average of 372 civilians in support of Op TELIC on any given day;
- an average of 112 civilians to the UK's bilateral missions in Iraq, including the DFID offices in Baghdad and Basra, on any given day;
- 43 police officers in support of the UK's SSR programme in September 2004, falling to 13 in March 2008; and
- eight civilians to the Basra PRT from mid-2006.<sup>586</sup>

**893.** The UK civilian presence in Baghdad, previously split between the CPA and the British Office Baghdad, was consolidated in the new British Embassy Baghdad.

**894.** In Basra, UK civilians were deployed to the British Embassy Office and additionally, from April 2006, the UK-led Basra PRT.

**895.** A second, smaller, British Embassy Office was opened in Kirkuk, alongside the US Regional Embassy Office (REO).<sup>587</sup> In January 2007, the British Embassy Office Kirkuk was moved to Erbil after the US REO transferred to Kirkuk Regional Air Base.

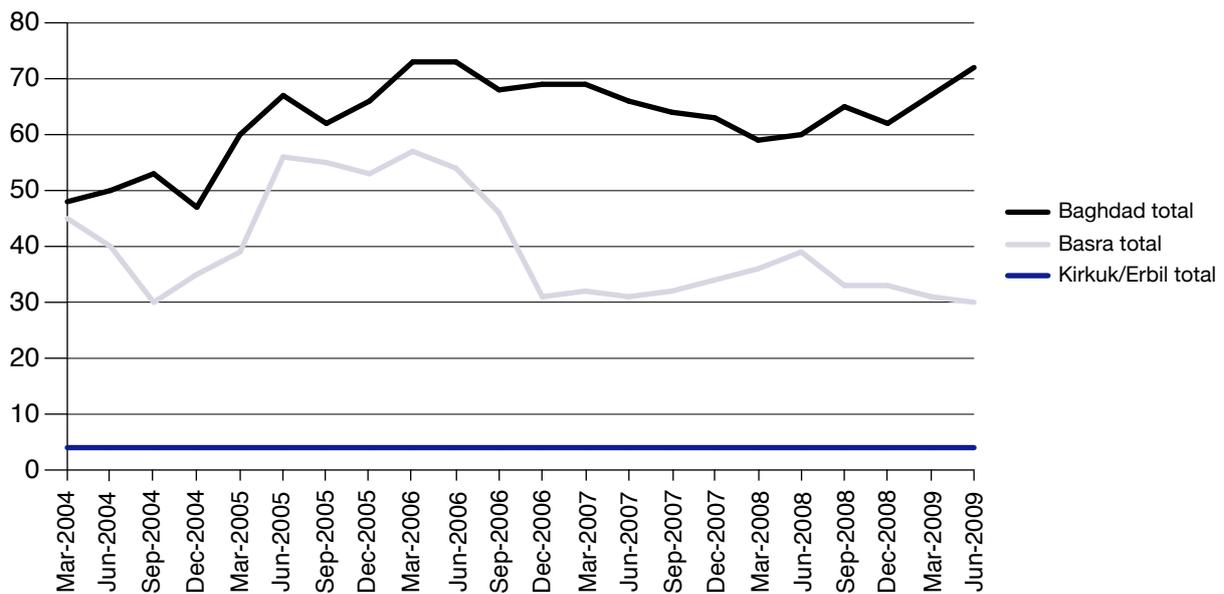
**896.** Figure 2 shows the distribution of UK civilian personnel (including DFID contractors, but not civilians deployed on Op TELIC, police or security contractors) between Baghdad, Basra and Kirkuk/Erbil during the post-CPA period. The underlying data are reproduced in Table 8 at the end of this Section.

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<sup>586</sup> All figures in this list exclude security contractors.

<sup>587</sup> Select Committee on Foreign Affairs Minutes of Evidence, 24 March 2005, *Letter to the Chairman of the Committee from the Secretary of State for Foreign and Commonwealth Affairs*, 2 November 2004.

Figure 2: FCO and DFID deployments to Iraq, 2004-2009<sup>588</sup>



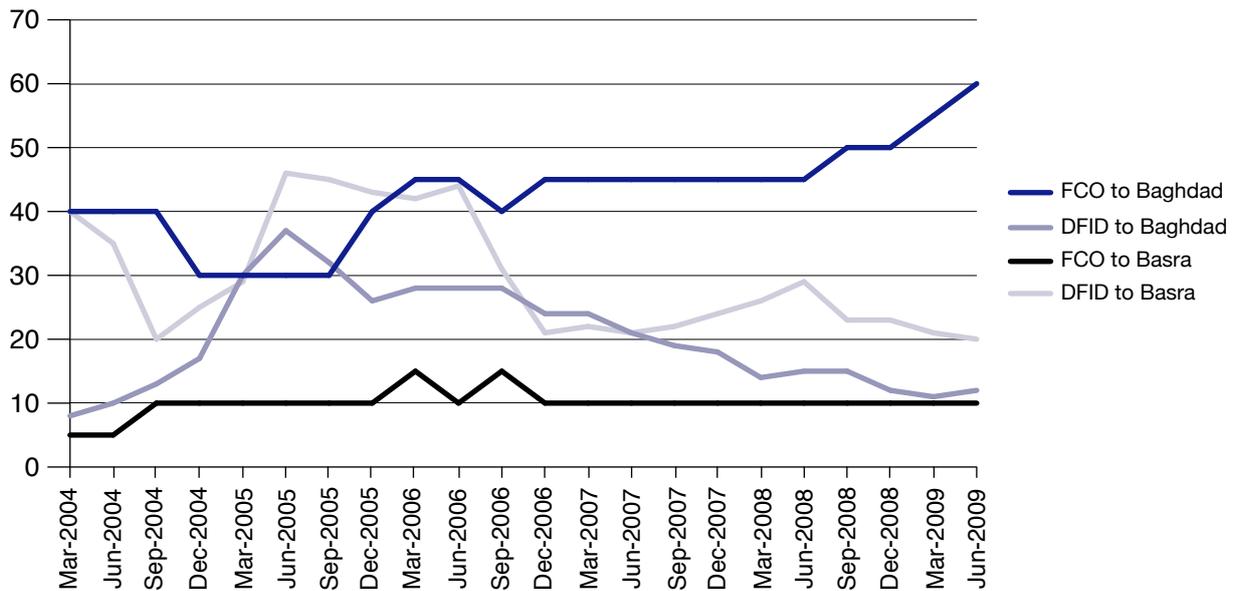
**897.** Figure 3 shows the relative contributions of the FCO and DFID in Baghdad and Basra:

- FCO personnel were concentrated in Baghdad (an average of 43, against 10 in Basra).
- FCO numbers in Baghdad doubled between March 2005 and June 2009, with no change in Basra.
- DFID deployed more personnel in Basra than Baghdad (an average of 30 in Basra against 20 in Baghdad).
- DFID numbers in Baghdad and Basra fell steadily from mid-2005, with an especially marked dip in Basra when security deteriorated in 2006.

**898.** The underlying data are reproduced in Table 8 at the end of this Section.

<sup>588</sup> The Inquiry has inserted a figure of four for Kirkuk/Erbil throughout the period and assumed no increase in staffing during the move from Kirkuk to Erbil in January 2007. The FCO source material refers to “five or less” and double counts for Kirkuk and Erbil between December 2007 and June 2008, long after Kirkuk had closed.

Figure 3: FCO and DFID deployments to Baghdad and Basra, 2004-2009



**899.** There is no continuous set of data for civilians deployed by other departments or organisations during the post-CPA period.

**900.** In November 2004, Mr Straw sent details of all staff present at the British Embassy Baghdad and the British Embassy Offices Basra and Kirkuk on 24 October 2004 to the House of Commons Foreign Affairs Committee.<sup>589</sup>

**901.** The list of staff, reproduced in full below, includes those deployed by the FCO, the MOD, DFID and other government departments and organisations. It is the most comprehensive record seen by the Inquiry of post-CPA civilian staff numbers.<sup>590</sup>

<sup>589</sup> Select Committee on Foreign Affairs Minutes of Evidence, 24 March 2005, *Letter to the Chairman of the Committee from the Secretary of State for Foreign and Commonwealth Affairs, 2 November 2004*.

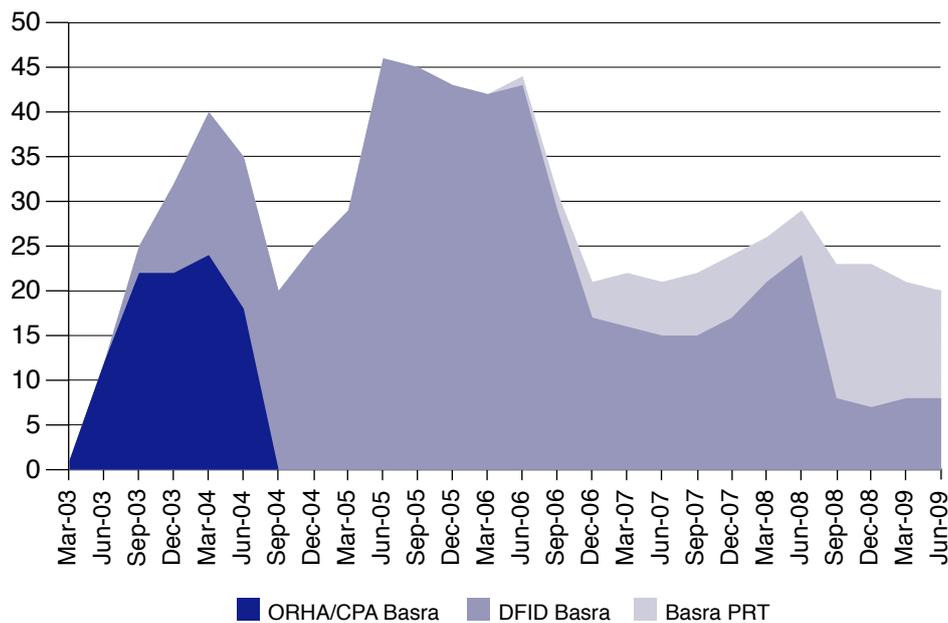
<sup>590</sup> The staff list records officials visiting the Embassy and the Embassy Offices on a single day in October 2004. It does not include those on leave.

<b>Baghdad</b>		
<b>Parent Department or Organisation</b>	<b>Number in Baghdad</b>	<b>Comment</b>
FCO	30	Includes seconded staff from other government departments.
DFID	8	DFID core staff, includes two members of staff on secondment from other government departments and three on consultancy terms.
MOD	19	Eleven working from the Embassy. Five working on capacity-building in the Iraq MOD and three visiting.
Police Advisers	15	Capacity-building and advice.
Consultants	15	Fourteen working on capacity-building programmes and one visiting. One consultant seconded from the Department of Health.
No.10	1	Working with the Iraqi Government Communications Directorate.
UKTI	1	Working in the Embassy.
British Council	1	Managing a DFID project.
Crown Agents	2	Providing contracted services.
Frontier Medical	2	Contracted to provide medical services.
LE staff	36	
<b>Total staff</b>	<b>116</b>	
<p>These figures do not include the static guard force employed to protect Embassy (or Consulate) premises or the private security personnel responsible for personal security.</p> <p>The number of consultants in Baghdad is temporarily lower than usual at the moment and not representative of the overall commitment of UK resources in this area. The Police Advisers include one Canadian national for whom we have responsibility.</p>		
<b>Basra</b>		
<b>Parent Department or Organisation</b>	<b>Number in Basra</b>	<b>Comment</b>
FCO	14	Includes seconded staff from other government departments.
FCO contractors	2	
DFID	1	
DFID contractors	9	
Police Advisers	15	Mostly at Az Zubayr Regional Police Academy.
ArmorGroup Police Mentors	36	Most working from MNF bases.
Crown Agents	2	
Frontier Medical	2	
LE staff	22	
LE DFID contractor	1	
LE ArmorGroup Police	10	Most working from MNF bases.
<b>Total staff</b>	<b>144</b>	
<b>Kirkuk</b>		
<p>There is usually one UK-based (FCO) member of staff, the Consul General. From time to time, UK staff from elsewhere in Iraq make extended working visits to Kirkuk. There are two LE staff members employed in Kirkuk.</p>		
<b>Total staff</b>	<b>3</b>	(plus one visiting)

**902.** Figure 4 shows the number of DFID staff and contractors deployed to Basra between 2003 and 2009.

**903.** The underlying data, reproduced in Table 9 at the end of this Section, show that, between June and December 2006, DFID deployments to Basra more than halved, from 44 to 21.<sup>591</sup> The number of personnel recovered to 29 in June 2008, but never returned to the level seen between June 2005 and June 2006, or during the earlier CPA period.

Figure 4: DFID staff and contractors deployed to Basra, 2003-2009<sup>592</sup>



## UK share of the Coalition civilian deployment

**904.** Data on civilian personnel compiled by the US Government during the CPA period shared many of the flaws of UK data for the same period. An audit of CPA personnel management by the Office of the CPA Inspector General in June 2004 found that:

“... by the end of January 2004, many distinct personnel tracking mechanisms appeared that were intended to provide accountability for select groups of individuals. In addition, contractors were tracking their own employees. As of March 8, 2004, the CPA believed it had a total of 1,196 personnel assigned to CPA operations in Baghdad. The CPA had been authorized 2,117 positions. The 1,196 included all military and civilian personnel assigned to CPA operations in Baghdad ...”<sup>593</sup>

<sup>591</sup> [Letter Lowcock to Aldred, 24 June 2013, \[untitled\] attaching Table, \[untitled\].](#)

<sup>592</sup> [Letter Lowcock to Aldred, 24 June 2013, \[untitled\] attaching Table, \[untitled\].](#)

<sup>593</sup> Office of the Inspector General Coalition Provisional Authority, Audit Report Number 04-002, 25 June 2004, *Management of Personnel Assigned to the Coalition Provisional Authority in Baghdad, Iraq.*

**905.** The audit stated that CPA officials believed their rosters were 90 to 95 percent accurate, which implied that there could be more than 100 individuals not properly accounted for.

**906.** The audit found even less information about staff deployed outside Baghdad:

“CPA officials stated that if personnel departed Kuwait or other rear area to a forward site, other than Baghdad, such as Al Hilla, Basra or Erbil, in support of CPA Operations there were no reliable procedures to identify and account for these individuals. Additionally, personnel hired to work directly for Iraq ministries in Baghdad provide limited, if any, information to the CPA in Baghdad or Washington DC.”

**907.** A report to Congress by the US General Accounting Office (GAO) in June 2004 stated that the total number of CPA civilian and military personnel in Baghdad peaked at 1,239 in April 2004 (see Table 5).<sup>594</sup> That figure was estimated to be about 90 percent accurate, reflecting the difficulty of tracking the arrival and departure of personnel. The GAO stated that no reliable data were available for the period before 1 March 2004.

Table 5: Composition of CPA support in Baghdad, April 2004

Type of personnel <sup>595</sup>	Number employed	Percentage of total	Percentage of total excluding DoD military
Temporary US government employees	237	19.1	27.5
<b>Non-US Coalition secondees</b>	<b>160</b>	<b>12.9</b>	<b>18.6</b>
US secondees excluding Department of Defense (DoD)	208	16.8	24.1
DoD military	377	30.4	–
DoD civilian	81	6.5	9.4
Contractors	73	5.9	8.5
Iraqi expatriates from the Iraq Reconstruction and Development Council (IRDC)	27	2.2	3.1
Personnel “in process”	76	6.1	8.8
<b>Total</b>	<b>1,239</b>	<b>100</b>	<b>–</b>
<b>Total excluding DoD military</b>	<b>862</b>	<b>–</b>	<b>100</b>

**908.** The GAO reported that, although the total number of CPA staff fluctuated, the approximate composition remained steady:

- 28 percent from the US military;

<sup>594</sup> US General Accounting Office Report to Congressional Committees, June 2004, *Rebuilding Iraq. Resource, Security, Governance, Essential Services, and Oversight Issues*.

<sup>595</sup> As listed in the GAO report.

- 26 percent civilian secondees from US federal agencies, including the Department of Defense (DoD);
- 25 percent contractors and temporary US government employees hired to work in the CPA; and
- 13 percent secondees from other Coalition countries.

**909.** A comparison of the very different US and UK data suggests that the 120 UK secondees in Baghdad in April 2004 (see Table 5) represented 14 percent of the CPA total of 862 (excluding DoD military) recorded in the GAO report to Congress, and 75 percent of the non-US Coalition contribution of 160.

**910.** In November 2003, 104 staff from eight countries were working in CPA(South) in Basra, of whom 48 (46 percent)<sup>596</sup> were from the UK.<sup>597</sup> The largest contributors after the UK were Italy and Denmark. It is not clear how many were from the US.

**911.** After the transfer of sovereignty in June 2004, the US established a Mission to Iraq, consisting of the Embassy in Baghdad and four Regional Embassy Offices (REOs) in Basra, Hillah, Kirkuk and Mosul.<sup>598</sup>

**912.** In addition to its bilateral diplomatic role, the new US Embassy in Baghdad included:

- a large executive secretariat to carry out the residual functions of the former CPA, which quickly reduced in size;
- the Iraq Reconstruction Management Office (IRMO); and
- the Project and Contracting Office (PCO).<sup>599</sup>

**913.** In October 2005, the US announced the restructuring of part of the US Mission in Iraq as PRTs (see Section 10.2).<sup>600</sup>

**914.** By September 2006, nine PRTs and eight local governance satellite offices had been established. Seven PRTs were US-led, one (Basra) was UK-led and one Italian-led.

**915.** A South Korean-led Regional Reconstruction Team (RRT) for the Kurdistan region was established in Erbil in February 2007, with two satellite offices.<sup>601</sup>

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<sup>596</sup> 18 of 48 UK civilian posts in CPA(South) were filled by the military.

<sup>597</sup> [Letter Bowen to Owen, 14 November 2003, 'Iraq: CPA \(South\) Staff'](#).

<sup>598</sup> United States Department of State and the Broadcasting Board of Governors Office of Inspector General, August 2009, *Review of the Roles, Staffing, and Effectiveness of Regional Embassy Offices in Iraq*.

<sup>599</sup> United States Department of State and the Broadcasting Board of Governors Office of Inspector General, March 2005, *Review of Staffing at US Embassy Baghdad*.

<sup>600</sup> US Department of State Archive, 19 October 2005, *Iraq and US Policy: Secretary Condoleezza Rice, Opening Remarks Before the Senate Foreign Relations Committee, Washington DC, October 19 2005*.

<sup>601</sup> US State Department Archive, 1 February 2007, *Regional Reconstruction Team Holds Inauguration Ceremony*.

**916.** According to US data for 2005, 2006 and 2009, over 1,000 civilians from US Government agencies (including the State Department and USAID) were deployed to the Embassy, REOs and PRTs (see Table 6).

**917.** The figure of 1,000 excludes the large number of US civilian contractors employed by the US Mission. A July 2009 report by the Special Inspector General for Iraq Reconstruction recorded that, at that time, 4,079 US civilians were contracted to the State Department in Iraq, 34,846 to the DoD and 8,948 to other agencies, including USAID.<sup>602</sup>

**918.** Without detailed information on the jobs performed by UK and US contractors, it is not possible to be certain that they were deployed in equivalent roles or to draw a direct comparison between UK and US statistics.

**919.** A comparison of data from 2005, 2006 and 2009 suggests that the UK provided an average of approximately 6.5 percent of the combined total of US and UK government employees<sup>603</sup> in post-CPA Iraq (see Table 6). When DFID (but not US) contractors are included, the figure is above 9 percent.

Table 6: US and UK civilian deployments to Iraq, 2005-2009

	March 2005	March 2006	July 2009
US civilian staff excluding contractors <sup>604</sup>	1,058 <sup>605</sup>	1,037 <sup>606</sup>	1,176 <sup>607</sup>
UK civilian staff excluding DFID contractors	55	75	97
US/UK total excluding DFID contractors	1,113	1,112	1,273
<b>UK share of total excluding DFID contractors</b>	<b>4.9%</b>	<b>6.8%</b>	<b>7.6%</b>
UK civilian staff including DFID contractors <sup>608</sup>	103	134	106 <sup>609</sup>
US/UK total including DFID contractors	1,163	1,181	1,285
<b>UK share of total including DFID contractors</b>	<b>8.9%</b>	<b>11.3%</b>	<b>8.2%</b>

## UK civilian contractors

**920.** From 2003 to 2009, DFID consistently deployed significantly more contractors than civil servants to Iraq (see Figure 5). The underlying data are reproduced in Table 10 at the end of this Section.

<sup>602</sup> Special Inspector General for Iraq Reconstruction, *Quarterly Report and Semiannual Report to the United States Congress, July 30, 2009*.

<sup>603</sup> The calculation excludes US contractors, DFID contractors, UK security contractors, UK civilians supporting the military and UK police.

<sup>604</sup> US-based government employees in the US Embassy, REOs and PRTs.

<sup>605</sup> United States Department of State and the Broadcasting Board of Governors Office of Inspector General, March 2005, *Review of Staffing at US Embassy Baghdad*.

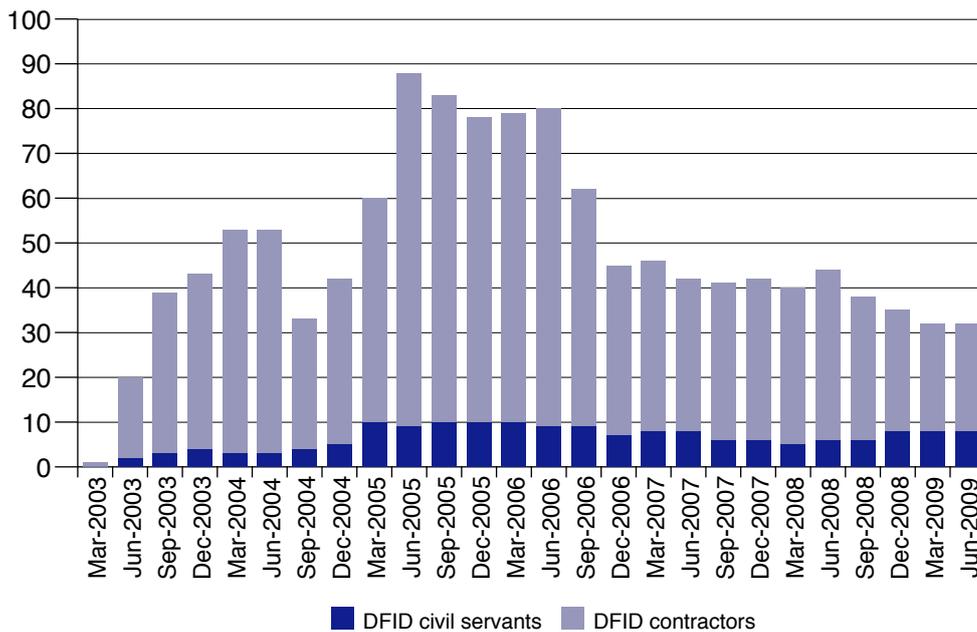
<sup>606</sup> Epstein, Susan B, CRS Report for Congress, 24 October 2006, *US Embassy in Iraq*.

<sup>607</sup> United States Department of State and the Broadcasting Board of Governors Office of Inspector General, July 2009, *Report of Inspection: Embassy Baghdad, Iraq*.

<sup>608</sup> UK-based DFID and FCO staff and DFID consultants in Iraq (excluding Op TELIC). See Table 8.

<sup>609</sup> June 2009. See Table 8.

Figure 5: DFID staff and contractors deployed to Iraq, 2003-2009



**921.** Sir Suma Chakrabarti explained the role of DFID “consultants” to the Inquiry:

“... what we were very keen to do was use consultants in ... project work around certain projects that had to be completed with deep technical skills that DFID staff no longer have. We don’t have those water engineers and power engineers we used to have ...

“The DFID staff were working much more at the policy end on capacity. So how do you put a budget together in the Ministry of Finance? What would you need to run a Prime Minister’s office properly, and those sorts of things that DFID staff focused on much more.”

**922.** A 2013 report on DFID’s use of contractors by the Independent Commission for Aid Impact explained that they were used in roles ranging from procuring equipment and providing technical advice to implementing development programmes.<sup>610</sup>

**923.** The FCO, with a focus on bilateral and policy work carried out by core FCO staff, employed contractors in smaller numbers, and principally during the CPA period. In January 2004, the FCO employed 23 contractors in Baghdad to work for the CPA.<sup>611</sup> In October 2004, there were just two FCO contractors in Iraq.<sup>612</sup>

<sup>610</sup> Independent Commission for Aid Impact, Report 23, May 2013, *DFID’s Use of Contractors to Deliver Aid Programmes*.

<sup>611</sup> [Letter Jay to Turnbull, 14 January 2004, ‘Iraq – Civilian Staffing’ attaching Paper, ‘Iraq: Civilian Staffing’](#).

<sup>612</sup> Select Committee on Foreign Affairs Minutes of Evidence, 24 March 2005, *Letter to the Chairman of the Committee from the Secretary of State for Foreign and Commonwealth Affairs, 2 November 2004*.

Table 7: Civilians deployed to Iraq by the FCO, the MOD and DFID, 2003-2009

	FCO deployment	DFID deployment	Civilians deployed by the MOD under Op TELIC
Mar 2003	8	1	327
Jun 2003	12	20	293
Sep 2003	19	39	141
Dec 2003	26	43	165
Mar 2004	50	53	224
Jun 2004	50	53	170
Sep 2004	55	33	330
Dec 2004	45	42	471
Mar 2005	45	60	350
Jun 2005	45	88	367
Sep 2005	45	83	326
Dec 2005	55	78	342
Mar 2006	65	79	392
Jun 2006	65	80	<i>no data</i>
Sep 2006	60	62	<i>no data</i>
Dec 2006	60	45	<i>no data</i>
Mar 2007	60	46	<i>no data</i>
Jun 2007	60	42	<i>no data</i>
Sep 2007	60	41	412
Dec 2007	65	42	317
Mar 2008	65	40	<i>no data</i>
Jun 2008	65	44	354
Sep 2008	65	38	200
Dec 2008	65	35	<i>no data</i>
Mar 2009	70	32	<i>no data</i>
Jun 2009	75	32	600

Table 8: FCO and DFID deployments to Iraq, 2004-2009<sup>613</sup>

	FCO to Baghdad	DFID to Baghdad	FCO to Basra	DFID to Basra	Baghdad total	Basra total	Kirkuk/ Erbil total <sup>614</sup>
<b>Mar 2004</b>	40	8	5	40	48	45	4
<b>Jun 2004</b>	40	10	5	35	50	40	4
<b>Sep 2004</b>	40	13	10	20	53	30	4
<b>Dec 2004</b>	30	17	10	25	47	35	4
<b>Mar 2005</b>	30	30	10	29	60	39	4
<b>Jun 2005</b>	30	37	10	46	67	56	4
<b>Sep 2005</b>	30	32	10	45	62	55	4
<b>Dec 2005</b>	40	26	10	43	66	53	4
<b>Mar 2006</b>	45	28	15	42	73	57	4
<b>Jun 2006</b>	45	28	10	44	73	54	4
<b>Sep 2006</b>	40	28	15	31	68	46	4
<b>Dec 2006</b>	45	24	10	21	69	31	4
<b>Mar 2007</b>	45	24	10	22	69	32	4
<b>Jun 2007</b>	45	21	10	21	66	31	4
<b>Sep 2007</b>	45	19	10	22	64	32	4
<b>Dec 2007</b>	45	18	10	24	63	34	4
<b>Mar 2008</b>	45	14	10	26	59	36	4
<b>Jun 2008</b>	45	15	10	29	60	39	4
<b>Sep 2008</b>	50	15	10	23	65	33	4
<b>Dec 2008</b>	50	12	10	23	62	33	4
<b>Mar 2009</b>	55	11	10	21	66	31	4
<b>Jun 2009</b>	60	12	10	20	72	30	4

<sup>613</sup> FCO staff only; DFID staff and contractors.

<sup>614</sup> The Inquiry has inserted a figure of four for Kirkuk/Erbil throughout the period and assumed no increase in staffing during the move from Kirkuk to Erbil in January 2007. The FCO source material refers to “five or less” and double counts for Kirkuk and Erbil between December 2007 and June 2008, long after Kirkuk had closed.

Table 9: DFID staff and contractors deployed to Basra, 2003-2009

	<b>ORHA/CPA Basra</b>	<b>DFID Basra</b>	<b>Basra PRT</b>
<b>Mar 2003</b>	1	0	0
<b>Jun 2003</b>	12	0	0
<b>Sep 2003</b>	22	3	0
<b>Dec 2003</b>	22	10	0
<b>Mar 2004</b>	24	16	0
<b>Jun 2004</b>	18	17	0
<b>Sep 2004</b>	0	20	0
<b>Dec 2004</b>	0	25	0
<b>Mar 2005</b>	0	29	0
<b>Jun 2005</b>	0	46	0
<b>Sep 2005</b>	0	45	0
<b>Dec 2005</b>	0	43	0
<b>Mar 2006</b>	0	42	0
<b>Jun 2006</b>	0	43	1
<b>Sep 2006</b>	0	29	2
<b>Dec 2006</b>	0	17	4
<b>Mar 2007</b>	0	16	6
<b>Jun 2007</b>	0	15	6
<b>Sep 2007</b>	0	15	7
<b>Dec 2007</b>	0	17	7
<b>Mar 2008</b>	0	21	5
<b>Jun 2008</b>	0	24	5
<b>Sep 2008</b>	0	8	15
<b>Dec 2008</b>	0	7	16
<b>Mar 2009</b>	0	8	13
<b>Jun 2009</b>	0	8	12

Table 10: DFID staff and contractors deployed to Iraq, 2003-2009

	<b>DFID staff</b>	<b>DFID contractors</b>
<b>Mar 2003</b>	0	1
<b>Jun 2003</b>	2	18
<b>Sep 2003</b>	3	36
<b>Dec 2003</b>	4	39
<b>Mar 2004</b>	3	50
<b>Jun 2004</b>	3	50
<b>Sep 2004</b>	4	29
<b>Dec 2004</b>	5	37
<b>Mar 2005</b>	10	50
<b>Jun 2005</b>	9	79
<b>Sep 2005</b>	10	73
<b>Dec 2005</b>	10	68
<b>Mar 2006</b>	10	69
<b>Jun 2006</b>	9	71
<b>Sep 2006</b>	9	53
<b>Dec 2006</b>	7	38
<b>Mar 2007</b>	8	38
<b>Jun 2007</b>	8	34
<b>Sep 2007</b>	6	35
<b>Dec 2007</b>	6	36
<b>Mar 2008</b>	5	35
<b>Jun 2008</b>	6	38
<b>Sep 2008</b>	6	32
<b>Dec 2008</b>	8	27
<b>Mar 2009</b>	8	24
<b>Jun 2009</b>	8	24



## SECTION 15.2

### CONCLUSIONS: CIVILIAN PERSONNEL

#### Contents

Introduction and key findings .....	412
Overview .....	412
Pre-invasion planning and preparation .....	413
Meeting the initial demand for civilian personnel in Iraq .....	414
Duty of care and risk management .....	417
Civilian-military co-ordination .....	420
Locally engaged staff .....	421
Language skills .....	421
Lessons .....	422

## Introduction and key findings

1. This Section contains the Inquiry's analysis, conclusions and lessons in relation to the deployment of civilian personnel in Iraq, the evidence for which is set out in Section 15.1.
2. This Section does not address:
  - the recruitment, deployment or impact of UK police officers in Iraq, addressed in Section 12;
  - whether sufficient civilian personnel were deployed to achieve the UK's objectives in Iraq, or the contribution that civilian personnel made to Iraq's reconstruction, both addressed in Section 10;
  - the funding of civilian deployments, including the cost of protective security measures, addressed in Section 13; or
  - the Government's reviews of the UK approach to post-conflict reconstruction and stabilisation, and the creation of a deployable UK civilian stand-by capability, addressed in Sections 10.3 and 10.4.

### Key findings

- Before the invasion of Iraq, the Government had made only minimal preparations for the deployment of civilian personnel.
- There was an enduring gap between the Government's civilian capacity and the level of its ambition in Iraq.
- There was no overarching consideration by the Government of the extent to which civilians could be effective in a highly insecure environment, or of the security assets needed for civilians to do their jobs effectively.
- The evidence seen by the Inquiry indicates that the Government recognised its duty of care to UK-based and locally engaged civilians in Iraq. A significant effort was made to keep civilians safe in a dangerous environment.

## Overview

3. Between 2003 and 2009, UK and Iraqi civilian personnel made an essential contribution to the UK's efforts to help rebuild Iraq. They often did so in extremely dangerous circumstances. Some locally engaged (LE) staff and UK-based contractors lost their lives.
4. The initial deployment of only a handful of civilian personnel reflected pre-invasion assumptions about the limited extent of the likely UK contribution to the post-conflict reconstruction and administration of Iraq.
5. Soon after the invasion, Mr Blair called for a significant increase in the UK civilian effort. Further calls to strengthen the UK civilian presence in Iraq followed.

- 6.** The Government had no pre-existing machinery for recruiting and deploying at speed large numbers of civilians with the appropriate skills. As a result, efforts to deploy larger numbers of civilians to Iraq fell well short of targets.
- 7.** There was a particular shortage of Arabic speakers and reconstruction expertise.
- 8.** From late summer 2003, concern about staff safety led to the progressive introduction of protective security measures for civilian personnel in Iraq and placed additional constraints on civilian deployments.
- 9.** Government departments recognised their duty of care obligations to personnel working in Iraq. Significant effort and resources went into keeping staff safe.
- 10.** In the absence of a government-wide approach to risk or an effective framework for assessing the value of civilian personnel in a highly insecure environment, the Government struggled to establish a co-ordinated approach to the deployment of civilians.
- 11.** The Iraq Reconstruction Service Medal and the Locally Engaged Staff Assistance Scheme were appropriate responses to the issues they addressed.

## **Pre-invasion planning and preparation**

- 12.** Sections 6.4 and 6.5 address the UK's pre-invasion planning and preparation for its role in the Occupation of Iraq. In the absence of effective cross-government machinery for drawing together all aspects of planning and preparation, the Foreign and Commonwealth Office (FCO), the Ministry of Defence (MOD) and the Department for International Development (DFID) pursued broadly complementary objectives, but did so separately. This left significant gaps in UK civilian capabilities that were overlooked.
- 13.** The UK did not plan or prepare for the deployment of more than a handful of civilians to Iraq, other than in direct support of military operations.
- 14.** The FCO was not equipped by past experience or practice, or by its limited human and financial resources, to prepare for nation-building of the scale required in Iraq, and did not expect to do so.
- 15.** The FCO did make effective preparations, however, for resuming diplomatic representation in Baghdad. The British Office Baghdad opened, on schedule, on 5 May 2003.
- 16.** DFID was reluctant, before the invasion, to engage in planning and preparation for anything other than the immediate humanitarian response to conflict.
- 17.** DFID did, however, make pre-conflict preparations to support those multilateral institutions providing humanitarian assistance in Iraq and the region.

**18.** The MOD made provision for civilian support to military operations in Iraq, as it would for any military operation. Military planners identified and drew attention to the gap in those UK civilian capabilities that would be needed for post-conflict reconstruction and administration.

**19.** Neither the FCO nor DFID took responsibility for addressing that gap.

**20.** The shortage of the requisite civilian expertise within government was a significant constraint on the planning and preparation for post-conflict operations and on the eventual scale of the UK civilian contribution.

**21.** The review of the UK's approach to post-conflict reconstruction, begun in September 2003, addressed the management of the UK's contribution, including "the identification and training of civilian personnel and the maintenance of databases, with deployable capability".<sup>1</sup>

**22.** Although successive reviews changed significantly the UK's approach to reconstruction and stabilisation, they had limited impact on the UK's civilian deployment in Iraq.

## Meeting the initial demand for civilian personnel in Iraq

**23.** The Inquiry estimates that, on the eve of the invasion, the UK had between 10 and 16 non-MOD civilians ready to deploy to Iraq. That very small number reflected the assumptions underpinning UK planning and preparation for post-conflict Iraq, including that:

- after a short period of US-led, UN-authorized military occupation, the UN would administer and provide a framework for the reconstruction of post-conflict Iraq;
- substantial international support would follow UN authorisation; and
- reconstruction and the political transition to Iraqi rule would proceed in a secure environment.

**24.** Between April and October 2003, Ministers and officials pressed for an increase in the UK civilian deployments to the US-led Office of Reconstruction and Humanitarian Assistance (ORHA) and its successor, the Coalition Provisional Authority (CPA), in Baghdad, Basra and elsewhere in Iraq.

**25.** Government departments were not equipped to respond to those demands.

**26.** On 17 April, Mr Blair agreed that the UK should "increase significantly the level of ... political and practical support to ORHA, including the secondment of significant numbers of staff in priority areas".<sup>2</sup>

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<sup>1</sup> [Letter Owen to Fergusson, 5 February 2004, 'Post Conflict Reconstruction: Paper for the DOP, 12 February' attaching Paper \[unattributed\], \[undated\], 'Post Conflict Reconstruction'.](#)

<sup>2</sup> [Letter Rycroft to McDonald, 17 April 2003, 'Iraq: ORHA'.](#)

**27.** The FCO, under the direction of Sir Michael Jay, the Permanent Under Secretary, co-ordinated the Whitehall response.

**28.** The FCO's approach was ad hoc, reflecting the absence of:

- adequate pre-invasion planning;
- a Whitehall mechanism for co-ordinating the urgent recruitment of volunteers; and
- clear US job descriptions for the vacant ORHA/CPA posts in Iraq.

**29.** On 22 April, with no clear job descriptions to draw on, Sir Michael Jay called on departments to “take a broad view in looking for volunteers”.<sup>3</sup> He stated that “enthusiasm and personal qualities are likely to be just as important as specific expertise”.

**30.** Officials informed the 22 May meeting of the Ad Hoc Ministerial Group on Iraq Rehabilitation (AHMGIR) that 61 UK officials had been seconded to ORHA, five of them in Basra. Officials were able to provide Ministers with only very basic information on the functions of 35 of the 61, explaining: “Some secondees have yet to be allocated specific roles.”<sup>4</sup>

**31.** On 25 July, Sir Michael Jay described the training and deployment since April of “over 100 civilian staff from sixteen different branches of government” as an exercise having “no modern precedent”.<sup>5</sup>

**32.** While recognising that some of the difficulties faced by the UK reflected shortcomings in US plans, the Inquiry considers the deployment to have been unsatisfactory. Volunteers appear to have been recruited in a hasty and haphazard manner, without procedures to assess their suitability for a very challenging task. Civilians arrived in Iraq more slowly than required, with inadequate preparation and to fill positions that were ill defined.

**33.** As early as June 2003, concerns emerged that some civilians deployed to Iraq were not capable of meeting the physical requirements of working in such a difficult environment.

**34.** Ms Emma Sky, CPA Governorate Co-ordinator for Kirkuk from June 2003 to February 2004, told the Inquiry that she was not given a briefing by the FCO before travelling to Iraq. Instead she had received a phone call telling her “You’ve spent a lot of time in the Middle East. You will be fine.”<sup>6</sup>

**35.** Between June and August 2003, Ministers and officials pressed for a more ambitious response to the demand for civilian personnel. The UK sought to deploy

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<sup>3</sup> [Letter Jay to Turnbull, 22 April 2003, ‘Iraq: UK Support for the Office for Reconstruction and Humanitarian Assistance \(ORHA\)’](#).

<sup>4</sup> Annotated Agenda, 22 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>5</sup> [Letter Jay to Turnbull, 25 July 2003, ‘Iraq: UK support for reconstruction’](#).

<sup>6</sup> Private hearing, 14 January 2011, page 2.

individuals with the right skills and appropriate levels of seniority, and to provide leadership by appointing a UK Head of CPA(South):

- On 3 June, Mr Blair called for Whitehall to return to a “war footing”.<sup>7</sup> There needed to be “a strong civilian team in the South. In general, there needed to be a much stronger civilian grip”.
- On 2 July, Baroness Amos, the International Development Secretary, recommended the deployment of additional staff with the right skills and seniority.
- On 10 July, Ministers agreed that the UK effort in the South should be increased and that a UK figure should be made Head of CPA(South).
- On 28 August, the AHMGIR agreed, “subject to security concerns”, that Sir Hilary Synnott, Head of CPA(South), should be given “such assistance and staff as he deemed necessary”.<sup>8</sup>

**36.** Departments did not rise to the challenge:

- Sir Hilary Synnott told the Inquiry that, on his arrival in Basra on 30 July: “The phones didn’t work ... and nobody had thought to provide me with any form of computer.”<sup>9</sup>
- On 5 September, Mr Neil Crompton, Head of the Iraq Policy Unit (IPU), reported that the view in Iraq was that the job there was “doable”, but the UK needed to “throw massive resources at the problem now”.<sup>10</sup> CPA(South) was “woefully under-staffed”. It was clear that the UK would have to fill the positions itself rather than rely on third-country nationals or CPA Baghdad.
- On 23 September, Mr David Richmond, the Prime Minister’s Deputy Special Representative on Iraq, reported that UK “influence in CPA Baghdad is limited; we supply only 100 out of its 1,000 staff there”.<sup>11</sup>
- Sir Hilary Synnott told the Inquiry: “One of my key requests was at the end of August when I asked for, I think, 37 additional expert staff ... By 1 January, 18 out of 37 had arrived.”<sup>12</sup>

**37.** Departments’ weak response to the instruction to strengthen the UK civilian presence in Iraq represented a missed opportunity to alleviate some of the problems created by the failures of pre-invasion planning and preparation.

**38.** It is not possible to assert that the rapid deployment of all the additional personnel requested would have materially altered the situation in Iraq. It is, however, the Inquiry’s

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<sup>7</sup> [Minute Cannon to McDonald, 3 June 2003, ‘Iraq: Prime Minister’s Meeting, 3 June’](#).

<sup>8</sup> Minutes, 28 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>9</sup> Public hearing, 9 December 2009, page 9.

<sup>10</sup> [Minute Crompton to Chaplin, 5 September 2003, ‘Visit to Iraq: 31 August to 3 September’](#).

<sup>11</sup> Minute [junior official Cabinet Office] to Sheinwald, 25 September 2003, ‘Iraq Senior Officials Group Meeting’.

<sup>12</sup> Public hearing, 9 December 2009, page 45.

view that the UK's ability to influence developments in Iraq was diminished by their absence (see Section 9.8).

## Duty of care and risk management

**39.** Between 2003 and 2009, decisions on civilian deployment were closely linked to assessments of the security threat in Iraq and departments' interpretation of their duty of care to staff.

**40.** Steps taken by departments to manage the threat to staff included the provision of:

- pre-deployment security training;
- secure transport;
- close protection teams; and
- hardened accommodation.

**41.** Protective security could not eliminate the risk of death or injury. A number of LE staff and UK-based contractors working for the UK Government were killed in Iraq.

**42.** The evidence available to the Inquiry shows that the Government made serious efforts to mitigate the risk of injury and death. In addition to protective security measures:

- The FCO and DFID carried out frequent reviews of security in Baghdad, Basra and other locations in Iraq.
- During 2004, the FCO introduced improved structures for managing security issues at its posts in Iraq, with responsibility shared between named decision-makers in London and Iraq. Those arrangements were kept under review.
- When the threat was assessed to exceed the protection afforded by the security measures in place, officials and, where appropriate, Ministers, took quick decisions to lock down buildings or to withdraw staff temporarily.

**43.** The number of civilian personnel in Baghdad and Basra fluctuated as Ministers and officials sought to reconcile departments' duty of care to staff with operational needs and the finite resources available for enhanced security in the face of a constantly evolving threat:

- On 27 May 2004, Mr Stuart Jack, Head of the FCO Iraq Operations Unit (IOU) advised Mr Jack Straw, the Foreign Secretary: "we are currently at the limit of technical measures we can apply to protect staff in Iraq".<sup>13</sup>
- On 8 October 2004, officials advised Mr Straw that the FCO was "reaching the limits" of its ability to increase effective protection.<sup>14</sup>

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<sup>13</sup> [Minute Jack to PS \[FCO\], 27 May 2004, 'Iraq: Civilian Staffing and Security'](#).

<sup>14</sup> Minute Iraq Directorate [junior official] to PS [FCO], 8 October 2004, 'Staff Security in Iraq'.

- On 6 June 2006, Mr Andrew Noble, FCO Director of Security, stated: “we are operating at the limits of what can be achieved, consistent with running a diplomatic mission”.<sup>15</sup>
- On 22 January 2007, Dr Rosalind Marsden, the British Consul General in Basra, reported that she had been advised by her Overseas Security Manager that “we are beginning to push our luck”.<sup>16</sup>

**44.** The critical contribution of some of the protective measures introduced in Iraq is reflected in comments by Mr Robert Tinline, Head of the Basra Provincial Reconstruction Team (PRT) in 2007 and 2008. In April 2007, he informed the FCO that more than 1,200 rockets and mortars had been fired at the Basra Palace site since September 2006.<sup>17</sup> Although the BPC had been hit 70 times:

“We were fortunate that none of our staff were killed or injured ... But we also made our own good fortune. Four accommodation ‘pods’, the bar, the gym and both the main office buildings received direct hits – but because they were hardened, no serious injuries resulted.”

**45.** The progressive introduction of protective security measures between 2003 and 2008 placed growing constraints on civilians’ ability to carry out their jobs effectively.

**46.** LE staff and contractors became critically important to the UK reconstruction effort.

**47.** The limited availability of secure transport had particular consequences for the way civilians operated.

**48.** Mr Martin Dinham, DFID Director Europe, Middle East and Americas from 2005 to 2007, told the Inquiry that, during 2006 and 2007, access to a number of infrastructure projects was so difficult that “we had to arrange to work through local contractors ... taking videos, taking digital images, contacting us by email, meeting them in safe locations so we could actually supervise at one remove”.<sup>18</sup>

**49.** From mid-2003, officials had recognised that measures to protect civilians from the security threat could have implications for the UK’s ability to achieve its strategic objectives in Iraq.

**50.** Despite the warnings, the Government failed to establish a strategic framework for assessing the impact of the security threat and protective security measures on UK objectives or to agree an appropriate response.

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<sup>15</sup> [Minute Noble to Casey, 6 June 2006, ‘Security of our Posts in Baghdad and Basra’.](#)

<sup>16</sup> [Letter Marsden to McDonald, 22 January 2007, ‘Basra Palace: Response to Increased IDF Threat’.](#)

<sup>17</sup> [eGram 17758/07 Basra to FCO London, 30 April 2007, ‘Basra: Move of the British Embassy Office’.](#)

<sup>18</sup> Public hearing, 17 December 2009, page 43.

**51.** In July 2003, Mr Peter Collecott, FCO Director General Corporate Affairs, commented on the tension between achieving UK objectives in Iraq and duty of care to staff. He advised Mr Straw:

“We will inevitably be faced with some very difficult prioritisation decisions: activity v. security in Iraq; activity in Iraq v. priorities elsewhere.”<sup>19</sup>

**52.** Concerns increased after the attacks on the UN headquarters in Baghdad in August 2003.

**53.** Mr Crompton advised Mr Straw:

“Resources for security assets are an issue. But the principle should be that we provide the number of security assets we need for people to do their jobs properly, rather than limit the number of tasks we take on to the number of security assets we have on the ground (as some around Whitehall have been suggesting). This will be expensive.”<sup>20</sup>

**54.** Over time, the tasks that UK civilians were able to carry out in Iraq became increasingly limited. In June 2006, the IPU characterised the FCO approach to security as “risk averse”.<sup>21</sup> It stated that, where officials judged that a particular task exposed personnel to greater risk than the mitigating measures in place to deal with that risk, the task would not be undertaken.

**55.** The withdrawal of the majority of civilian staff from the Basra Palace site to Basra Air Station and Kuwait in response to a rapid deterioration in security in late 2006 followed that pattern.

**56.** Sir Peter Ricketts told the Inquiry that he was clear that the British Embassy Office would have to leave Basra Palace once it was known that the UK military would be moving out.

**57.** Officials reported in December 2006 that the rapid withdrawal had raised concerns among the UK’s partners about its commitment to civilian operations.

**58.** The Government did not assess to what extent civilians could be effective in a highly insecure environment. Nor did the principal government departments concerned reach agreement on a cross-government framework for managing risk in such circumstances.

**59.** By late 2006, UK civilian activity in Iraq, particularly in Basra and the South, had become severely constrained by the security situation. Only after the change in the security environment brought about by the Charge of the Knights, the Iraqi military

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<sup>19</sup> Minute Collecott, 11 July 2003, on Minute Millett to PS [FCO], 11 July 2003, ‘Iraq: Security’.

<sup>20</sup> [Minute Crompton to PS \[FCO\], 28 August 2003, ‘Ad Hoc Ministerial’.](#)

<sup>21</sup> [Minute IPU \[junior official\] to PS/PUS \[FCO\], 30 June 2006, ‘Iraq: Review of Security’ attaching Paper Iraq Policy Unit, June 2006, ‘Review of Security of Staff and Missions in Iraq’.](#)

operation in March 2008 to drive Shia militias out of Basra, was there a strategic context in which the effectiveness of UK civilians in the South was no longer determined by the security threat and the availability of protective measures.

## Civilian-military co-ordination

**60.** In the absence of a cross-government framework for managing risk, there was no overarching consideration of the security assets needed for civilians to do their jobs effectively, which UK military assets should be assigned to protect civilians and what constituted an appropriate level of expenditure on protective security in the particular circumstances of Iraq.

**61.** Sections 6.4 and 6.5 address the shortcomings in UK civilian–military co-ordination during pre-invasion planning and preparation for post-conflict Iraq.

**62.** Those shortcomings persisted after the invasion.

**63.** On 11 April 2003, shortly before the opening of the British Office Baghdad, officials advised Mr Straw that no decision had been taken on how to guard the compound perimeter. The MOD was considering the issue, but would “take some persuasion to redeploy to Baghdad from the South”.<sup>22</sup>

**64.** On 15 July 2005, the Iraq Strategy Group (ISG) discussed the first draft of a paper to be signed by Dr John Reid, the Defence Secretary, on the planned drawdown of UK military forces from southern Iraq. The ISG concluded that the draft, which made no reference to the potential consequences of the drawdown for civilian activities, needed to cover more clearly the implications for other government departments and international actors.

**65.** In the revised paper, Dr Reid stated that, although the drawdown was likely to result in a significant cost saving to the military, other departments operating in Iraq might face increased security costs as they were “forced to seek commercial alternatives to military force protection”.<sup>23</sup> No alternatives were proposed.

**66.** On 30 September 2005, a joint FCO/MOD/DFID paper recommended the allocation of additional resources to security, including UK military resources. A No.10 official told Mr Blair that Dr Reid did not support the proposal.

**67.** In October 2005, Dr Reid sought approval to procure a counter-measure to the threat posed to UK troops by Improvised Explosive Devices.<sup>24</sup> Ten days later, Mr Hilary Benn, the International Development Secretary, expressed support for the proposal, pointing out that it would also “significantly reduce the current threat against UK forces and DFID staff”.

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<sup>22</sup> [Minute Gray to Private Secretary \[FCO\], 11 April 2003, ‘Baghdad: Preparing to Open’.](#)

<sup>23</sup> [Paper Secretary of State for Defence, 18 July 2005, ‘Operational Transition in Iraq’.](#)

<sup>24</sup> Letter Reid to Browne, 31 October 2005, ‘Iraq UORs: M\*’.

## Locally engaged staff

**68.** LE staff played an essential role in the UK effort in Iraq. They became increasingly important as security deteriorated and the mobility of UK personnel became constrained.

**69.** Officials recognised in 2003 the critical role of LE staff and the personal risk they took in working for the UK Government. The issue came into sharper focus in Basra in April 2006, when the British Consul General reported that most LE staff in the city considered it too dangerous to come into work.

**70.** On 18 June 2006, an LE member of staff at the British Embassy Office Basra was murdered. His wife, also an LE member of staff, was seriously injured.

**71.** The visibility of LE staff in the local community made them particularly vulnerable to attack. UK officials in Iraq took steps to manage the risk, including the introduction of flexible shift patterns. DFID local staff in Basra, who were particularly exposed to the threat because of the extent of their work outside the Basra Palace site, had standing permission not to come to work if they felt unsafe.

**72.** Only in August 2007, faced with a further deterioration in security and growing press interest in LE staff, did officials try, with some difficulty, to reconcile FCO, DFID, MOD and, as the department responsible for immigration, Home Office views to establish “a coherent cross-Whitehall approach”.<sup>25</sup>

**73.** The design and implementation of the Locally Engaged Staff Assistance Scheme, announced in Parliament in October 2007, was further hindered by shortcomings in the data on LE staff held by the FCO and the MOD.

**74.** The evidence seen by the Inquiry indicates that the UK did not fail in its duty of care to LE staff, but the Inquiry concludes that the Government should have recognised sooner that LE staff were uniquely exposed to the security threat and vital to the UK effort in Iraq, and that this was an issue requiring a co-ordinated and agreed approach across departments.

## Language skills

**75.** Several witnesses to the Inquiry commented on the shortage of Arabic speakers among civilians deployed to Iraq throughout the period covered by the Inquiry.

**76.** There was also a shortage of Arabic speakers available to support the UK military.

**77.** The deployment of more Arabic speakers would have provided the opportunity to:

- increase UK access to Iraqi institutions and society;
- build greater trust between the UK Government and influential Iraqis; and
- improve UK understanding of political and social undercurrents in Iraq.

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<sup>25</sup> [Minute IPU \[junior official\] to Private Secretary \[FCO\], 1 August 2007, 'Iraq: Locally Engaged Staff'](#).

**78.** Two main factors appear to have contributed to the failure to meet the demand for Arabic speakers in Iraq:

- the finite number of Arabic speakers in the FCO; and
- the absence of a mechanism for redeploying Arabic speakers from other FCO jobs at short notice.

**79.** The Inquiry welcomes the steps taken by the FCO since 2010 to increase the number of Arabic speaker positions at FCO posts in the Middle East and North Africa, and Mr William Hague's decision as Foreign Secretary to open a new FCO language school in 2013 and to prioritise Arabic language training.

**80.** The Inquiry fully endorses Mr Hague's view that expertise in a foreign language makes UK diplomats:

“... vastly more effective at communicating the viewpoint of the United Kingdom. And it is vital to understanding the political mood in different countries and to spotting trends or anticipating crises.”<sup>26</sup>

**81.** There is little evidence, however, that the Government has considered how to respond effectively to a sudden surge in demand for particular language skills, especially where demand may be unforeseen.

## Lessons

**82.** The Inquiry recognises that, since 2003, significant changes have been made to the UK's strategic and operational approach to reconstruction and stabilisation. Some of those changes, including the establishment of a deployable UK civilian stand-by capability, are the direct result of lessons learned from serious shortcomings in the deployment of civilian personnel in post-conflict Iraq.

**83.** The lessons identified in this Section remain relevant to the UK's evolving approach to reconstruction and stabilisation.

**84.** Other lessons relating to the strategic role of civilians in post-conflict reconstruction and stabilisation operations, the relationship between civilian and military deployments, and the impact of the UK's civilian-led programmes in Iraq are addressed in Section 10.4.

**85.** The effectiveness of the UK civilian effort in post-conflict Iraq was compromised by a range of factors, including the absence of effective cross-government co-ordination on risk, duty of care and the terms and conditions applicable to personnel serving in Iraq.

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<sup>26</sup> Foreign & Commonwealth Office and the Rt Hon William Hague MP [from *GOV.UK*], 19 September 2013, *Foreign Secretary opens Foreign Office language school*.

- 86.** The difficult working conditions for civilians in Iraq were reflected in short tour lengths and frequent leave breaks. Different departments adopted different arrangements throughout the Iraq campaign, leading to concerns about breaks in continuity, loss of momentum, lack of institutional memory and insufficient local knowledge.
- 87.** Different departments will continue to deploy civilian staff in different roles. Standardisation of all aspects of those deployments may not be appropriate, but greater harmonisation of departmental policies should be considered wherever possible. The same approach should be applied to LE staff.
- 88.** At all stages, including planning, departments must give full consideration to their responsibilities and duty of care towards LE staff, who have an essential contribution to make and will face particular risks in insecure environments.
- 89.** All civilian deployments should be assessed and reviewed against a single, rigorous, cross-government framework for risk management. The framework should provide the means for the Government as a whole to strike an effective balance between security and operational effectiveness, and to take timely decisions on the provision of appropriate security measures.
- 90.** Standardising tour lengths for civilians deployed by different departments would have eased the overall administrative burden and, perhaps, some of the tensions between individuals from different government departments serving in Iraq. But the environment was difficult and individuals' resilience and circumstances varied. The introduction of the option to extend a tour of duty was an appropriate response.
- 91.** Throughout any operation of this kind, departments should maintain two procedures for the systematic debriefing of staff returning to the UK: one to meet duty of care obligations, the other to learn lessons from their experience.
- 92.** It is difficult to separate the issue of the seniority or personal impact of individual civilians from the wider question of UK influence on the US, which is addressed in Section 9.8.
- 93.** In order to identify individuals with the right skills, there must be clarity about the roles they are to perform. Wherever possible, individuals should be recruited for and deployed to clearly defined roles appropriate to their skills and seniority. They must be provided with the equipment needed to perform those roles to a high standard.
- 94.** The Government should consider the introduction of a mechanism for responding to a surge in demand for a particular language capability.
- 95.** The Inquiry views the inability of the FCO, the MOD and DFID to confirm how many civilian personnel were deployed to or employed in Iraq, in which locations and in what roles, as a serious failure. Data management systems must provide accurate information on the names, roles and locations of all staff for whom departments have duty of care responsibilities.



## SECTION 16.1

### THE WELFARE OF SERVICE PERSONNEL

#### Contents

Introduction .....	2
The military covenant and the Harmony Guidelines .....	2
Early priorities and concerns .....	6
Operational Welfare Package .....	6
Review of allowances .....	6
Delivery of the Operational Welfare Package .....	7
The air bridge .....	11
Concerns over the effect of Operation TELIC on retention .....	15
Supporting Reservists .....	17
Increasing pressure on Service Personnel, 2004 to 2008 .....	23
The decision not to deploy a headquarters and brigade to Iraq, June 2004 .....	23
The decision to deploy troops to Afghanistan .....	25
Concern that the Army is “running hot”, autumn 2006 .....	27
Introduction of the Operational Allowance .....	29
Reports on recruitment and retention .....	30
The impact of operations on the Harmony Guidelines .....	34
Rebuilding the military covenant .....	35

## Introduction

1. This Section addresses:

- the military covenant and the Harmony Guidelines, which provided a framework for the provision of welfare support to Service Personnel, including Reservists, and their families;
- the provision of welfare support during deployments;
- changes to the welfare support available to Service Personnel, including Reservists, and their families; and
- the consideration given to the effects on Service Personnel in decisions to deploy troops, in particular in terms of the Harmony Guidelines.

2. The provision of medical care, in particular for seriously injured Service Personnel, is addressed in Section 16.2.

3. The preparations made for repatriating the bodies of those who lost their lives serving on Operation TELIC, how their deaths were investigated, and the support provided for bereaved families is addressed in Section 16.3.

4. The problems caused by deployments consistently exceeding the Defence Planning Assumptions in respect of the provision of military equipment are addressed in Sections 6.3 and 14.

5. The decision to deploy to Helmand province in Afghanistan, and the implications of that decision, are addressed in Section 9.

## The military covenant and the Harmony Guidelines

6. The concept of a “covenant between the Army and its soldiers” was first articulated in the March 2000 British Army publication, *Values and Standards of the British Army*.<sup>1</sup> The foreword to that publication, written by General Sir Roger Wheeler,<sup>2</sup> Chief of the General Staff, stated:

“As a soldier in the British Army, much is expected of you. You may be required to deploy on operations which will be dangerous, to obey orders which could put your life at risk, and to live and work for long periods under extremely challenging conditions. Your comrades, your commanders and ultimately the Nation will depend on your courage, loyalty and commitment. They will rely on you to maintain the highest standards of professionalism and self-discipline at all times. In short, they must trust you and you need to trust them.

“This two-way obligation forms a covenant between the Army and its soldiers ... By volunteering as a soldier in the British Army you accept that, by putting the needs

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<sup>1</sup> Ministry of Defence, *Values and Standards of the British Army*, March 2000.

<sup>2</sup> General Sir Roger Wheeler was the military adviser to the Iraq Inquiry.

of the Service before your own, you will forgo some of the rights enjoyed by those outside the Armed Forces. But in return you can at all times expect fair treatment, to be valued and respected as an individual, and to be rewarded by reasonable terms and conditions of service.”

**7.** The Armed Forces’ capacity to deploy and sustain expeditionary operations was determined by decisions in the 1998 *Strategic Defence Review* (SDR 98).<sup>3</sup>

**8.** SDR 98 set out the UK’s defence policy and translated that policy into detailed guidance for defence planning by using a number of “planning assumptions” which defined the required level of forces, or scale of effort, required for specific Military Tasks (see Section 6.1).

**9.** SDR 98 stated that the UK should be able to:

“– respond to a major international crisis which might require a military effort and combat operations of a similar scale and duration to the Gulf War when we deployed an armoured division, 26 major warships and over 80 combat aircraft.

or

– undertake a more extended overseas deployment on a lesser scale (as over the last few years in Bosnia) while retaining the ability to mount a second substantial deployment – which might involve a combat brigade and appropriate naval and air forces – if this were made necessary by a second crisis. We would not, however, expect both deployments to involve war fighting or to maintain them simultaneously for longer than six months.”

**10.** The principal scales of effort defined in SDR 98 were:

- Small scale: “a deployment of battalion size or equivalent”.
- Medium scale: “deployments of brigade size or equivalent” for war-fighting or other operations.
- Large scale: deployments of division size or equivalent. The most recent example was the UK contribution to the 1991 Gulf Conflict, “although on that occasion the British division deployed with only two of its three brigades”. This was “the maximum size of force we would plan to be able to contribute to peace enforcement operations, or to regional conflicts outside the NATO area”.
- Very large scale and full scale: all the forces that would be made available to NATO to meet a major threat such as significant aggression against an ally.

**11.** SDR 98 also defined:

- Endurance: the likely duration of individual Military Tasks. Each Service needed to be able to sustain tasks for the required period, including where necessary by

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<sup>3</sup> Ministry of Defence, *Strategic Defence Review*, July 1998.

rotating individual units deployed and, where units were deployed on operations, allowing units a period of respite between each deployment as set out in the Service's Harmony Guidelines.

- **Concurrency:** the number of operations of a given scale of effort and duration that could be sustained by the force structure. SDR 98 concluded that “not to be able to conduct two medium scale operations at the same time would be an unacceptable constraint on our ability to discharge Britain's commitments and responsibilities”.<sup>4</sup>

**12.** SDR 98 also considered the “underlying problems of under-manning and overstretch that we have inherited”.<sup>5</sup> It defined overstretch as “trying to do too much with too little manpower”. One result was that units and individuals were separated from their families too often and for too long. Another was that preparation for other tasks and longer-term training suffered. The additional pressures from “persistent overstretch” contributed to higher exit rates from the Armed Forces, which exacerbated under-manning. SDR 98 concluded:

“We must break this vicious circle. To do so we must match the commitments we undertake to our planned resources, recognising that there will always be the risk of additional short-term pressures if we have to respond rapidly to an unforeseen crisis. We need to improve recruitment and retention so that our units are properly manned. And we need to use our manpower in the most effective manner, particularly seeking to avoid unnecessary separation or disruption to individuals and their families.

“The Review [SDR 98] has designed a future force structure matched to the level of commitments we plan to be able to undertake. These structural changes, combined with measures to increase recruiting and retention, will ease overstretch.”

**13.** The Harmony Guidelines described the maximum time that Service Personnel should spend away from their families (known as Individual Separated Service)<sup>6</sup> and the minimum time that they should have between operational deployments (known as tour intervals).<sup>7</sup>

**14.** The MOD told the Inquiry that the Harmony Guidelines were developed to help it “get the work/life balance right” for Service Personnel and that, as the name suggested, these were for guidance and were not “rules”.

**15.** Each Service (the Royal Navy, the Army and the Royal Air Force) derived its own Harmony Guidelines based on an “analysis of historical norms and judgements, training

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<sup>4</sup> Ministry of Defence, *Strategic Defence Review – Supporting Essay 6, Future Military Capabilities*, July 1998.

<sup>5</sup> Ministry of Defence, *Strategic Defence Review*, July 1998.

<sup>6</sup> The MOD defines Separated Service as “Absence from normal place of duty or lack of freedom to enjoy leisure at the normal place of duty/residence at place of duty”.

<sup>7</sup> Paper MOD, 25 November 2009, ‘Harmony Guidelines’.

requirements, deployment patterns and the unique culture of each Service”, and on the “routine level of concurrency” that the Armed Forces were resourced and structured to sustain.

**16.** The table below shows the Harmony Guidelines for each Service in 2003.<sup>8</sup>

**Table 1: Harmony Guidelines, 2003**

	<b>Royal Navy</b>	<b>Army</b>	<b>Royal Air Force</b>
Individual Separated Service	In any 36 month period, no one to exceed 660 days.	In any 30 month period, no one to exceed 415 days.	In a 12 month period, not more than 2.5% of personnel to exceed 140 days.
Unit tour intervals	Fleet Units to spend maximum of 60% deployed in 36 months.	24 month average interval between Unit tours.	16 month average interval between Unit tours.

**17.** On 17 January 2003, Mr Blair agreed the deployment of a large scale UK ground force, comprising the headquarters 1st (UK) Armoured Division and three combat brigades, to Iraq (see Section 6.2).

**18.** There is no indication that the potential pressure on Service Personnel, including with respect to the Harmony Guidelines, was a consideration in that decision.

**19.** The Service Personnel Board (SPB), chaired by Lieutenant General Anthony Palmer, Deputy Chief of the Defence Staff (Personnel) (DCDS(Personnel)), discussed the effect of current operations on personnel welfare on 21 January 2003.<sup>9</sup> The SPB commented that the “shift to expeditionary operations was having a significant impact on people”. The lesson from Operation FRESCO<sup>10</sup> was that “wider welfare considerations needed to be taken into account in advance of decisions on commitments”.

**20.** Mr Adam Ingram, Minister of State for the Armed Forces (Min(AF)), told the Inquiry that the Government knew that the invasion of Iraq would put additional strain on the Harmony Guidelines:

“... we had been involved in both Iraq and Afghanistan, still engaged in Northern Ireland, still having people in Cyprus, still having people in Sierra Leone and other parts of sub-Saharan Africa, and still having a significant lay-down in the Falklands.

“All of that made it very difficult to meet harmony guidelines, although it varied between the Services – the Army under most strain ... and significant key enablers

<sup>8</sup> Fourteenth Report from the Defence Committee, Session 2007-2008, *Recruiting and Retaining Armed Forces Personnel*, HC424.

<sup>9</sup> Minutes, 21 January 2003, Service Personnel Board meeting.

<sup>10</sup> Op FRESCO was the provision of emergency cover by the Armed Forces in the event of industrial action by civilian firefighters.

within the Army ... They would be under quite considerable stretch. So medics, engineers, a raft of people who were under very significant strain. We knew that.

“However, what was the solution? That [Iraq] was then something we then had to attend to.”<sup>11</sup>

## Early priorities and concerns

### Operational Welfare Package

**21.** The MOD provided an Operational Welfare Package (OWP) to deployed Service Personnel. Although tailored to each deployment, it typically included access to television and films, books, the internet, and a weekly telephone allowance.

**22.** This support was provided “consistent with the operational and environmental circumstances in which they [Service Personnel] are placed, and the availability of resources”.

**23.** In late January 2003, Admiral Sir Michael Boyce, Chief of the Defence Staff (CDS), asked senior officers to scrutinise the lessons identified during Op JACANA (a UK operation in Afghanistan in 2002), and to report on progress in addressing lessons relevant to Op TELIC.<sup>12</sup>

**24.** Lt Gen Palmer responded on 31 January, outlining progress towards addressing several of the lessons that had been identified, including the importance of a workable “Welfare Telephone” system early in an operation.<sup>13</sup> The Permanent Joint Headquarters (PJHQ) had made this, along with the delivery of mail, their priority for Op TELIC. The ratio of Welfare Telephones had been increased from one to 50 to one to 30 to meet the needs of manoeuvre forces.

### Review of allowances

**25.** From 1 April 2003, all units (Regular and Reserve) from which more than five Service Personnel had deployed received a Family Welfare Support Enhancement (FWSE) of £1 per week per individual deployed.<sup>14</sup> The FWSE was to be used by the unit to improve communications between families and deployed Service Personnel (for example by providing internet and telephone facilities) and to support welfare activities for families.

**26.** Lt Gen Palmer advised the Chiefs of Staff on 9 April 2003 that he had reviewed the MOD’s allowance policy “in support of Op TELIC Service Personnel and their families”,

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<sup>11</sup> Public hearing, 16 July 2010, page 18.

<sup>12</sup> Minute DPSO/CDS to MA/CNS, 22 January 2003, ‘Op JACANA Lessons for TELIC’.

<sup>13</sup> MC/DCDS(Pers) to DPSO/CDS, 31 January 2003, ‘Op JACANA Lessons for Op TELIC’.

<sup>14</sup> Minute HQ Land Command [junior official] to HQ 2 Div, 25 October 2003, ‘Welfare Provision for Op TELIC 3 – Chain of Command Instruction’.

and had established a close link with the Treasury to ensure a rapid response to individual cases.<sup>15</sup> A number of changes had been agreed, including:

- the Longer Separated Service Allowance and Longer Service at Sea Bonus enhancements would be introduced earlier than planned;
- the introduction of new arrangements to support close relatives of injured Service Personnel hospitalised in the UK; and
- enhanced support for Service Personnel and their dependants evacuated from permanent posts in the Middle East.

**27.** The new arrangement to support close relatives of injured Service Personnel referred to by Lt Gen Palmer was the extension of the Dangerously Ill Forwarding of Relatives (DILFOR) scheme (which previously provided for two people to visit seriously injured Service Personnel in hospitals overseas for up to 10 days, at public expense) to include hospitals in the UK.<sup>16</sup> The support provided to injured Service Personnel and their families is described in Section 16.2.

**28.** The MOD reported in December 2003 that the FWSE had been well received.<sup>17</sup> A survey undertaken by the Army Families' Federation (AFF) suggested that communication between families and deployed Service Personnel was good.

**29.** The FWSE was increased from £1 to £2.20 per week per person deployed on 1 November 2008.<sup>18</sup> The increase meant that a typical infantry battalion could expect to receive in the region of £30,000 to support families during an operational tour.<sup>19</sup>

## Delivery of the Operational Welfare Package

**30.** Lt Gen Palmer told the Inquiry that, rather than deliver a fixed OWP for Op TELIC, he worked closely with PJHQ to ensure that the OWP evolved over time to reflect “the views from soldiers on the ground”.<sup>20</sup>

### The free parcel service

On 24 March 2003, in an exchange with Mr Frank Roy in the House of Commons, Mr Blair undertook to try to ensure that arrangements to provide a free parcel service to troops in the Gulf were put in place as soon as possible.<sup>21</sup>

The free parcel service began on 17 April.<sup>22</sup>

<sup>15</sup> Minute Palmer to COSSEC, 9 April 2003, 'Personnel Issues Update – Op TELIC'.

<sup>16</sup> Minute MOD [junior official] to HQ 2 Div, 25 October 2003, 'Welfare Provision for Op TELIC 3 – Chain of Command Instruction'.

<sup>17</sup> Ministry of Defence, *Operations in Iraq: Lessons for the Future*, December 2003.

<sup>18</sup> Defence Instructions and Notices, October 2008, 'Amendments to the Family Welfare Grant'.

<sup>19</sup> Paper MOD, June 2010, 'Operational Welfare Enhancements as at June 2010'.

<sup>20</sup> Public hearing, 21 July 2010, page 3.

<sup>21</sup> House of Commons, *Official Report*, 24 March 2003, column 28.

<sup>22</sup> Letter Davies to Cannon, 19 February 2004, 'Iraq: Termination of Free Postal Service'.

Lt Gen Palmer told the Inquiry:

“... free parcels, two kilograms, engraved on my heart ... this was a debate about how far we could stretch the logistic operation. I mean, delivering two kilograms of parcels to everybody in theatre over distances with ... not enough helicopters for operations, let alone for administration, was a real issue, but it was critical for the families back in the UK that they could send to their loved ones ... things that would remind them of home.”<sup>23</sup>

The free service was terminated in April 2004.<sup>24</sup> In a written statement to Parliament, Mr Ingram stated:

“The provision of a free packet service recognised the difficult conditions Service Personnel were operating in and that it was not possible to provide the full spectrum of welfare support normally available to Service Personnel on operations. Whilst southern Iraq is not yet a benign environment, the level of welfare support and the facilities available on Operation TELIC are now comparable to those provided in other operational theatres.

“It has therefore been decided that from 8 April 2004 ... this free service will cease.”

**31.** Mr Ingram visited Iraq from 13 to 15 May 2003.<sup>25</sup> His Military Assistant reported that the Minister had been impressed by the morale of the troops, but he had been briefed that it could be undermined by (unspecified) small-scale and easily rectified “irritants”. Mr Ingram’s Military Assistant concluded:

“The Minister would be disappointed if we lost opportunities for ‘quick wins’ here (though he appreciates that troops in theatre examine these issues from one end of the telescope).”

**32.** On 22 May, Major General Robert Fry, Deputy Chief of Joint Operations (Operations) (DCJO(Ops)), listed those irritants and the actions being taken to rectify them in a report for Air Chief Marshal (ACM) Sir Anthony Bagnall, Vice Chief of Defence Staff (VCDS):

- insufficient portaloos (more could be supplied);
- insufficient fresh rations (sufficient fresh rations were available; commanders had chosen to mix these with ration packs);
- a desire for a second Op TELIC medal covering Phase IV operations<sup>26</sup> (being discussed by Chiefs of Staff);

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<sup>23</sup> Public hearing, 21 July 2010, page 27.

<sup>24</sup> House of Commons, *Official Report*, 27 February 2004, column 69WS. The free parcel service was reintroduced in November 2007.

<sup>25</sup> Minute MA/Minister (AF) [MOD] to Sec(O) – Iraq, 16 May 2003, ‘Minister (AF) Visit to Iraq’.

<sup>26</sup> Phase IV is the military term for the post-conflict phase of operations.

- the recent decision to withdraw the second free welfare families warrant (that decision had been waived for Land forces deployed on Op TELIC);
- the troops' desire to be able to send parcels back to their families without charge (that facility was not available for any other operation, and would not be provided for Op TELIC);
- inadequate access to TVs (the absence of a final UK "disposition plan" for Phase IV and the low standard of camp infrastructure, and in particular the lack of reliable power supply, was hindering the installation of equipment); and
- inadequate access to the internet (equipment was being rolled out).<sup>27</sup>

**33.** Maj Gen Fry concluded that sufficient weight was being given to providing support for deployed Service Personnel, who would see "incremental improvements" in the delivery of the OWP and infrastructure.

**34.** Mr Ingram told the Inquiry that he saw his role as one of getting "ground truth" of what was happening in Iraq, including by talking to soldiers in theatre.<sup>28</sup>

**35.** A small team from the Army's Personnel Directorate and PJHQ visited MOD civilian staff in Iraq from 18 to 20 May.<sup>29</sup> They reported that comments on the OWP:

"... ranged from a claim that there wasn't a package in existence to the fact that in reality it didn't run smoothly. At Basra there was only one internet terminal available from 0000 to 0700 for [military and civilian] staff to send messages home ... Telephone facilities were similarly limited ..."

**36.** The team reported that other issues such as the availability of exercise equipment were being addressed by local purchases in theatre.

**37.** The 28 May meeting of the SPB was advised that Service Personnel were currently living in "basic tented accommodation, existing Iraqi buildings, or fighting vehicles".<sup>30</sup> Tier 1 facilities (hard-skinned or tented accommodation with air-conditioning) should be fully deployed by September and Tier 2 facilities (hard-skinned, semi-permanent accommodation) by December. A limited OWP, comprising telephone facilities, British Forces Post Office mail, British Forces Broadcasting Service radio and an electronic letter service, was currently available in all locations; internet and TV were available in some locations. PJHQ intended to provide the full OWP in all locations.

**38.** The SPB was also advised that a rest and recuperation (R&R) package would be introduced once roulement and force alignment had taken place; "Operational Stand-Downs" would begin on 30 May.

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<sup>27</sup> Minute Fry to MA/VCDS, 22 May 2003, 'Minister(AF) Visit to Iraq'; Email MA/DCDS (Personnel) to MA/VCDS, 29 May 2003, 'Minister (AF) Visit to Iraq'.

<sup>28</sup> Public hearing, 16 July 2010, pages 13-14.

<sup>29</sup> Minute PS/Personnel Director to Brooke, 22 May 2003, 'Visit to Iraq 18th – 20th May 2003'.

<sup>30</sup> Minutes, 28 May 2003, Service Personnel Board meeting.

**39.** Lt Gen Palmer told the Inquiry that, initially, R&R was taken in theatre but, as the situation stabilised and in response to the needs of Service Personnel and their families, this was extended to allow Service Personnel to travel back to the UK.<sup>31</sup> Lt Gen Palmer highlighted the costs of the initiative, particularly in terms of removing Service Personnel from their roles and the demand placed on air transport.

**40.** The R&R allowance established in Iraq was two weeks, including travel time from and to Iraq.

**41.** Air Marshal (AM) David Pocock, Deputy Chief of Defence Staff (Personnel) from 2005 to 2007, told the Inquiry that the practice of flying Service Personnel back to the UK for R&R had evolved over the first years of Op TELIC:

“... as far as I can tell, there was never a careful policy discussion about what we were going to do and why. It started off as a means of getting the troops away from particular areas of danger, hardship. They could have a break, clean up, a rest and go back again, and then it gradually evolved from moving back from the actual areas of fighting to perhaps out of the country ...

“... it was never actually, so far as I could tell a formal policy. Like Topsy, it grew.”<sup>32</sup>

**42.** The demands placed on air transport by that practice are considered later in this Section.

**43.** Lt Gen Palmer visited Iraq in early June 2003. He reported to General Sir Michael Walker, Chief of the Defence Staff, on 20 June that the OWP had been “well received”.<sup>33</sup> The main effort now was to provide air-conditioned accommodation as temperatures in Iraq rose.

**44.** An MOD official advised Mr Ingram on 27 June that many of the “welfare irritants” had already been resolved.<sup>34</sup> In general, problems in delivering the OWP had been caused by the rapid pace of operational deployment. The advice concluded:

“Overall, the OWP policy has held up well given the scale of operation and the specific demands imposed in Op TELIC.”

**45.** The MOD reported in July that, owing to the austere nature of the deployment and the lack of infrastructure in some locations, the OWP had been implemented in stages.<sup>35</sup> The first stage comprised:

- air letters (commonly known as Blueys) delivered electronically;

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<sup>31</sup> Public hearing, 21 July 2010, pages 22-23.

<sup>32</sup> Public hearing, 19 July 2010, page 17.

<sup>33</sup> Minute DCDS(Pers) to DPSO/CDS, 20 June 2003, ‘Op TELIC – Theatre Visit Report’.

<sup>34</sup> PS/VCDS to PS/Min(AF) [MOD], 27 June 2003, ‘Minister (AF) visit to Iraq – Updated [sic] on Welfare Irritants’.

<sup>35</sup> Ministry of Defence, *Operations in Iraq: First Reflections*, July 2003.

- mail;
- welfare telephones;
- newspapers;
- radio broadcasting;
- limited internet access; and
- basic shop facilities.

**46.** By July, the OWP was being extended to provide additional internet access, fitness equipment, TV broadcasting and free books.

**47.** Lt Gen Palmer told the Inquiry that, over time, the MOD delivered a “very good” OWP.<sup>36</sup>

**48.** Lieutenant General Sir Alistair Irwin, the Adjutant General from 2003 to 2005, added that a key factor in delivering the OWP was managing and meeting increasing expectations.<sup>37</sup>

**49.** The Inquiry heard mixed reports on the OWP from families and veterans of Op TELIC. Limited access to telephones early in the campaign and the fragility of the air bridge between Iraq and the UK were particular sources of frustration.

**50.** The Inquiry put those concerns to Mr Ingram.<sup>38</sup> On the issue of limited access to telephones, he told the Inquiry:

“... at the beginning of a war phase, and shortly after it, it is very hard to deliver full communication and infrastructure. Indeed, even the military infrastructure, ie in terms of operational demand, was pretty fragile as well.

“So you couldn’t honour the commitment in terms of the amount of time that each soldier ... would have to phone back to their family, but as the lay-down became more established, and investment could then be made in communications, and when we had the communications infrastructure, we could then improve the availability and the time ...”

## THE AIR BRIDGE

**51.** In January 2004, in response to concerns over the increasing threat to Air Transport (AT), the Chiefs of Staff agreed that only aircraft fitted with a Defensive Aids Suite (DAS)<sup>39</sup> should fly into Basra.<sup>40</sup>

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<sup>36</sup> Public hearing, 21 July 2010, page 12.

<sup>37</sup> Public hearing, 21 July 2010, pages 13-14.

<sup>38</sup> Public hearing, 16 July 2010, pages 21-22.

<sup>39</sup> A Defensive Aids Suite (DAS) is a military aircraft system which acts to defend the aircraft from attack. A DAS typically comprises chaff, flares, and electronic countermeasures combined with equipment to detect threats.

<sup>40</sup> Minutes, 28 January 2004, Chiefs of Staff meeting.

**52.** General Sir Mike Jackson, Chief of the General Staff, visited Iraq from 10 to 13 October 2005.<sup>41</sup> In his report to Gen Walker, he set out the heavy demands on the UK's Support Helicopter (SH) fleet, and continued:

“If our SH capability is inadequate, our AT fleet is worse. The air bridge to theatre is now so fragile that sustaining an efficient R&R schedule is nigh on impossible. Quite apart from the morale effect of inordinate delays, the difficulties with R&R are now beginning to impact significantly on the operational effectiveness of the Division. The situation is so bad that I am asking HQ Land to re-examine, at least in principle, whether we might not re-adopt 4 month operational tours without R&R. Since I suspect there will be very many reasons against this – continuity and our current training cycle to name but two – we really need to take stock of our AT capability in the round, especially in light of our impending commitment to Afghanistan.”

**53.** Later that month, the Chiefs of Staff “noted” that the UK's AT capability was “unable to meet current and prospective demands”, and that General Sir Timothy Granville-Chapman, Vice Chief of Defence Staff, would undertake a stocktake and scope increased availability.<sup>42</sup>

**54.** Gen Granville-Chapman reported to Gen Walker in December that the main constraint on AT was the lack of DAS-equipped passenger aircraft to support current operations.<sup>43</sup> The decision that only DAS-equipped aircraft could carry passengers to Iraq and Afghanistan meant that only three RAF TriStar aircraft were currently available to support the air bridge.

**55.** Gen Granville-Chapman described the work that was under way to address the shortfall in AT availability. A further three TriStar would be fitted with DAS, and a fourth for DAS. Those aircraft would become available between May 2006 and February 2007. The MOD had chartered civil aircraft to shuttle between the UK and a “hub” at Al Udiyd airbase in Qatar, reducing the burden on TriStar. The first charter flight had been on 6 December.

**56.** The deployment of additional forces to Afghanistan in 2006 would “demand a surge in AT requirement”. To handle that demand, the MOD was exploring the possibility of establishing a Forward Mounting Base (FMB) for TriStar that shortened the transit time to and from theatre.

**57.** Gen Granville-Chapman also addressed a number of “more radical approaches” including using civil aircraft fitted with DAS to fly into theatre, and procurement of additional aircraft. On the latter, the only viable option that would make a difference to lift capacity within two years was the early acquisition of a fifth C-17 (currently scheduled

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<sup>41</sup> Report CGS to CDS, 18 October 2005, ‘CGS Visit to Iraq: 10-13 Oct 05’.

<sup>42</sup> Minutes, 26 October 2005, Chiefs of Staff meeting.

<sup>43</sup> Minute VCDS to CDS, 12 December 2005, ‘Air Transport Support to Operations’.

for procurement in 2011). The MOD was considering “innovative finance arrangements”, including leasing arrangements.

**58.** Gen Granville-Chapman provided Gen Walker with an update on the stocktake on 6 January 2006.<sup>44</sup> After further work, the early acquisition of a fifth C-17 remained a possibility. The “less good news” was that the Treasury now contended that fitting the additional TriStar with DAS was not a legitimate charge to the Reserve, given that the “hub and spoke” arrangement using Al Udied was now operational. Officials advised that the MOD should continue fitting DAS “at risks”.

**59.** In his post-operational tour report on 18 January, Major General James Dutton, General Officer Commanding Multi-National Division (South-East), wrote:

“The reliance on only 3 suitably equipped TriStar C-2 aircraft to support the UK-BAS [Basra Air Station] air bridge task has again created significant problems, especially as one aircraft has been in long term major maintenance for most of the period and the others have occasionally been required for Op HERRICK tasks ... consequently there is an indisputable need for additional Defensive Aids Suite (DAS) equipment for air transport assets.”<sup>45</sup>

**60.** Gen Walker directed on 24 January that the MOD should “explore innovative funding operations for the early procurement of a fifth C-17 aircraft”.<sup>46</sup>

**61.** In April 2006, the MOD’s Directorate of Operational Capability (DOC) published its third report of Op TELIC lessons, covering the period from 1 December 2004 to 28 February 2006.<sup>47</sup> The report is described in detail in Section 14.1.

**62.** On AT, the DOC reported:

“The availability of air transport assets became critical in October 2005. The strategic and tactical requirement for all aircraft to be equipped with Defensive Aids Suite (DAS) in theatre has compounded the problem. The air bridge to theatre became so fragile that the Rest and Recuperation (R&R) plot became close to untenable in Oct/Nov 2005 ... This affected morale and the operational effectiveness of the British personnel in MND(SE). The situation became so pronounced that HQ LAND was tasked to look at initiatives that would allow a shortened tour length without R&R ... the Op HERRICK deployment [to Helmand province, Afghanistan] brings with it more pain rather than respite and, as a result, the imperative to improve our AT capacity is stronger than ever.”

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<sup>44</sup> Minute VCDS to CDS, 6 January 2006, ‘Air Transport Support to Operations’.

<sup>45</sup> Report HQ MND(SE) to PJHQ – J3, 18 January 2006, ‘Progress Report – Operation TELIC’.

<sup>46</sup> Minutes, 24 January 2006, Chiefs of Staff meeting.

<sup>47</sup> Report DOC, 4 April 2006, ‘Operation TELIC Lessons Study Volume 3’.

63. The DOC recommended:

“There is a requirement to assess and improve our AT capacity as an operational priority. The UK should consider civilian air charter to off-load capacity ...”

64. The House of Commons Defence Committee visited Iraq from 4 to 8 June.<sup>48</sup> On the air bridge, the Committee wrote:

“During our visit to Iraq, we heard that air bridge reliability remained a key concern among UK Service Personnel. We witnessed at first hand the disruption caused by delays of flights in and out of, and around, theatre. The difficulties stem from problems both with the commercial service between the UK and Al Udeid and with the C-130 Hercules in theatre and the availability of RAF air bridge TriStar, VC10 and C-17. Troops travelling home on leave are frequently delayed and this reduces their time on leave.”

65. The Defence Committee concluded:

**“It is unacceptable that Servicemen and women, many of whom are serving greatly in excess of Harmony Guidelines, should have their leave disrupted by the MOD’s inability to provide a reliable air bridge.”**

66. The MOD ordered a fifth C-17 aircraft in July 2006, and took delivery of that aircraft in February 2008.<sup>49</sup>

67. In its 2009 report entitled *Support to High Intensity Operations*, the National Audit Office (NAO) wrote:

“The Department’s [the MOD’s] air transport fleet is small, consists of aircraft types that are old by comparison to modern civilian fleets and is therefore susceptible to mechanical breakdown. In addition, the integration of modern Defensive Aids Suites on to these aircraft has caused reliability problems. The availability of the TriStar fleet, the Department’s main passenger carrying aircraft, has been low. Of the seven TriStar passenger-carrying aircraft, on average 45.5 percent since January 2006, have been unavailable to support operations. Significant effort by those responsible for the air transport fleet has enabled the Department to deliver the overall task but the air bridge remains under considerable strain.”<sup>50</sup>

68. On the fragility of the air bridge, Mr Ingram told the Inquiry:

“The air bridge ... was very fragile. We were dealing with ageing aircraft, you just need an aircraft to break down for a few hours and the whole thing is thrown into dislocation.

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<sup>48</sup> Thirteenth Report from the Defence Committee, Session 2005-2006, *UK Operations in Iraq*, HC1241, paragraph 69.

<sup>49</sup> [www.raf.mod.uk](http://www.raf.mod.uk), 22 February 2008, *RAF Prepares To Receive Fifth C-17 Aircraft*.

<sup>50</sup> National Audit Office, *Support to High Intensity Operations*, 14 May 2009.

“It is why ... the procurement of commercial aircraft was then put in place, but they could break down as well, and there was nothing more frustrating than hundreds of personnel hoping to get home and then being contained somewhere else, whether it was Cyprus or Oman or Kuwait or wherever ...

“These were real issues, and there were not easy solutions to it.”<sup>51</sup>

**69.** AM Pocock, DCDS(Personnel) from 2005 to 2007, told the Inquiry:

“The first time I went out to Iraq ... the subject [the air bridge] was raised with me more often than anything else and, when I came back, I immediately went to see the Chief of the Air Staff, and he was already aware of it, but I made plain to him that, apart from it being a morale issue generally, it was disastrous for the reputation of the Royal Air Force. He understood completely.”<sup>52</sup>

**70.** AM Pocock told the Inquiry that the problems with the air bridge were very well known, and were regularly discussed in Chiefs of Staff meetings.<sup>53</sup> He commented that “if there had been a solution, it would have been implemented”.

### Concerns over the effect of Operation TELIC on retention

**71.** In late April 2003, Lt Gen Palmer wrote to Rear Admiral (RAdm) Timothy McClement, Assistant Chief of the Naval Staff, Major General David Richards, Assistant Chief of the General Staff, and Air Vice Marshal (AVM) Philip Sturley, Assistant Chief of the Air Staff, requesting a subjective assessment of the likely impact of current operations on retention over the short, medium and long term, and how retention could be improved.

**72.** RAdm McClement assessed that Op TELIC would have a positive impact on retention in the Royal Navy in the short term (though there might be a slightly negative impact in some areas, including the Royal Marines).<sup>54</sup> A key factor in retention would be ensuring that Service Personnel had a period of “relative programme stability” after operations, to enable them to take leave and spend time with family and friends.

**73.** Maj Gen Richards assessed that there would be a “net benefit” on retention in the Army.<sup>55</sup> However, much would depend on how the recovery and recuperation phases were managed; the demobilisation of Reservists required particular attention. Measures which would improve retention included:

- recognition, possibly in the form of a memorial service and early agreement on the processes for Honours, Awards and medals;

<sup>51</sup> Public hearing, 16 July 2010, pages 23-24.

<sup>52</sup> Public hearing, 19 July 2010, pages 16-17.

<sup>53</sup> Public hearing, 19 July 2010, page 18.

<sup>54</sup> Minute ACNS to DCDS(Pers), 7 May 2003, ‘Recuperation – People Workstrand’.

<sup>55</sup> Minute ACGS to MA/DCDS(Pers), 7 May 2003, ‘Recuperation – People Workstrand’.

- minimising the impact on Harmony Guidelines by reducing other commitments;
- rolling out the OWP developed for Op TELIC – which had been well received – to other operations;
- establishing and resourcing appropriate immediate and long-term arrangements for stress management, including for Reservists; and
- improving accommodation.

**74.** Maj Gen Richards also highlighted measures which would improve the retention of Reservists, including:

- greater consistency with Regular Service Personnel, in terms of eligibility for operational benefits, allowances and medals; and
- ensuring that no Reservist was financially disadvantaged because of Op TELIC.

**75.** AVM Sturley assessed that “the combined effect of [Ops] FRESCO, TELIC and our other commitments has hurt”.<sup>56</sup> AVM Sturley identified a number of measures to improve retention, the first of which (for Regular Service Personnel) was to reduce future commitments.

**76.** Lt Gen Palmer told the Inquiry that, as DCDS(Personnel), his “major preoccupation” was to reduce the number of troops in Iraq quickly, to reduce the pressure on individual Service Personnel and the Harmony Guidelines.<sup>57</sup> He emphasised that those efforts were always in consultation with PJHQ and never at operational risk.<sup>58</sup>

**77.** Commodore Noel Preston-Jones, Director Service Personnel Policy, briefed the 28 May 2003 meeting of the SPB that the responses from RAdm McClement, Maj Gen Richards and AVM Sturley “had, inter alia, highlighted the need for a reduction in commitments”.<sup>59</sup> The assessments of the impact of current commitments on retention varied. Overall, the Royal Navy and Army anticipated a net benefit from Op TELIC, while the RAF and Defence Medical Services anticipated a net loss. The emerging conclusions of the “people” work strand of the Recuperation Initiative included the need to relieve pressure on pinch points,<sup>60</sup> “for example by reducing commitments, resolving under manning or adjusting the force structure”.

**78.** At its 28 May meeting, the SPB also discussed priorities for the MOD’s Short Term Plan for 2004 (STP04),<sup>61</sup> and in particular the “significant structural under-funding across the people area”. Lt Gen Palmer concluded that any STP bid needed to be underpinned

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<sup>56</sup> Minute ACAS to DCDS(Pers), 7 May 2003, ‘Recuperation – People Workstrand’.

<sup>57</sup> Public hearing, 21 July 2010, page 75.

<sup>58</sup> Public hearing, 21 July 2010, page 79.

<sup>59</sup> Minutes, 28 May 2003, Service Personnel Board meeting.

<sup>60</sup> The MOD defines pinch point trades as trades or areas of expertise where there is not enough trained strength to perform operational tasks without encroaching on the time provided between deployments for recuperation, training and leave.

<sup>61</sup> The Short Term Plan forecast MOD spending on operational costs, looking four years ahead.

by evidence “for example to demonstrate the link between retention and improved accommodation ... The process had to be placed on a more scientific basis.”

**79.** In advance of the 26 November meeting of the SPB, Lt Gen Palmer circulated a personal “think-piece” on STP04.<sup>62</sup> It described STP03 as “relatively good for personnel”, although “recruiting and retaining Service Personnel is becoming increasingly difficult and expensive as demographics change, expectations rise and technology evolves”.

**80.** Looking ahead to STP04, Lt Gen Palmer assessed that, while the Services had made significant progress towards achieving manning balance targets and premature voluntary retirement (PVR) rates remained relatively low, “the current level of operational commitments ... is threatening to undermine or reverse the progress made”.

**81.** Emerging problems were:

- The Army reported that Op TELIC was having a “marked impact” on tour intervals, rendering it unable to meet Harmony/Separated Service Guidelines.
- The RAF reported a significant worsening in their figures for Separated Service.
- Across all three Services, pressure on pinch point trades was increasing. Medical services continued to be a specific concern.
- The number of Reservists available for mobilisation was falling.

**82.** Lt Gen Palmer concluded that the MOD’s forthcoming planning round was likely to be particularly challenging; the SPB would need to give direction on which personnel priorities should be “retrieved”.

**83.** Mr Ingram visited Basra in December 2003.<sup>63</sup> He reported to Mr Geoff Hoon, the Defence Secretary, that, while UK Armed Forces were in “excellent shape”, he had concerns for the future:

“Some units in Iraq have had exceptionally busy operational and training cycles before deployment ... I detected signs that the pressures of repeated long separations may be building in some areas. We will need to manage this carefully in the New Year ...”

## Supporting Reservists

**84.** There are two key types of Reserve Forces:

- members of the Volunteer Reserve Forces (VRF) who serve within VRF units and usually train in the evenings, at weekends and for at least two weeks each year; and

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<sup>62</sup> Paper DCDS(Pers), 17 November 2003, ‘STP 04 – A Paper by DCDS(Pers)’.

<sup>63</sup> Letter Ingram to Secretary of State [MOD], 30 December 2003, ‘Visit to UK Forces in Basra 17-19 December 2003’.

- members of the Regular Reserve, who are ex-members of the Regular Forces who still have a liability for mobilisation.<sup>64</sup>

**85.** The VRF comprises the Royal Naval Reserve, the Territorial Army (TA), the Royal Marines Reserve and the Royal Auxiliary Air Force.

**86.** In 2003, there were approximately 40,000 members of the VRF, of whom 35,000 were in the TA.<sup>65</sup>

**87.** The Reserve Forces have three primary roles:

- to augment Regular Forces for enduring operations;
- to provide additional capability for large scale operations; and
- to provide specialist capability.

**88.** Lieutenant General Mark Mans, the Deputy Adjutant General from 2005 to 2008, told the Inquiry that for Op TELIC, as for other operations, Reservists were:

“... more often than not mobilised as individuals to support regular Army units. Sometimes they were mobilised in teams of 10 to 20, but that was quite unusual.”<sup>66</sup>

**89.** Lt Gen Mans described the welfare support provided to members of the TA:

“As far as the support to the Territorial Army, when they were mobilised, they got exactly the same as the Regulars. So there was no distinction whatsoever. As far as support to their families, the same applied, but of course, it is more difficult, because the families of Territorial [Army] soldiers are spread far and wide ...

“... when they are mobilised, the [Territorial Army] soldiers do support a Regular unit of one form or another and, therefore, it is incumbent upon that Regular unit, and particularly the rear party back at the home base, to make sure that those individuals within the TA, and their families, are appropriately looked after in terms of maintaining contact, and also making sure they are aware of all the support and sustenance they can achieve.”<sup>67</sup>

**90.** Lt Gen Mans added that once a member of the TA was demobilised, responsibility for their welfare reverted to their TA unit.

**91.** The MOD told the Inquiry that it had considered providing a separate “welfare pathway” for Reservists, but concluded that it would not aid integration.<sup>68</sup>

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<sup>64</sup> Ministry of Defence, *Future of the UK's Reserve Forces*, 7 February 2005.

<sup>65</sup> National Audit Office, *Ministry of Defence: Reserve Forces*, 31 March 2006.

<sup>66</sup> Public hearing, 19 July 2010, pages 26-27.

<sup>67</sup> Public hearing, 19 July 2010, page 27.

<sup>68</sup> Paper MOD, 6 July 2010, ‘Iraq Inquiry Reservist Specific Welfare Provision’.

**92.** The initial call-out notice for Reservists for Op TELIC was issued in early January 2003.<sup>69</sup> By 19 March (when military operations against Iraq began), over 5,000 Reservists had been mobilised (comprising some 12 percent of total UK forces).

**93.** All TA and Regular Reservists deployed for Op TELIC 1 (the major combat phase of operations) were mobilised through the Reserves Training and Mobilisation Centre (RTMC) at Chilwell in Nottingham.<sup>70</sup> The briefing and preparation process at RTMC Chilwell provided Reservists with medical and dental examinations, additional operation-specific equipment, and information on pay and allowances.

**94.** In early June, the DOC produced a short note on lessons identified on personnel issues during Op TELIC 1; the note was sent to Mr Ingram's office on 11 June.<sup>71</sup> The DOC stated that, although the mobilisation of Reservists had gone well, Op TELIC had thrown up "many issues" including:

- Many Reservists had found themselves "financially disadvantaged" because of mobilisation and deployment, or had not been paid properly.
- Some medical Reservists had been compulsorily mobilised from key NHS jobs but were not subsequently deployed where they could use their specialist skills. For many medical Reservists, it was their second or third operational deployment in recent years and this might affect retention.
- In some areas it had proved difficult to provide "active support" to the families of deployed Reservists, because of the dispersed and isolated locations of people's homes, particularly in relation to other Reservists and military bases.

**95.** The lessons identified were:

"A review of Reservist pay procedures is required to eliminate inefficiencies and to take into account the financial penalties likely to be incurred by Reservists as a result of mobilisation.

"A review of the mobilisation and employment of Reservist medical personnel on operations is required.

"A review of practical and emotional support to Reservist families is required."

**96.** The MOD has not been able to provide the Inquiry with papers on a number of issues relating to Reservists, including whether and how these recommendations were taken forward.

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<sup>69</sup> Ministry of Defence, *Operations in Iraq: First Reflections*, July 2003.

<sup>70</sup> House of Commons, *Official Report*, 3 June 2003, column 302W. The Reserves Training and Mobilisation Centre (RTMC) was renamed the Reinforcements Training and Mobilisation Centre in 2011 and disbanded in 2015, when its responsibilities were taken on by the Mission Training and Mobilisation Centre (Individual).

<sup>71</sup> Minute MA/VCDS to MA/Min(AF), 11 June 2003, 'Operation TELIC – Personnel Issues' attaching Paper MOD, [undated], 'Operation TELIC – Personnel Issues'.

**97.** The Inquiry asked Lt Gen Palmer what lessons had been learned from the mobilisation of Reserves for Op TELIC 1. He told the Inquiry that there were “big changes” between Op TELIC 1 and Op TELIC 2:

“We put in place a mounting centre at Chilwell, in order to try to administer them better, because there were issues definitely about inadequacies in handling Reserve mobilisation to do with their pay, to do with their jobs, and we were very involved in trying to make sure ... they could get their jobs back. Actually, I think we did have to resort to law on a couple of occasions.

“We also made sure that they had access to the same packages as the Regulars and obviously the same training, but I did take a number of criticisms from Reservists who did not feel they had been properly looked after administratively or, indeed, in a training sense, but ... they performed magnificently during the operation, and we simply could not have done without them.”<sup>72</sup>

**98.** In October, the Army issued instructions on welfare provision for Op TELIC 3.<sup>73</sup> The instructions detailed the specific support available for mobilised Reservists, including:

- A TA cell had been established in theatre to handle any employment, administrative and pay concerns.
- All TA units were to ensure that they had a “proper focus established” to support the families of mobilised Reservists, and that there was regular contact with those families. The FWSE was designed to help with that work.
- All units were reminded that on mobilisation, “a Reservist becomes a Regular soldier”. There had been a number of cases where a mobilised Reservist had not been given full access to medical and dental care.

**99.** The instructions directed recipients to take “particular note” of the “aftercare policy” for demobilised Reservists. On demobilisation, TA soldiers should be advised that they should re-establish contact with their TA unit or the Reserve Force and Cadet Association (RFCA) if they experienced any difficulties associated with their operational service. The formal departure interview should impart “the clear understanding” that the Army remained engaged in their welfare.

**100.** In December, an MOD report on lessons from Op TELIC highlighted the particular difficulties faced by families of Reservists:

“The families of Reservists need particular consideration, as they may have had little or no contact with the Services and may not understand Service structures, administrative procedures, roles or jargon. Such families knew whom to contact, but ... still found it much more difficult than Regular Army families to find the

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<sup>72</sup> Public hearing, 21 July 2010, pages 84-85.

<sup>73</sup> Minute HQ Land Command to HQ 2 Div, 25 October 2003, ‘Welfare Provision for Op TELIC 3 – Chain of Command Instruction’.

information and answers they wanted. This will be borne in mind in considering how best to improve the support they need.”<sup>74</sup>

**101.** The report also stated that, in order to preserve the volunteer ethos of Reservists and the goodwill of families and employers, the MOD had revised the “desired notice” period for mobilisation from 14 to 21 days. Operational requirements meant that for Op TELIC 1, some Reservists received only four days’ notice.

**102.** The report did not specify what action would be taken to address these difficulties.

**103.** In the same month, an NAO report on Op TELIC stated that some Reservists received as little as two or three days’ notice, due to absence from home, postal times and incorrect addresses.<sup>75</sup>

**104.** The MOD set out the role of the Reserve Forces in the February 2005 publication *Future Use of the UK’s Reserve Forces*.<sup>76</sup> The paper stated that:

- In recognition of the fact that most members of the VRF joined to undertake activities which were a contrast to their civilian employment, the MOD would not mobilise a Reservist to take advantage of his or her civilian skills except with the express agreement of the Reservist and their employer. This would not preclude a commander on operations ordering an already mobilised Reservist to carry out a task for which he or she was qualified, as a short-term expedient and where no other alternative existed.
- While the Reserve Forces Act 1996 set a limit on the time any Reservist could be mobilised (generally one year over a three-year period), the MOD believed that this level of mobilisation was “unsustainable”. The MOD would therefore, where possible, limit the time that any Reservist would be mobilised to one year over a five-year period.
- The MOD would seek to provide 28 days’ notice of mobilisation (21 days previously).

**105.** In April 2005, the MOD introduced a new remuneration package for Reservists deployed on operations.<sup>77</sup> Under the new scheme, if Reservists were mobilised and their civilian pay was higher than their Service pay, they could claim the difference, including certain benefits in kind. There were additional allowances to compensate for other losses.

**106.** Reservists had previously applied for allowances to cover the additional costs of deployment. The scheme required a Reservist to collate a great deal of evidence of personal earnings and expenditure in the short time available before deployment.

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<sup>74</sup> Ministry of Defence, *Operations in Iraq: Lessons for the Future*, December 2003.

<sup>75</sup> National Audit Office, *Operation TELIC – United Kingdom Military Operations in Iraq*, 11 December 2003.

<sup>76</sup> Ministry of Defence, *Future of the UK’s Reserve Forces*, 7 February 2005.

<sup>77</sup> National Audit Office, *Ministry of Defence: Reserve Forces*, 31 March 2006.

**107.** The NAO reported that the new scheme was “generous and less bureaucratic, and has been generally welcomed by the Reservists”.

**108.** The NAO published a report on the MOD’s use of the Reserve Forces in March 2006.<sup>78</sup> The NAO highlighted the finding from its survey of Reservists, that 41 percent of those intending to leave within one year agreed that inadequate support (relating to welfare and administration) played a part in their decision to leave. The NAO reported that, while the most used form of support was the unit’s welfare representative, some units had no full-time welfare representative to support deployed Reservists and their families.

**109.** The NAO recommended that the MOD should focus its attention and resources on those welfare services which were most used by Reservists and their families, especially those provided by local Reserve units. In particular, it should:

- ensure that information supplied to Reservists’ families was written in plain English;
- ensure that all TA regiments had adequate, dedicated welfare support, and that similar measures were available for Royal Naval Reservists and Royal Auxiliary Air Force Personnel; and
- improve the welfare support available to the families of deployed Volunteer Reservists who lived far away from the Reserve unit with which they trained and those Regular Reservists who had no unit.

**110.** The NAO also highlighted the lack of medical support for Reservists after their demobilisation, and recommended that the MOD should:

- undertake to provide medical treatment to all Reservists injured on operations to enable them to rejoin their civilian lives and careers as quickly as possible; and
- institute procedures for the diagnosis and treatment, through Defence Medical Services (DMS), of Reservists who develop mental health problems after the demobilisation process had been completed, as a result of an operational deployment.

**111.** In November 2006, the MOD established the Reserves Mental Health Programme (RMHP), to provide enhanced mental health care for current and former Reservists who had been demobilised since 1 January 2003 following deployment on an overseas operation. The RMHP is described in Section 16.2.

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<sup>78</sup> National Audit Office, *Ministry of Defence: Reserve Forces*, 31 March 2006.

## Increasing pressure on Service Personnel, 2004 to 2008

### The decision not to deploy a headquarters and brigade to Iraq, June 2004

**112.** In mid-April 2004, the US made an informal request to the UK to send additional troops to Iraq.<sup>79</sup> Section 9.2 describes the Government’s consideration of that proposal, which focused on the question of the contribution that those troops might make to achieving strategic success.

**113.** On 12 May, Lieutenant General Robert Fry, Deputy Chief of Defence Staff (Commitments) (DCDC(Commitments)), advised the Chiefs of Staff meeting that the effect of an additional deployment on “Harmony”, previously identified as one of the main concerns, was now assessed to be “less stressing”.<sup>80</sup>

**114.** Lt Gen Palmer wrote to Lt Gen Fry the following day:

“You know my serious concerns about increasing the current level of commitments ... At best, deployment of an additional brigade would reduce average unit separation from our target of 24 months to 12 months. Within this, some trades and individuals (including pinch point trades) will inevitably suffer considerably shorter tour intervals. While recruitment and retention currently remain satisfactory in most areas, the situation is potentially fragile not least because the risk is difficult to quantify.”<sup>81</sup>

**115.** Lt Gen Palmer suggested that, if a “do nothing” option was judged to be unacceptable, the MOD should develop a “battlegroup only” option which would minimise “the stretch on our people”. He also highlighted the difficulty of following a decision for an additional deployment with the announcement of planned measures to reduce manpower costs.

**116.** The Chiefs of Staff considered the US request for additional UK military assets to Iraq on 19 May.<sup>82</sup> Although they recognised there were risks and benefits to all the possible options, they agreed that the “best military option” was the deployment of HQ Allied Rapid Reaction Corps (HQ ARRC) and a brigade to replace US forces in the provinces of Najaf and Qadisiyah (option six).

**117.** During the meeting, Lt Gen Fry cautioned against the long-term effects on the Armed Forces of an additional deployment, which militated against that option. Lt Gen Palmer rehearsed the arguments he had set out in his 13 May minute to Lt Gen Fry, adding that he feared a “precipitant retention problem”.

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<sup>79</sup> Letter Baker to Rycroft, 21 April 2004, ‘Iraq: US Approaches for Additional UK Forces’.

<sup>80</sup> Minutes, 12 May 2004, Chiefs of Staff meeting.

<sup>81</sup> Minute DCDS(Pers) to DCDS(C), 13 May 2003, ‘Expanding MND(SE) – People Implications’.

<sup>82</sup> Minutes, 19 May 2004, Chiefs of Staff meeting.

**118.** Gen Walker summarised the conclusion of the Chiefs of Staff, that option six was the “best military option” although “there was current doubt whether it could be delivered and sustained”.

**119.** Mr Hoon’s Private Secretary wrote to Mr Blair’s Private Secretary for Foreign Affairs on 25 May, setting out the Chiefs of Staff’s advice.<sup>83</sup> Mr Hoon’s Private Secretary stated that the option which would have the greatest effect and the least military risk was the deployment of HQ ARRC with an associated battlegroup, and a brigade to replace US forces. However, that option carried “significant penalties” including with regard to the wider impact on the Armed Forces.

**120.** Mr Hoon’s Private Secretary set out those penalties. Deploying HQ ARRC with an associated battlegroup would further reduce tour intervals for many Service Personnel. Some 40 percent of infantry soldiers already had tour intervals of less than 12 months (against a guideline of 24 months). The deployment would reduce tour intervals for combat service support units to an average of less than 10 months; some units would have even less.

**121.** Reduced tour intervals would effect training and future capability, and also significantly reduce the time that Service Personnel and their families could spend together. The letter concluded:

“For some, this may be the straw that breaks the camel’s back and leads to experienced personnel leaving the Service.”

**122.** Holding a brigade at readiness, even if it was not deployed outside the UK, would have even more significant impacts.

**123.** Given those penalties, and the fact that the situation in Iraq would evolve, Chiefs recommended that the Government should deploy HQ ARRC and an associated battlegroup now, but retain the brigade in the UK to be deployed if necessary.

**124.** In late May, Lt Gen Palmer asked the Chiefs of Staff to agree that he should develop a costed package of measures, focused on protecting untaken leave and enhanced allowances, to ameliorate the “worst consequences” of the increasing “operational load”.<sup>84</sup> It was conceivable that an increase in the UK’s commitment in Iraq would reduce tour intervals for some units, including medical units, to six months.

**125.** Lt Gen Palmer advised that the MOD did not have the management information to determine the extent to which increasing pressure on Service Personnel would translate into worsening retention, or when a “tipping point” in retention would be reached (work was under way to generate that information). Recruitment and retention

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<sup>83</sup> [Letter Naworynsky to Rycroft, 25 May 2004, ‘Iraq: Options for a UK Military Contribution to the Wider South’.](#)

<sup>84</sup> Minute Palmer to COSSEC, 24 May 2004, ‘Increased Commitments – Ameliorating the Impact on People’.

were holding up well, but there was already evidence that people were starting to feel undervalued, particularly over the issue of pay.

**126.** Lt Gen Palmer concluded: “Every time we increase the operational load we increase the risk of a sudden, serious downturn in retention.”

**127.** Section 9.2 describes discussions between Mr Blair, Ministers and senior officials on the deployment of additional troops between late May and mid-June. The extent to which personnel issues featured in those discussions is not clear.

**128.** On 15 June, Mr Blair, Mr Hoon, Mr Jack Straw (the Foreign Secretary), Mr Hilary Benn (the International Development Secretary), Mr Paul Boateng (Chief Secretary to the Treasury), Gen Walker and others met to discuss Iraq.<sup>85</sup> The meeting concluded that the UK:

“... should not close the door to the possibility of sending further UK troops. We should keep the option open until around the time of the NATO Summit [28-29 June]. But there was no pressing military reason to send them, nor were we coming under much pressure from the US to do so.”

**129.** On 24 June, Lt Gen Palmer provided an update on his work to develop a package of welfare measures for Mr Ingram, at his request.<sup>86</sup> Lt Gen Palmer advised that, with only a limited understanding of the relationship between operational tempo, separation and behaviour, he was taking a “broad view” of potential measures. These might include new financial incentives for groups under “critical stress”, enhanced separation allowances, improvements to Service Accommodation and measures to protect untaken leave.

## The decision to deploy troops to Afghanistan

**130.** In February 2005, Mr Hoon announced that the UK intended to switch its existing military effort in Afghanistan (around 1,000 Service Personnel based in northern Afghanistan) to Helmand province.<sup>87</sup>

**131.** Sir Nigel Sheinwald, Mr Blair’s Foreign Policy Adviser from 2003 to 2007, told the Inquiry that “this was a proposal ... which came from the Chiefs of Staff”.<sup>88</sup>

**132.** The 21 July meeting of the Ministerial Committee on Defence and Overseas Policy (DOP) agreed in principle proposals presented by Dr John Reid, the Defence Secretary, for both the transfer to Iraqi control of the four provinces in southern Iraq for which the UK had security responsibility, and for the redeployment of the UK effort in Afghanistan

<sup>85</sup> [Letter Rycroft to Baker, 15 June 2004, ‘Iraq: Prime Minister’s Meeting, 15 June’](#).

<sup>86</sup> Minute Palmer to PS/Minister (AF), 24 June 2004, ‘Increased Commitments – Ameliorating the Impact on People’.

<sup>87</sup> Paper MOD, 19 July 2005, ‘Afghanistan: Resources and Strategic Planning’.

<sup>88</sup> Public hearing, 16 December 2009, page 93.

from the north to Helmand province in the south, with an infantry battlegroup and full helicopter support.<sup>89</sup> Section 9.4 addresses the decision in detail.

**133.** The MOD paper which informed the decision advised that this option, which comprised “around 2,500 personnel in total”, would:

“Place greatest pressure on internal MOD resourcing. It would impact on the individual personnel deployed, particularly those in ‘pinch-point’ trades who may have been deployed on operations significantly more than Departmental guidelines advise; stretch the MOD’s logistic capability at a time when force level reductions in Iraq cannot be guaranteed; and place strain on key enablers ...”<sup>90</sup>

**134.** The MOD paper concluded with a brief report on plans for UK military drawdown in Iraq. It cautioned that:

“... any substantial prolongation of the UK military commitment in Iraq at current force levels would have significant impact on individual personnel, the logistic feasibility of any commitment in Afghanistan, and overall resourcing.”

**135.** The minutes of the DOP meeting do not indicate that there was any discussion of the specific impact on the Iraq campaign of the proposed deployment to Helmand.<sup>91</sup>

**136.** Gen Jackson was briefed, in advance of a 17 January 2006 meeting with the House of Lords Defence Group, that:

“Depending on campaign progress in Iraq, there is potential for some ‘concurrency challenges’ in 2006/07. We must try to avoid ‘overstretch’, but not end up ‘under stretched’ – particularly when the competition for resources in Whitehall is so fierce.”<sup>92</sup>

**137.** On the same day, Dr Roger Hutton, MOD Director Joint Commitments Policy, provided Dr Reid with advice on the timing and detail of the deployment of UK forces to Helmand province.<sup>93</sup> Dr Hutton advised that the Chiefs of Staff recommended the immediate deployment of the full Helmand Task Force (HTF). That recommendation was “crucially dependent” on fulfilling three criteria, including:

“Achievability within current UK commitments. The HTF, taken together with the HQ ARRC deployment, calls on a variety of capabilities, and a lengthy and complex logistic tail. With the continued commitment to Iraq through 2006, this presents significant but manageable challenges, particularly for logistic enablers (including air transport). During this period we will still be able to undertake immediate contingency operations, but on a limited basis.”

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<sup>89</sup> Minutes, 21 July 2005, DOP meeting.

<sup>90</sup> Paper MOD, 19 July 2005, ‘Afghanistan: Resources and Strategic Planning’.

<sup>91</sup> Minutes, 21 July 2005, DOP meeting.

<sup>92</sup> Briefing, [undated], ‘CGS Address to House of Lords Defence Group – 17 Jan 06’.

<sup>93</sup> Minute Hutton to APS/SofS [MOD], 17 January 2006, ‘Afghanistan Deployments’.

**138.** Annex C to Dr Hutton’s briefing provided more detail on key issues, including the sustainability of the proposed deployment. It stated:

“It remains the case that, with likely timelines for transition in Iraq, the HTF deployment is achievable without serious damage to Harmony, though certain niche trades and capabilities (particularly air transport) will be placed under increased, but manageable, stress.”

**139.** The decision to deploy to Helmand was approved in Cabinet on 26 January.<sup>94</sup> The minutes record that Dr Reid “was looking carefully at where the burden on our troops could be reduced, including in Iraq and Bosnia and hoped to be able to report troop and cost reductions in coming months”.

**140.** There were different views within the MOD over the effect of the deployment on personnel. Lt Gen Palmer, DCDS(Personnel) from 2002 to August 2005, told the Inquiry that, as he left post, he expressed his concern that deploying two brigades simultaneously (to Iraq and Afghanistan) would breach the Harmony Guidelines and the Defence Planning Assumptions, and was “too big a risk”.<sup>95</sup>

**141.** Sir Kevin Tebbit, MOD Permanent Under Secretary from 2001 to 2005, told the Inquiry:

“I was apprehensive [about the deployment of UK forces to Helmand] and I made my concerns known to my planning staff and to the Chiefs of Staff. I think their view was that they could do it and it was manageable ... since it was [the Chiefs of Staff] who would actually have to ensure they could do this, I did not press my objections fully.”<sup>96</sup>

**142.** The impact of the decision on the availability of key equipment capabilities for Iraq is addressed in Section 14.1.

**143.** UK troops began to deploy to Helmand in May 2006.

### **Concern that the Army is “running hot”, autumn 2006**

**144.** In August 2006, concerns emerged over the treatment of injured Service Personnel being treated on civilian wards at Selly Oak hospital in the UK, and the adequacy of the welfare package provide to them and their families. The concerns are described in Section 16.2.

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<sup>94</sup> Cabinet Conclusions, 26 January 2006.

<sup>95</sup> Public hearing, 21 July 2010, page 80.

<sup>96</sup> Public hearing, 3 February 2010, pages 15 and 16.

**145.** General Sir Richard Dannatt, Commander-in-Chief Land Command, wrote to Mr Des Browne, the Defence Secretary, on 31 August setting out his most serious concerns.<sup>97</sup> His letter focused on the pressures on Service Personnel:

“... as an Army, we are running hot, and our operational deployments are well above planned levels set out in current Defence Planning Assumptions ... you should be aware that, in my opinion, the demands of the organisation are currently greater than our ability to provide satisfactorily for the needs of the individuals ... Quite properly, we often talk about an implied contract – the ‘military covenant’ – that as an Army we have with our soldiers and their families and I fear that it is somewhat out of balance.”

**146.** Gen Dannatt stated that the concerns might seem misplaced, given that current “outflow levels” of personnel (which he described as the classic gauge of morale) were low. But the cumulative effect of the high tempo of operations, short tour intervals, hectic training and activity between tours, and under-manning gave rise to “a severe risk akin to a cliff-edge experience”.

**147.** Gen Dannatt identified several pre-emptive actions to prevent any increase in outflow, including:

“Away from the field, I sense that basic pay for our more junior people is becoming an issue, as are some allowances, particularly those that are related to operational deployment. I am not at all sure that a take home pay of £1,150 a month is fair return for a month’s work in Helmand or Basra. But it is the standard of both single and family accommodation when our people are back home that is probably the most emotive issue ...”

**148.** Improvements in those areas would require a “modest shift” of resources from the Equipment Programme into the Short-Term Programme.

**149.** Gen Dannatt took up post as Chief of the General Staff the following month.

**150.** Gen Dannatt told the Inquiry:

“When the military covenant is in balance, then the engine [the Army] can do a lot of work. When the covenant is out of balance, we have problems. I think we progressively got out of balance as the amount of work we were being asked to do increased through 2005 and 2006.

“I say this not in any shape or form as a criticism of any of my predecessors, but merely as a reflection of the additional work that we were being asked to do as a consequence of decisions taken to stay in Iraq until we had successfully completed our operations there, but also take on Afghanistan as well.

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<sup>97</sup> Letter Dannatt to Browne, 31 August 2006, [untitled].

“The way to bring the covenant back into balance was to make sure we were expending sufficient resources on looking after the legitimate needs of individuals, soldiers and their families in terms of their pay allowances, accommodation, and the equipment ... you would want to give these people.

“That’s where I think we were deficient. That’s where we had to work quite hard to get it back in balance. I know I said in 2006 the army was running hot. That is correct ... I think we were getting quite close to a seizing-up moment in 2006.”<sup>98</sup>

**151.** The Inquiry asked Gen Dannatt whether work to bring the military covenant back into balance should not have begun earlier.<sup>99</sup> He told the Inquiry that he had no criticism of his predecessor, and that it was:

“... often easier to start something at the start of an appointment when you have had the chance to survey the landscape ... and coming from the position of Commander-in-Chief ... with time to go round the Army, [I] could sense both at home and abroad the pressures building on soldiers and their families and deciding something had to be done.”

## Introduction of the Operational Allowance

**152.** Mr Browne’s Private Secretary wrote to No.10 on 9 October, setting out proposed new arrangements for supporting Service Personnel on operations.<sup>100</sup> The letter reported that, to reflect the current, high operational tempo and provide an immediate boost to the lowest paid Service Personnel, Mr Browne had agreed with Mr Gordon Brown, the Chancellor of the Exchequer, that the Government would introduce a tax-free Operational Allowance of £2,400 for all Service Personnel who completed a six-month tour in either Iraq, Afghanistan, the Balkans or certain other operations. Proportional amounts would be paid to those who completed shorter tours. The Allowance would be backdated to 1 April 2006.

**153.** The MOD had considered offering tax-free pay while on operations, but had concluded that this would not target the lowest paid and would be difficult to administer.

**154.** The letter also advised that the MOD would discuss the scope for abating Council Tax charges for Service Personnel deployed on operations with the Department of Communities and Local Government (DCLG). The failure of Local Authorities to exercise discretion on those charges was a “regular complaint”.

**155.** The letter also advised that the free telephone call allowance would be raised from 20 to 30 minutes a week.

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<sup>98</sup> Public hearing, 28 July 2010, pages 20-21.

<sup>99</sup> Public hearing, 28 July 2010, page 98.

<sup>100</sup> Letter PS/Secretary of State [MOD] to Phillipson, 9 October 2006, ‘A Package for Service Personnel on Operations’.

**156.** In his autobiography, Gen Dannatt described the Operational Allowance as the product of “some journalistic pressure and keen discussions with the Treasury”.<sup>101</sup> He also described it as the beginning of his campaign to “improve the soldiers’ lot”.

**157.** Mr Browne announced the introduction of the Operational Allowance on 10 October.<sup>102</sup>

**158.** Mr Browne raised the issue of Council Tax charges for deployed Service Personnel with Ms Ruth Kelly, the Secretary of State for Communities and Local Government, on 19 October.<sup>103</sup> MOD and DCLG officials subsequently met to explore options for abating Council Tax charges. The MOD’s preferred option was a statutory discount of 25 percent (which would equate to a discount of £132 based on the average Council Tax bill).

**159.** Mr Browne announced in September 2007 that Service Personnel serving in Iraq and Afghanistan would receive a £140 rebate on their Council Tax bill (based on a six-month tour).<sup>104</sup>

## Reports on recruitment and retention

**160.** The NAO published a report entitled *Recruitment and Retention in the Armed Forces* in November 2006.<sup>105</sup> The report stated that, at July 2006, the trained strength of the Armed Forces stood at around 180,690 Service Personnel, a shortfall of some 5,170 (2.8 percent) against the MOD’s estimated requirement.

**161.** This figure masked significant shortages in 88 “pinch point” trades, where there was insufficient trained strength to perform operational tasks while enabling the Harmony Guidelines to be met. While 14.5 percent of the trained strength of the Army had exceeded the Harmony Guidelines at some point in the previous 30 months, this percentage rose to more than 33 percent for some pinch point trades.

**162.** The NAO concluded:

- Although the Armed Forces had consistently operated at or above the most demanding combination of operations envisaged by the Defence Planning Assumptions (DPAs) since 2001, and the MOD expected that this would continue to be the case for some time, the Armed Forces’ manning requirements had not been adjusted to reflect the current levels of activity. The NAO reported that, while the MOD accepted that operating at that level could result in it placing additional strains on its people, the DPAs were guidelines only and were not intended to constrain decisions taken on the employment of the Armed Forces.

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<sup>101</sup> Dannatt, R. *Leading from the Front*. Bantam Press, 2010.

<sup>102</sup> BBC, 10 October 2006, *Soldiers to get ‘tax bill’ bonus*.

<sup>103</sup> Minute Baker to PS/SoS [MOD], 8 December 2006, ‘An Improved Package for Service Personnel on Operations – Council Tax Discounts/Rebates’.

<sup>104</sup> *The Guardian*, 26 September 2007, *Council tax rebates for war zone soldiers*.

<sup>105</sup> National Audit Office, *Recruitment and Retention in the Armed Forces*, November 2006.

- There were signs that the numbers of Service Personnel choosing to leave the Armed Forces early were beginning to increase for some key groups.
- A variety of factors influenced Service Personnel in their decisions to leave the Services, but workload, separation and the impact on family life were key factors.
- Service Personnel considered that the increased operational tempo had led to heavier workloads and more separation from families.

**163.** The NAO reported that the MOD was successfully using a range of short-term measures (including financial incentives) to improve retention and alleviate under-manning.

**164.** The NAO also reported that the MOD was facing current and future challenges to its ability to recruit sufficient numbers of new entrants as a result of demographic changes, changing attitudes to careers, and negative publicity affecting public perceptions of the Armed Forces. The MOD was taking steps to respond to each of those challenges.

**165.** The NAO made a number of recommendations, including:

**“The Department should review the overall manning requirements within individual operational pinch point trade groups to determine whether they are set at sufficient levels to support enduring operational commitments.**

**“The Department is constrained in its ability to reduce the operational tempo, which is impacting on personnel, but should look to investigate measures to provide greater stability and certainty of work patterns for personnel between operational deployments. Whilst recognising the limitations in how much workload can be reduced, the Department should look to improve its ability to let serving personnel know their work patterns over a longer time horizon.”**

**166.** Mr Bill Jeffrey, MOD Permanent Under Secretary, responded to these conclusions later that month in his evidence to the Public Accounts Committee (PAC) during its consideration of the NAO’s report.<sup>106</sup> He argued that frequency of deployment was only one factor in people’s decisions to stay or leave, and that polling and opinion survey evidence suggested that it was not quite as significant a factor as it might appear.

**167.** Mr Jeffrey told the PAC that he agreed with the view expressed by Ministers, that the Armed Forces were “stretched quite significantly, by the combination of deployments in Iraq and Afghanistan with other things”, but not overstretched. He described overstretch as the inability of the Armed Forces to fulfil the tasks allocated to them.

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<sup>106</sup> Public Accounts Committee, Session 2005-2006, *Ministry of Defence: Recruitment and retention in the armed forces*, 15 November 2006. Uncorrected transcript of Oral Evidence given by Mr Bill Jeffrey CB, Permanent Secretary, Mr Chris Baker OBE and Brigadier Stephen Andrews CBE, Ministry of Defence.

**168.** He also stated that there was not a direct link between the MOD's Defence Planning Assumptions and the "degree of stretch". Each operation was different and required different capabilities. Deployments in Iraq and Afghanistan had stretched different capabilities to different degrees; it was a "matter of military judgement" whether the Armed Forces were overstretched. Manning requirements (which flowed from the Defence Planning Assumptions) would be reviewed at the next spending review.

**169.** In early March 2007, Gen Dannatt wrote to Mr Browne:

"Two overall themes dominated my introductory letter [of 31 August 2006]: the Army is running hot; and the 'military covenant' is out of balance. I am pleased to say that I think both these concerns are now well understood across the Department and, importantly, we are taking steps to address both. Nevertheless ... the level of operational commitments is still well above Defence Planning Assumptions and looks set to remain so for some years. There is now an acceptance, however, that the Army is effectively *fully* operationally committed and hence any rebalance between theatres – as we will undertake this year in Iraq and Afghanistan – has to be a 'zero sum'..."<sup>107</sup>

**170.** Gen Dannatt:

- welcomed the Operational Allowance and the recent pay award which together sent Service Personnel a "powerful message" on how highly they were valued;
- confirmed that the "general care" provided to casualties was, slowly, improving; the issue would continue to require constant, senior level attention; and
- restated his concerns that there was a risk of a "cliff-edge fall" in Army manning (although retention was holding up, recruitment was falling).

**171.** The PAC published its report on recruitment and retention in the Armed Forces in June 2007.<sup>108</sup> It echoed the conclusions and recommendations of the NAO's November 2006 report. The PAC reported that:

"Deployments overseas have been more frequent because the Department has been operating above Defence Planning Assumptions for several years and manning levels have not kept pace with commitments ... Decisions about whether the Armed Forces can undertake operations above the Assumptions are matter of military judgement. The Department intends to review [the] Defence Planning Assumptions and the funding of the Armed Forces in the light of the demands placed on them, as part of the next Comprehensive Spending Review."

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<sup>107</sup> Minute CGS to SofS [MOD], [undated], [untitled].

<sup>108</sup> Thirty-fourth Report from the Public Accounts Committee, Session 2006-2007, *Recruitment and Retention in the Armed Forces*, HC43.

**172.** The PAC concluded:

**“The increasing frequency of deployments on overseas operations and time away from home are factors causing people to leave the Armed Forces.** More than 15 percent of Army Personnel are away from home more often than is planned for under the Department’s ‘Harmony’ Guidelines which are being consistently broken. The Department has little scope to reduce the operational tempo which is impacting on personnel but in case of enduring operations, such as those in Iraq and Afghanistan, it needs to provide people with greater stability of work patterns.

**“There are indicators of overstretch in specific areas, such as the severe shortfalls in personnel in some specialist trades, such as nurses, linguists and leading hands, and the routine breaking of harmony guidelines.** The longer this situation continues the more it will begin to affect operational capability. The Department maintains that the Armed Forces are stretched, but not overstretched, and would only be overstretched if there was a failure to meet military commitments. But the Department also needs to ascertain the ‘tipping points’ where the degree of stretch itself precipitates the loss of scarce skills, putting operational capability at risk.”

**173.** The Inquiry asked AM Pocock what he understood by the concept of “overstretch”.<sup>109</sup> He told the Inquiry:

“This is a subject where it is easy to let the heart rule the mind. If we are going to be completely objective about it, I would say there are two things ... can we retain our people? And ... are we doing them long-term harm? The first one, for virtually the whole period of the 2000’s, certainly up to 2007, retention was virtually static. The Services were short of people, yes, but that was largely down to recruitment issues ...

“On the subject of, ‘Were we doing our people harm?’ we didn’t know, but we were looking really hard [at that issue] ...”

**174.** Vice Admiral (VAdm) Peter Wilkinson, Deputy Chief of Defence Staff (Personnel) from 2007, added that, in his view, the Harmony Guidelines provided a useful, objective measure of the degree of stretch:

“I think they [the Harmony Guidelines] were a very good check on the department to make sure they understood, perhaps better than before, what actually they were asking of their people.”<sup>110</sup>

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<sup>109</sup> Public hearing, 19 July 2010, pages 70-71.

<sup>110</sup> Public hearing, 19 July 2010, page 72.

**175.** Lt Gen Mans told the Inquiry:

“... recruiting is quite a complex area, so although ... on balance, I think Iraq was positive [for recruitment], there were some other issues which made recruiting more difficult. At this stage, the economy in the country was doing very well and, therefore, unemployment was comparatively low. Therefore, we were competing for recruits in quite a difficult market in that respect. There were other issues associated with the phrase that has been used before, ‘gatekeepers’, parents and teachers. Were they actually going to encourage either their children or their pupils to join the military? Well, on balance, they probably weren’t, in terms of that sort of overall perception. So overall, you had to take into consideration all these other rather complex factors, because the army was under-recruited during the period in question.”<sup>111</sup>

### **The impact of operations on the Harmony Guidelines**

**176.** The MOD told the Inquiry that, since 2002, the Armed Forces had been consistently operating at or above the level of concurrency defined in SDR 98.<sup>112</sup> That had “inevitably constrained” their ability to meet Harmony Guidelines particularly for Service Personnel in “Pinch Point specialist trades”.

**177.** The MOD provided the Inquiry with figures for the percentage of Service Personnel in each Service for whom the Harmony Guidelines on Individual Separated Service were breached between 2002 and 2009; these figures are presented at the end of this Section.<sup>113</sup> The Navy’s Guidelines were breached in respect of less than 1 percent of Navy Personnel in each of the years covered by the Inquiry. The Army’s Guidelines were breached in respect of over 18 percent of Army Personnel in early 2004 (the first period for which data is available), falling to 10 percent in early 2007. The RAF’s Guidelines were breached in respect of between 2 and 10 percent of RAF Personnel over the period covered by the Inquiry.

**178.** Professor Christopher Dandeker, Professor of Military Sociology at King’s College London and Co-Director of the King’s Centre for Military Health Research, told the House of Commons Defence Committee in March 2008:

“... so far as our own research is concerned ... I think that the Harmony Guidelines have been well constructed because the evidence suggests that if you stay within them they [Service Personnel] do not suffer; if you go beyond them there is a 20 to 50 percent likelihood that they will suffer in terms of PTSD [Post Traumatic Stress Disorder].”<sup>114</sup>

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<sup>111</sup> Public hearing, 19 July 2010, pages 79-80.

<sup>112</sup> Paper MOD, 25 November 2009, ‘Harmony Guidelines’.

<sup>113</sup> Paper MOD, 22 October 2010, ‘Harmony – Statistics’.

<sup>114</sup> Fourteenth Report from the Defence Committee, Session 2007-2008, *Recruiting and retaining Armed Forces personnel, Oral and Written Evidence (25 March 2008)*, HC424.

**179.** In his evidence to the Inquiry, AM Pocock questioned whether Professor Dandeker was right to suggest that the Harmony Guidelines were an appropriate basis for assessing the effect of operational deployment on individuals.<sup>115</sup> The Guidelines had been derived in a straightforward way from the planning assumptions used in SDR 98 (“what operations have we got? How many people have we got? ... that means that they can spend this long away”). AM Pocock’s focus had been on the broader relationship between time deployed on operations and the risk of mental health issues.

**180.** Lt Gen Palmer told the Inquiry that, while his “prime concern” with regard to reducing tour intervals was for individuals, he was also concerned that reduced tour intervals could affect operational capability, as units would not be able to undertake collective training and other development and preparatory activities.<sup>116</sup>

## Rebuilding the military covenant

**181.** In September 2007, in response to growing concerns that the military covenant was being steadily undermined, the Royal British Legion (RBL) launched its “Honour the Covenant” campaign.<sup>117</sup> The RBL argued that the covenant was being breached with respect to three key issues:

- the operation of the Armed Forces Compensation Scheme;
- healthcare and welfare support for serving Service Personnel, their dependants and veterans; and
- support for bereaved families at inquests.

**182.** In July 2008, partly in response to that campaign and the support it generated, the Government published a command paper entitled *The Nation’s Commitment: Cross-Government Support to our Armed Forces, their Families and Veterans* (known as the *Service Personnel Command Paper*).<sup>118</sup> The paper was underpinned by two principles:

- to end any disadvantage that armed service imposes upon Service Personnel, their families and veterans; and
- to better support and recognise those who have been wounded in the service of their country.

**183.** The paper covered a wide range of topics: compensation, health, housing, education and skills, transport, support for families, benefits, careers and pay.

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<sup>115</sup> Public hearing, 19 July 2010, pages 68-70.

<sup>116</sup> Public hearing, 16 July 2010, page 77.

<sup>117</sup> House of Commons Library, Standard Note SN/IA/5979, 9 June 2011, *Armed Forces Covenant*.

<sup>118</sup> Command Paper, July 2008, *The Nation’s Commitment: Cross-Government Support to our Armed Forces, their Families and Veterans*, Cm 7424.

**184.** Mr Bob Ainsworth, the Minister of State for the Armed Forces, described the production of the Command Paper to the Inquiry as an:

“... opportunity ... to get for the first time at every single area of Government and deal with the things that had never been given the importance that they had been given before. There are lots of ways in which Government accidentally, local Government and central Government, discriminates against our Armed Forces because of the juxtaposition of the way that services are delivered and the way that we make them work and the way that we keep moving them around ... So in the Services Personnel Command Paper what I wanted to try to do was sweep up as many of those complaints as there were, analyse them, see whether or not there was a reality to them and have them dealt with as a one-off process, but set up an ongoing process.”<sup>119</sup>

**185.** Mr Ainsworth went on to describe how the Command Paper was used to co-ordinate the Government’s response to veterans’ needs, including on issues which had not been explicitly considered in the paper:

“We had the Prime Minister’s stamp on the *Service Personnel Command Paper*. We were able to use that as we went round different departments and say ‘This is the Government’s intent’ ...

“I had problems from different Departments, but that’s understandable ... Government tends to work in silos ... So you have to go political in order to get those things sorted out.”<sup>120</sup>

**186.** VAdm Wilkinson told the Inquiry that the implementation of the Command Paper had been challenging, but that progress had been made:

“The challenges were that there was very little new money attached to the proposals and therefore, to gain the support of other Government departments was very difficult ... the second challenge was to make the gains made enduring. I think we have achieved both of those, in that other Government departments were made to change their plans and programmes to take account of the Command Paper ...”<sup>121</sup>

**187.** In May 2010, the new Government committed to “work to rebuild the Military Covenant”.<sup>122</sup>

**188.** An independent Task Force on the Military Covenant, chaired by Professor Hew Strachan, was established in summer 2010 to inform that work.<sup>123</sup> The Terms of

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<sup>119</sup> Public hearing, 6 July 2010, pages 5-6.

<sup>120</sup> Public hearing, 6 July 2010, pages 24-25.

<sup>121</sup> Public hearing, 19 July 2010, page 100.

<sup>122</sup> HM Government, *The Coalition: our programme for government*, May 2010.

<sup>123</sup> Task Force on the Military Covenant, September 2010, *Report of the Task Force on the Military Covenant*.

Reference of the Task Force were to identify innovative ways in which the Government, and society as a whole, could fulfil its obligation to rebuild the covenant.

**189.** The Government published a written *Armed Forces Covenant* in May 2011.<sup>124</sup> The *Covenant* incorporated a number of the Task Force's recommendations. The *Covenant* stated that members of the Armed Forces should expect respect, support and fair treatment in return for the sacrifices they made on behalf of the nation. The *Covenant* set out two core principles:

- No current or former member of the Armed Forces, or their families, should be at a disadvantage compared with other citizens in the provision of public and commercial services.
- Special consideration was appropriate in some cases, particularly for those who had been injured or bereaved.

**190.** These core principles were enshrined in law in the Armed Forces Act 2011.<sup>125</sup> The Act did not create legally enforceable rights for Service Personnel, but required the Defence Secretary to report annually to Parliament on the Covenant with a particular focus on four areas: healthcare, education, housing and the operation of inquests.

**191.** The Inquiry's conclusions and lessons on the pressures on Service Personnel and the support provided to them and their families are set out in Section 16.4.

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<sup>124</sup> Ministry of Defence, *The Armed Forces Covenant*, 16 May 2011.

<sup>125</sup> Armed Forces Act 2011.

Table 2: Percentage of Service Personnel for whom the Harmony Guidelines on Individual Separated Service were breached<sup>126</sup>

Year	Royal Navy	Army	RAF
2002/03 Q1	<1	No Record	5.3
2002/03 Q2	<1	No Record	5.4
2002/03 Q3	<1	No Record	5.1
2002/03 Q4	<1	No Record	5.0
2003/04 Q1	<1	No Record	6.8
2003/04 Q2	<1	No Record	6.2
2003/04 Q3	<1	No Record	6.2
2003/04 Q4	<1	18.1	5.4
2004/05 Q1	<1	17.0	3.6
2004/05 Q2	<1	16.8	3.8
2004/05 Q3	<1	15.5	3.6
2004/05 Q4	<1	15.5	3.9
2005/06 Q1	<1	15.6	4.1
2005/06 Q2	<1	15.3	4.1
2005/06 Q3	<1	15.1	4.2
2005/06 Q4	<1	14.5	3.9
2006/07 Q1	<1	14.0	2.9
2006/07 Q2	<1	13.4	1.7
2006/07 Q3	<1	12.4	5.2
2006/07 Q4	<1	10.3	6.2
2007/08 Q1	<1	Not available	6.7
2007/08 Q2	<1	Not available	9.2
2007/08 Q3	<1	Not available	10.0
2007/08 Q4	<1	Not available	9.2
2008/09 Q1	<1	Not available	9.4
2008/09 Q2	<1	Not available	6.1
2008/09 Q3	<1	Not available	5.9
2008/09 Q4	<1	Not available	5.9
2009/10 Q1	<1	Not available	5.4
2009/10 Q2	<1	Not available	5.0

<sup>126</sup> Paper MOD, 22 October 2010, 'Harmony – Statistics'. The MOD informed the Inquiry that no data was available for the Army for the period Q1 2007/08 onwards due to migration to a new personnel administration system. The reporting baseline for the RAF's Harmony Guidelines changed from Q2 2008/09.

## SECTION 16.2

# SUPPORT FOR INJURED SERVICE PERSONNEL AND VETERANS

### Contents

Introduction .....	40
System for providing medical care for Service Personnel .....	40
Medical care during the combat phase of operations .....	42
Planning and preparing to provide medical care .....	42
Arrangements for supporting mental health .....	46
Delivery of medical care .....	47
Support for injured Service Personnel and their families .....	49
Establishing a Military Managed Ward at Selly Oak hospital .....	49
Improvements at Headley Court .....	53
Handling complex cases .....	56
Support for mental health .....	58
Research into the physical and psychological health of Operation TELIC personnel .....	58
Decompression .....	59
Variations in the level of support after an operational deployment .....	61
First reports from the King's Centre study .....	62
Reserves Mental Health Programme .....	63
Concerns over mental health issues, late 2006 .....	64
Trauma Risk Management .....	66
Further findings from the King's Centre study .....	66
Compensation .....	68
Support for veterans .....	70
Mental healthcare for veterans .....	71
Community mental health pilots .....	72
Priority treatment within the NHS .....	72

## Introduction

1. This Section addresses:

- the arrangements for providing medical care to Service Personnel;
- the provision of medical care and welfare support for seriously injured Service Personnel and their families; and
- the support provided for veterans.

2. The welfare support provided to Service Personnel and their families is addressed in Section 16.1.

3. The preparations made for repatriating the bodies of those who lost their lives serving on Op TELIC, how their deaths were investigated, and the support provided for bereaved families are addressed in Section 16.3.

4. The decision to deploy to Helmand province in Afghanistan, and the implications of that decision, are addressed in Section 9.

## System for providing medical care for Service Personnel

5. The healthcare system in the UK comprises three tiers:

- Primary care is provided at the first point of consultation, including by General Practitioners (GPs).
- Secondary care is provided by medical specialists who do not usually have first contact with patients, including in a hospital. It includes acute care.
- Tertiary care is specialised consultative healthcare, for example for cancer management.

6. Primary care for Service Personnel in the UK and Service base areas overseas is provided by the MOD's Defence Medical Services (DMS).<sup>1</sup>

7. Secondary care for Service Personnel is generally provided within the National Health Service (NHS).

8. Following the closure of military hospitals in the 1990s, the Government established five MOD Hospital Units (MDHUs) within NHS Trusts. MDHUs are not discrete military wards or units, but comprise medical Service Personnel (including substantial numbers of Reservists) integrated into a host NHS Trust. MDHUs:

- provide accelerated access for elective referrals of Service Personnel, to meet operational requirements; and
- allow medical Service Personnel to develop and maintain their skills.

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<sup>1</sup> Seventh Report from the House of Commons Defence Committee, Session 2007-2008, *Medical Care for the Armed Forces*, HC327.

- 9.** In April 2001, the MOD established the Royal Centre for Defence Medicine (RCDM) within the University Hospital Birmingham Foundation Trust (UHBFT), as “a centre of military medical excellence, with academic, teaching and clinical roles”.
- 10.** During the period covered by the Inquiry, the main receiving centre for casualties evacuated from operational theatres was RCDM Selly Oak (one of the hospitals within the UHBFT).<sup>2</sup>
- 11.** If Selly Oak was unable to cope with the flow of casualties, the Government could activate the Reception Arrangements of Military Personnel (RAMP) plan, engaging the wider NHS in the treatment of military casualties.
- 12.** Military patients requiring further rehabilitation once released from hospital might be referred to the Defence Medical Rehabilitation Centre (DMRC) at Headley Court in Surrey, the principal medical rehabilitation centre run by the Armed Forces.<sup>3</sup> DMRC Headley Court also accepted direct admission from hospitals, and most combat casualties were referred directly to DMRC Headley Court from RCDM Selly Oak.
- 13.** DMRC Headley Court provided both physiotherapy and group rehabilitation for complex musculo-skeletal injuries, and neuro-rehabilitation for brain-injured patients.
- 14.** Operation TELIC was the first major military operation after the closure of the military hospitals in the 1990s. Many medical Service Personnel were therefore withdrawn from NHS Trusts, and military casualties were treated in NHS Trusts.
- 15.** Tertiary care for Service Personnel is provided by the NHS.
- 16.** From 2002, the MOD reconfigured its mental health services to focus on community rather than in-patient services, including by establishing 15 military Departments of Community Mental Health (DCMH) throughout the UK to provide out-patient mental healthcare for Service Personnel.<sup>4</sup>
- 17.** From 2004, in-patient mental healthcare was provided by The Priory Group of hospitals, through a contract with the MOD.
- 18.** Those changes were in line with NHS best practice, which held that individuals should be treated in as normal an environment as possible, close to their units, families and friends.
- 19.** The Ex-Services Mental Welfare Society (generally known as Combat Stress) runs three short-stay residential treatment centres for men and women who have served in

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<sup>2</sup> Seventh Report from the House of Commons Defence Committee, Session 2007-2008, *Medical Care for the Armed Forces*, HC327, paragraph 21.

<sup>3</sup> Paper MOD, 28 June 2010, ‘Medical Input to Ainsworth Brief’.

<sup>4</sup> Seventh Report from the House of Commons Defence Committee, Session 2007-2008, *Medical Care for the Armed Forces*, HC327.

the Armed Forces or the Merchant Navy. The MOD meets the cost of fees charged by Combat Stress for “remedial treatment” at the three centres.<sup>5</sup>

**20.** Veterans’ healthcare is generally provided by the NHS. Charities and welfare organisations also play an important role.

## Medical care during the combat phase of operations

### Planning and preparing to provide medical care

**21.** In July 2002, the MOD defined three options for a UK contribution to US-led military operations in Iraq:

- Package 1 – an “in-place support package” using forces already in the region;
- Package 2 – an “enhanced support package” comprising Package 1 with additional air and maritime forces; and
- Package 3 – a “discrete UK package” based on deployment of an armoured division, in addition to the forces in Package 2.<sup>6</sup>

**22.** Those three options provided the broad framework for discussions within the UK Government until the end of 2002.

**23.** A Strategic Medical Estimate was prepared for the MOD’s Strategic Planning Group on 1 September 2002.<sup>7</sup> The Estimate – which assumed an entry into Iraq from Turkey – set out the expected number of Role 3 hospital admissions from an operation in Iraq, as a basis for medical planning:

- 157 (best case) to 241 (worst case) battle casualties;
- 152 (best case) to 212 (worst case) casualties from chemical warfare;
- 15 percent of those exposed to biological warfare; and
- 34 Disease and Non-Battle Injuries (DNBI) a day.

**24.** The Estimate stated that 55 individuals a week would require medical evacuation back to the UK.

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<sup>5</sup> [Paper MOD, 29 June 2010, ‘Veterans Mental Health’.](#)

<sup>6</sup> [Letter Watkins to Rycroft, 26 July 2002, ‘Iraq’.](#)

<sup>7</sup> [Minute MOD \[junior official\] to Iraq Inquiry \[junior official\], 22 June 2010, ‘Iraq Inquiry – Request for Evidence’.](#)

### Structure of medical support to operations

Military medical support was organised in four tiers, on the basis of the medical capabilities and resources available:

- Role 1 (broadly equivalent to Echelon 1 for maritime forces) medical support was integral or allocated to a small unit, and included the capabilities for providing first aid, immediate lifesaving measures, and triage.
- Role 2 support was normally provided at larger unit level, and included pre-hospital care.
- Role 3 support was normally provided at Division level and above. It included specialist diagnostic resources, and specialist surgical and medical capabilities. Support would usually be provided in field hospitals and (as Echelon 3) in hospital ships.
- Role 4 support was the definitive hospital and rehabilitative care of patients. That would usually be provided in the UK.<sup>8</sup>

**25.** General Sir Kevin O’Donoghue, Deputy Chief of Defence Staff (Health) (DCDS(H)) from September 2002 to 2004, told the Inquiry that medical planning was “quite advanced” by the time he took up post.<sup>9</sup> Staffing plans were in place and gaps in medical equipment and supplies had been identified, although approval had not yet been received to begin procurement to fill those gaps.

**26.** On 31 October, Mr Blair agreed that the UK should offer Package 3 to the US on the same basis as Package 2, for planning purposes.<sup>10</sup>

**27.** In early December, an MOD official invited Mr Geoff Hoon, the Defence Secretary, to agree that the MOD should hold detailed talks with the Department of Health (DoH) on the withdrawal of Regular and Reserve medical personnel from the NHS, and on the reception of casualties under the RAMP.<sup>11</sup> Package 3 would require around 2,000 medical personnel, of whom approximately 60 percent would be Reservists. The majority of those Reservists would be working within the NHS; their withdrawal would have a “local impact”. DoH was pressing the MOD for details on the withdrawal of medical Reservists.

**28.** The official also advised that the procurement of medical equipment through the Urgent Operational Requirement (UOR) mechanism to support Packages 0 (Special Forces only) and Package 1 was under way. The Treasury was expected to authorise procurement of medical equipment to support Package 2 shortly. The MOD’s Directorate of Capability, Resources and Scrutiny (DCRS) had not yet approved the business case

<sup>8</sup> NATO, *Logistics Handbook*, October 1997.

<sup>9</sup> Public hearing, 14 July 2010, pages 4-5.

<sup>10</sup> [Letter Wechsberg to Watkins, 31 October 2002, ‘Iraq: Military Options’.](#)

<sup>11</sup> Minute PS/VCDS to PS/Secretary of State [MOD], 6 December 2002, ‘Medical Support to Operations against Iraq’.

for the medical equipment to support Package 3; that approval, and the subsequent Treasury authority to commence procurement, was needed as soon as possible.

**29.** The official advised that in “about three months time” the DMS would have “minimised medical risk by being properly equipped in mission critical areas”.

**30.** On 11 December, Gen O’Donoghue told the Chiefs of Staff that the DoH had been engaged on Iraq planning, and had responded “positively and pragmatically”.<sup>12</sup>

**31.** The DCRS agreed the business cases for the medical modules (packages of equipment and supplies) to support Package 3 on 16 December.<sup>13</sup> The modules were expected to achieve “full capability in theatre” on 15 March 2003.

**32.** At the beginning of 2003, in the light of continued uncertainty on whether Turkey would agree to the use of its territory by Coalition ground forces, the focus of UK military planning shifted from the North to the South of Iraq (see Sections 6.1 and 6.2).

**33.** The Permanent Joint Headquarters (PJHQ) assessed that the shift made the UK medical mission “less demanding in terms of supporting manoeuvre”.<sup>14</sup> A revised Estimate specified that the Role 3 medical support required:

- the Royal Fleet Auxiliary (RFA) Argus, as the Primary Casualty Receiving Facility (PCRF), with 100 beds;
- two 200-bed field hospitals deployed;
- a third 200-bed field hospital in reserve;
- casualty staging flights through Cyprus; and
- the augmentation of the Princess Mary Military Hospital in Cyprus.

**34.** RFA Argus deployed on 15 January and was operational in the North Arabian Gulf by mid-February.

**35.** Mr Alan Milburn, the Health Secretary, wrote to Mr Hoon on 10 March to inform him that the DoH was ready to activate the RAMP, when required.<sup>15</sup>

**36.** Mr Hoon was advised by PJHQ on 14 March that an “effective medical capability”, scaled to the expected number of casualties, was now operational in theatre.<sup>16</sup> Arrangements were also in place for the aeromedical evacuation of casualties to the UK.

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<sup>12</sup> Minutes, 11 December 2002, Chiefs of Staff meeting.

<sup>13</sup> Minute MOD/DCRS [junior official] to APS/SoS [MOD], 31 January 2003, ‘Possible Operations against Iraq UOR List, 31 January 2003’.

<sup>14</sup> Report PJHQ, July 2003, ‘Operation TELIC 1 – Medical Post Operation Report’.

<sup>15</sup> Letter Milburn to Hoon, 10 March 2003, ‘Military Deployment to the Middle East: the NHS’s Responsibilities’.

<sup>16</sup> Minute PJHQ [junior official] to PS/SoS [MOD], 14 March 2003, ‘Op TELIC – Casualty Treatment and Management Arrangements’.

**37.** Gen O’Donoghue told the Inquiry that by 19 March, when military operations against Iraq began, there remained some “shortfalls” in medical modules:

“We had worked out what equipment we needed. We were allowed to discuss that informally with industry in, I think, mid-November. We weren’t allowed to place the orders until early to mid-December, which we did with £34m/£35m worth of UORS, and those came in between then and March.

“Some items may not have arrived by March, but they came fairly shortly afterwards and we topped up the modules.”<sup>17</sup>

**38.** Sections 6.3 and 13 describe the development and approval of UOR business cases within the MOD and discussions with the Treasury on funding UORs. A mechanism for funding UORs was agreed between Mr Hoon and Mr Brown on 23 September; the mechanism did not require individual UORs to be agreed by the Treasury. Mr Hoon agreed that the MOD could begin discussions with industry on the provision of UORs on 2 December.

**39.** Brigadier Alan Hawley, Commander Medical of the Joint Force Logistic Command during Op TELIC 1 (which covered the initial combat phase of military operations in Iraq), told the House of Commons Defence Committee in October 2003:

“From where I was, no one informed me of any clinical care that was compromised by a lack of equipment. I have to say that it was very tight.”<sup>18</sup>

**40.** Brig Hawley assessed that a number of factors had combined to produce that “rather tight, fraught situation”, including the late release of money for UORs, a new process for building medical equipment modules, and a change in responsibility for medical supply from the medical to the logistical Command.

**41.** Vice Admiral Ian Jenkins, Surgeon-General from 2002 to 2006, agreed with Brig Hawley’s assessment:

“... I can categorically assure you that clinical outcomes [during Op TELIC 1] were uncompromised. Yes there were problems with supply, equipment and everything else, mobilisation of Reserves, support ... but the clinical outcomes were first class. I can put my hand on my heart and say that nobody suffered inappropriately because of a lack of medical requirement.”<sup>19</sup>

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<sup>17</sup> Public hearing, 14 July 2010, page 7.

<sup>18</sup> Defence Committee, *Examination of Witnesses (Questions 1176-1179)*, 22 October 2003, Q 1211.

<sup>19</sup> Defence Committee, *Examination of Witnesses (Questions 1176-1179)*, 22 October 2003, Q 1217.

**42.** Lieutenant General Louis Lillywhite, the Director General of Army Medical Services from 2003 to 2005 and Surgeon General from 2006 to 2009, told the Inquiry that cost had not been an issue in providing medical care:

“As far as care on operations are concerned, it is effectiveness that counts, not cost-effectiveness. As far as providing care for Servicemen was concerned, I was – I personally, and I have to say Ministers supported me – did not allow cost to be an issue. If it was required, it was provided.”<sup>20</sup>

**43.** A July 2003 MOD report on Op TELIC 1 stated that the medical component of the deployment was fully staffed, with 2,800 medical staff including 760 Reservists.<sup>21</sup> Trained psychiatric staff were also deployed.

### Arrangements for supporting mental health

**44.** Lt Gen Lillywhite described for the Inquiry, the Armed Forces’ general approach to identifying and tackling mental health issues at the beginning of Op TELIC:

- using initial and subsequent training to identify individuals with less ability to withstand stress, and to help prepare people to withstand stress;
- training commanders to identify issues as early as possible; and
- deploying field psychiatric teams to help identify those “who had true psychological disability, that ... needed care and evacuation or simply support and return to duty”.<sup>22</sup>

**45.** Prior to deployment on Op TELIC, Royal Navy and Army units received a pre-deployment presentation by a psychiatrist or community psychiatric nurse (or non-medical personnel if medical personnel were unavailable).<sup>23</sup> As the RAF deployed as individuals rather than formed units, it produced an equivalent booklet for all deploying personnel.

**46.** The Services also prepared post-deployment stress prevention packages, comprising two handouts and a post-operational psychological briefing.

**47.** MOD demobilisation policy at the beginning of Op TELIC required that:

- At the end of an operational tour but while still in theatre, all individuals should attend a presentation and be given an information leaflet covering post-traumatic stress reactions and the problems that might be encountered on returning home to families. Families should be offered a presentation and information leaflets on the possible after-effects of an operational deployment.

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<sup>20</sup> Public hearing, 20 July 2010, page 73.

<sup>21</sup> Ministry of Defence, *Operations in Iraq: First Reflections*, July 2003.

<sup>22</sup> Public hearing, 20 July 2010, pages 54-55.

<sup>23</sup> Minute DMSD/MOD to USoS [MOD], 2 April 2003, ‘Op TELIC – Personnel Repatriated for Medical Reasons’.

- All personnel should undertake a period of “normalisation”, lasting two to three days, before taking post-operational tour leave. It would usually be spent on routine duties. This requirement stemmed from the MOD’s assessment that:
  - The immediate release of personnel after an operational tour could be a contributory factor to the likelihood of developing post-conflict syndromes.
  - Personnel should be given time to deal with issues raised by combat in the company of those who understood and had shared those experiences.<sup>24</sup>

**48.** This policy applied to Reservist as well as Regular Personnel.

**49.** Lieutenant General Anthony Palmer, Deputy Chief of the Defence Staff (Personnel) (DCDS(Personnel)), wrote to General Sir Mike Jackson, Chief of the General Staff, on 23 April 2003, advising:

“At this morning’s Op COS meeting you mentioned concerns among some of the deployed Personnel that their return to the UK was being delayed because of the requirement for a period of ‘normalisation’ ...

...

“Ultimately the implementation of the overall policy guidance lies with PJHQ and the FLCs [Front Line Commands] ... However, the lessons learned from the last Gulf Conflict in particular have demonstrated how important it is – not least in terms of demonstrating due diligence – that we are rigorous in adopting formal procedures to reduce the risks and incidence of psychological illness.”<sup>25</sup>

## Delivery of medical care

**50.** The MOD reported in July 2003 that more than 4,000 British patients had been treated in British field hospitals, and over 800 evacuated to the UK by air, during the deployment and combat phases of Op TELIC.<sup>26</sup> The majority of those patients had suffered disease and non-battle injuries.

**51.** Around 200 Iraqi Prisoners of War and 200 Iraqi civilians had also been treated in British medical facilities.

**52.** The number of admissions to Role 3 hospitals during Op TELIC 1 are set out in the table below.<sup>27</sup>

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<sup>24</sup> Paper DFRC/MOD, 16 April 2003, ‘Operation TELIC – Demobilisation’.

<sup>25</sup> Minute DCDS(Pers) to CGS, 23 April 2003, ‘Op TELIC – Normalisation’.

<sup>26</sup> Ministry of Defence, *Operations in Iraq: First Reflections*, July 2003.

<sup>27</sup> [Minute MOD \[junior official\] to Iraq Inquiry \[junior official\], 22 June 2010, ‘Iraq Inquiry – Request for Evidence’](#).

Table 1: Admissions to Role 3 hospitals during Op TELIC 1

	Expected number of admissions <sup>28</sup>	Actual number of admissions
Battle casualties	157-241	81
Casualties from chemical warfare	152-212	0
Casualties from biological warfare	15 percent of those exposed	0
Disease and Non-battle Injuries	34 a day	31 a day
Medical evacuations	55 a week	90 a week

**53.** In July, PJHQ assessed that medical support during Op TELIC had been “a success by any measure”.<sup>29</sup> The aeromedical evacuation of casualties (by VC 10 to Cyprus then by civilian aircraft to the UK) had been particularly effective.

**54.** PJHQ reported that some evacuated Service Personnel were nursed in NHS hospitals without other military patients and had therefore lacked “peer support”.

**55.** The issue of treating injured Service Personnel in NHS hospitals, and on civilian wards, would come to prominence in 2006.

**56.** Lt Gen Lillywhite told the Inquiry that in the early part of Op TELIC, the MOD did not have the data to make an objective assessment of the effectiveness of emergency care.<sup>30</sup> Analysis of data relating to later phases of Op TELIC indicated that UK medical support was achieving a significantly greater than expected survival rate.

**57.** Gen O’Donoghue told the Inquiry that the DMS drew two major lessons from its experience during the invasion:

- It needed more Regular medical Personnel, to take account of the limited time that any individual could spend in theatre given their NHS commitments and the need to retain “medical dexterity”.
- UORs allowed DMS to respond to particular threats and secure the latest equipment, but it needed more equipment and supplies “on the shelves” ready to deploy.<sup>31</sup>

**58.** Lt Gen Lillywhite described a number of changes in the provision of medical care after Op TELIC 1.<sup>32</sup> During Op TELIC 1, the MOD generally used armoured ambulances to move casualties from aid posts to medical regiments and a mixture of ambulances and helicopters to get from (Role 2) medical regiments to hospital. From Op TELIC 2, the military generally used helicopters to move from the point of wounding or the aid post to hospital.

<sup>28</sup> As defined in the 1 September 2002 Strategic Medical Estimate. Figures for battle casualties and casualties from chemical warfare represent best and worse case estimates respectively.

<sup>29</sup> Report PJHQ, July 2003, ‘Operation TELIC 1 – Medical Post Operation Report’.

<sup>30</sup> Public hearing, 20 July 2010, pages 14-16.

<sup>31</sup> Public hearing, 14 July 2010, pages 16-17.

<sup>32</sup> Public hearing, 20 July 2010, pages 22-23.

59. Lt Gen Lillywhite told the Inquiry that he had not experienced any problems in securing sufficient helicopters for those medical moves.

## Support for injured Service Personnel and their families

60. The number of casualties and aeromedical evacuations relating to Op TELIC are set out in the table below.<sup>33</sup> The figures for 2003, 2004 and 2005 reflect military casualties only; the figures for 2006 onwards reflect military and civilian casualties.

Table 2: Casualties and aeromedical evacuations relating to Op TELIC

Year	Casualties			Aeromedical evacuations
	Total	Very Seriously Injured or Wounded	Seriously Injured or Wounded	
2003	46	14	32	
2004	45	14	31	
2005	20	5	15	
2006	32	11	21	701
2007	69	24	45	603
2008	9	5	4	433
2009	1	0	1	234
<b>Total</b>	<b>222</b>	<b>73</b>	<b>149</b>	<b>1,971</b>

## Establishing a Military Managed Ward at Selly Oak hospital

61. MOD Ministers and senior military officers made regular visits to injured Service Personnel, both in the UK and Iraq.<sup>34</sup>

62. Mr Blair made a private visit to RCDM Selly Oak in February 2005.

63. Mr Des Browne, the Defence Secretary, visited RCDM Selly Oak on 15 August 2006.

64. Lt Gen Freddie Viggers, the Adjutant General, visited RCDM Selly Oak on 21 August.<sup>35</sup> He reported on 22 August that:

- The quality of clinical care was excellent.
- Morale among military medical staff was “fragile”, due to under-manning, the joint military/civilian structure, and the physical environment.
- Wounded soldiers wanted to be looked after in a military environment “within which they can be with their mates, be looked after by named military nurses

<sup>33</sup> DASA, [undated], *Op TELIC Casualty and Fatality Tables: 1 January 2003 to 31 July 2009*. The figure for 2009 is to 31 July 2009. Casualty figures exclude casualties due to natural causes.

<sup>34</sup> Minute Batchelor to PS/SoS [MOD], 13 August 2006, ‘Preparatory Brief for Visit to RCDM HQ on Tuesday 15 Aug 06 of the Rt Hon Des Browne MP Secretary of State for Defence’.

<sup>35</sup> Minute AG to DCDS (Health), 22 August 2006, ‘Visit to Royal Centre for Defence Medicine (RCDM) – 21 August 2006’.

and be treated like soldiers (including security)". Enhancing the military environment was "essential" for soldiers' physical and psychological recovery.

- It was iniquitous that soldiers being treated at the RCDM Selly Oak lost their entitlement to the Operational Welfare Package (OWP) and some other allowances. The OWP would provide much of the support (including TVs, DVDs and telephone calls) that were currently being provided from "assorted non-public funds" or paid for by the soldiers themselves.

**65.** Lt Gen Viggers identified a number of immediate actions, including:

- informing wounded personnel what the MOD was planning to do to create a military environment;
- starting to create that military environment, by putting soldiers together in one area of a ward; and
- extending the OWP to patients.

**66.** On 23 August, General Sir Timothy Granville-Chapman, Vice Chief of Defence Staff (VCDS), reported that Mr Browne had given him a "very thorough de-brief" on his 15 August visit to RCDM Selly Oak.<sup>36</sup> Key points included:

- Mr Browne was "very seized" with the need for injured personnel to recover in a military environment, and was clear that a "military ward solution" was needed.
- Mr Browne was "very much behind" Lt Gen Viggers' recommendation that the OWP should be extended to injured personnel.

**67.** The following week, the MOD's Service Personnel Board (SPB) considered a package of financial and non-financial measures which aimed to replicate the effects of the OWP for in-patients, whether at the RCDM or elsewhere.<sup>37</sup> The SPB was advised that, although the package was "work in progress", Gen Granville-Chapman was clear that the proposal "cannot bear the delay inherent in the usual staff circulations".

**68.** The package, which included the payment of Incidental Expenses to in-patients and an extension to the Dangerously Ill Forwarding of Relatives (DILFOR) scheme, was agreed and implemented by the end of September.<sup>38</sup>

**69.** The extension of the DILFOR scheme provided for two close family members to visit the permanent residence of a hospitalised Service person, so that they could support the family members there. The DILFOR scheme was extended again in 2008

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<sup>36</sup> Minute VCDS to DCDS(Pers), 23 August 2006, 'SoS Visit to Headley Court and RCDM'.

<sup>37</sup> Paper MOD, 31 August 2006, 'Welfare Support for Service In-Patients'.

<sup>38</sup> Minute Randall to Fleet-NLM DACOS PPA, 27 September 2006, 'Extension of DILFOR Travel Arrangements to the Families of Service Personnel who are Hospitalized'; Minute Randall to Fleet-NLM DACOS PPA, 27 September 2006, 'Payment of Incidental Expenses to Service Personnel who are Hospitalized'.

to allow multiple journeys to and from a hospital if the family was unable to remain at the bedside.<sup>39</sup>

**70.** In early October, there was considerable press coverage of alleged verbal abuse of military patients at Selly Oak hospital by members of the public.<sup>40</sup>

**71.** On 24 October, the SPB assessed that action to establish a Military Managed Ward (MMW) at RCDM Selly Oak was “well in hand”, and that:

“Security had been the biggest issue, and a weekly meeting was now in place between the local police (who have security primacy), MOD Police, RCDM and NHS Staffs.”<sup>41</sup>

**72.** General Sir Richard Dannatt made his first visit to RCDM Selly Oak as Chief of the General Staff (CGS) in December.<sup>42</sup> He reported to Air Chief Marshal Jock Stirrup, Chief of the Defence Staff, that while progress was being made, the “whole ‘system’ for dealing with those wounded on operations, once back in the UK, has been allowed to sink to such a woefully inadequate level that the task to rebuild it ... is huge”. He identified two underlying problems:

- RCDM was principally focused on delivering trained medical staff, rather than treating the wounded.
- The MOD had implicitly accepted that the NHS level of care was “good enough” for Service Personnel. That was reasonable for clinical care, but not for other issues such as the nurse to patient ratio, access to specialist units, and food.

**73.** Gen Dannatt concluded that efforts to establish an MMW needed to be re-invigorated and, more fundamentally, that the MOD should “operationalise” Selly Oak as a Role 4 military medical facility.

**74.** The MMW reached Initial Operating Capability in December 2006 and Full Operating Capability in July 2007, when it comprised 39 medical Service Personnel (compared with 12 in summer 2006):

- 11 orthopaedic nurses;
- 15 general nurses; and
- 13 healthcare assistants.<sup>43</sup>

**75.** Gen Dannatt visited the MMW at Selly Oak on 22 June 2007 and reported that it was “at last moving in the right direction”.<sup>44</sup> Clinical care, welfare support and administration were better led and co-ordinated, and there was a greater sense of

<sup>39</sup> Paper MOD, June 2010, ‘Operational Welfare Enhancements as at June 2010’.

<sup>40</sup> *Daily Mail*, 5 October 2006, *Calls for ‘military-wards’ to protect troops from abuse*.

<sup>41</sup> Minutes, 24 October 2004 Service Personnel Board meeting.

<sup>42</sup> Minute Dannatt to CDS, December 2006, ‘CGS Visit to RDCM Selly Oak: 6 December 06’.

<sup>43</sup> [Paper MOD, 28 June 2010, ‘Medical Input to Ainsworth Brief’](#).

<sup>44</sup> Minute Dannatt to VCDS, 26 June 2007, ‘Visit to Selly Oak – 2 Jun 07’.

urgency, although “we should not take any satisfaction in reaching what is only the basic level of care that our wounded servicemen deserve”.

**76.** The challenge now was to ensure that clinical, welfare and administrative support was delivered to injured personnel in a holistic manner wherever they were in the healthcare system.

**77.** In February 2008, the House of Commons Defence Committee described the clinical care for Service Personnel injured on operations as “second to none”.<sup>45</sup> The Committee commented, however, that “many of the improvements ... are relatively recent, and there has been a great deal of change over the past 18 months. The MOD should not be complacent: they have had to learn important lessons and it is now clear that the picture at Selly Oak was not always so positive.”

**78.** Specific issues cited in the report included the provision of toiletries and basic clothing for Service Personnel, travel assistance for the families of injured Service Personnel, and accommodation for the relatives of parents. The report stated that improvements were taking place, but “some of the slack had been taken up by welfare organisations”.

**79.** Mr Adam Ingram, Minister for the Armed Forces from 2001 to 2007, told the Inquiry:

“It became very clear early on that there was a problem at Selly Oak. It wasn’t the question of the quality of the medical care. It was the fact that they were in mixed [military/civilian] wards. You had soldiers who had been attended to by civilian nurses, civilian doctors and in the next bed there may well be a civilian injured person or old person.

“That became a big issue. My instinct initially was ... that if I was injured, I just wanted the best medical care ...

“But, as a result of a number of visits, Ministerial visits, it became abundantly clear we needed to do other things. So progressively, the number of military personnel, in terms of the medical care, changed ...”<sup>46</sup>

**80.** Lt Gen Lillywhite told the Inquiry:

“It quickly became apparent that returning casualties actually wanted to be looked after by the military ...

“Although at no stage ... was the clinical care of casualties coming back from Iraq compromised, there was an unhappiness amongst the patients themselves and their relatives about the lack of military involvement in both their care, although actually much more so in their welfare support.

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<sup>45</sup> Seventh Report from the House of Commons Defence Committee, Session 2007-2008, *Medical Care for the Armed Forces*, HC327, pages 3 and 13.

<sup>46</sup> Public hearing, 16 July 2010, page 49.

“So there was a period when the plan, which was working, was not in accord with what people had expected or wanted. So that led to a significant period of adverse press and internal adverse press as well, whilst both the medical services, but even more so the chain of command, organised themselves to actually provide that military bubble around the care in the hospital.”<sup>47</sup>

**81.** Lt Gen Lillywhite told the Inquiry that, while establishing a “military bubble” – such as the MMW – around a military patient did not improve the quality of clinical care, “one should not underestimate the beneficial impact upon recovery, upon family dynamics, and upon psychological wellbeing of actually being content”.<sup>48</sup> He added that the importance of continuing to provide a military bubble during treatment was one of the main lessons learned by DMS and the MOD from Iraq.

### Improvements at Headley Court

**82.** The facilities at DMRC Headley Court had been significantly enhanced by the end of Op TELIC, including through:

- the opening of a Complex Rehabilitation and Amputee Unit in June 2006: a contract was let to a private company that manufactured individually tailored prosthetics on site;<sup>49</sup>
- construction of a 30-bed temporary ward annex, which was brought into use in May 2007;<sup>50</sup>
- construction of a 58-bed staff and patient accommodation block (Wood House) in January 2009; and
- the opening of the Centre for Mental and Cognitive Health, to provide mental health and clinical psychology services, in spring 2009.

**83.** In May 2008, Ministers announced £24m in capital funding over four years for a Headley Court development programme. Over the first two years, this funding was mainly applied to the MOD contribution to the “Help for Heroes” rehabilitation complex (which was officially opened in June 2010) and a utilities upgrade for the whole site.

**84.** Lt Gen Lillywhite told the Inquiry that, while Headley Court was a “centre of excellence”, it was also “the greatest area of risk in actually managing casualties”.<sup>51</sup> The first risk area was its capacity:

“We were seeing far more cases that needed in-patient care in beds than we had ever seen probably since Korea ... and the capacity of Headley Court was not sufficient to have met it. Luckily, the building programme, the temporary ward, the

<sup>47</sup> Public hearing, 20 July 2010, pages 33-34.

<sup>48</sup> Public hearing, 20 July 2010, pages 35-36.

<sup>49</sup> Seventh Report from the House of Commons Defence Committee, Session 2007-2008, *Medical Care for the Armed Forces*, HC327.

<sup>50</sup> [Paper MOD, 28 June 2010, 'Medical Input to Ainsworth Brief'](#).

<sup>51</sup> Public hearing, 20 July 2010, pages 39-40.

relationships with the local planning authority, enabled us just to keep ahead of the surge. A close run thing, I think, but we kept ahead of the surge.”

**85.** The second risk area was the building itself:

“Headley Court is a fine listed building, which had in essence for many years treated sports injuries, complex sports injuries, but not open wounds. What we have started doing in this conflict is starting rehabilitation ever earlier, with significant success. But it posed risk in the type of surroundings that they were being managed in, in that Headley Court was not set up to look after cases that were open wounds or complex medication that required ongoing non-rehabilitation specialist care.”<sup>52</sup>

**86.** The Inquiry visited Headley Court in October 2010, and spoke to a number of members of staff and Iraq veterans. Members of staff told the Inquiry that it would be helpful if they were given more forewarning about deliberate operations with potential for high casualties.

**87.** In early October 2006, Gen Dannatt directed Major General Mark Mans, the Deputy Adjutant General (DAG), to lead an assessment of in-Service welfare provision to see where improvements could be made.<sup>53</sup> Gen Dannatt directed that the assessment should include discussions with the Soldiers, Sailors, Airmen and Families Association (SSAFA) on bringing back SSAFA Social Workers.

**88.** Maj Gen Mans replied to Gen Dannatt on 30 November, recommending that he should:

- invite the SSAFA to:
  - provide short-stay hostels for families at Selly Oak and Headley Court;
  - provide additional support for vulnerable Service leavers;
  - provide enhanced support for Service parents of children with disabilities and special needs; and
  - provide enhanced adoption services;
- enhance the current Army Welfare Service (AWS) structure with additional Civil Service Social Workers and Welfare Workers; and
- invite DCDS(Personnel) to organise a “wide-ranging, tri-Service, Ministerially-led” conference to increase understanding of welfare and healthcare support to the ex-Service community.

**89.** Maj Gen Mans advised that the AWS, like the rest of the Army, was “running hot”. The “heavy burden” of operational commitments and increased casualties had led to a 20 percent increase in the AWS’s workload over the past year. Using Civil Service (rather than SSAFA) Social Workers would give the AWS access to an established and

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<sup>52</sup> Public hearing, 20 July 2010, pages 40-41.

<sup>53</sup> Minute DAG to CGS, 30 November 2006, ‘Welfare and Aftercare’.

trained delivery network with a national footprint. SSAFA could be best deployed to provide support on discrete activities to specific groups.

**90.** Lt Gen Mans advised colleagues in December 2006 that Gen Dannatt considered it was timely to hold a wide-ranging conference on welfare and aftercare provision for Service leavers and veterans, “[a]gainst a background of changing operational imperatives, high commitment levels and evolving welfare demands, as well as a steadily declining knowledge and consciousness amongst the public and in the media of military needs and expectations during and after service”.<sup>54</sup>

**91.** The Tri-Service Welfare Conference was held in April 2007.<sup>55</sup>

**92.** Gen Dannatt wrote in his autobiography that although no major decisions were taken at the conference, “all those present were left in no doubt that those of us at the top of the organisation [the MOD] knew what the problems were, understood them, and had a determined commitment to tackle them”.<sup>56</sup>

### The role of charitable organisations

In the UK, charitable organisations have traditionally played an important role in providing care to Service Personnel and veterans, often working closely with the MOD, the NHS and the private sector.

Lt Gen Lillywhite told the Inquiry that the MOD welcomed the involvement of charitable organisations (although it might not always agree with their approach):

“They all have a desire to actually progress the care of Servicemen ... and they actually contribute significantly to; one, promoting the cause of particularly the ex-Servicemen; secondly, they are quite good at challenging us on what we are doing or not doing; and thirdly, they often bring a degree of expertise or approach that we might not otherwise have recognised.

“... it is a complex relationship but they are an essential part, in my view, of our society in terms of actually ensuring that veterans in particular, but to a lesser extent, serving soldiers, get the appropriate care that they require.”<sup>57</sup>

In his autobiography, Gen Dannatt described how, in 2007, charitable organisations became increasingly involved in military medical and welfare issues, as the number of casualties in Iraq and Afghanistan grew and the “fragility of the ... arrangements for our seriously injured become painfully apparent”.<sup>58</sup> That fragility related not to clinical care, which was excellent, but to the broader support that was available to injured personnel and their families.

<sup>54</sup> Paper Mans, 20 December 2006, ‘Army Welfare and Aftercare Conference Victory Services Club, London on Mon 16 Apr 07’.

<sup>55</sup> Minute MOD [junior official] to PS/Minister for Veterans [MOD], 5 June 2007, ‘Veterans Forum – 15th June 2007’.

<sup>56</sup> Dannatt R. *Leading from the Front*. Bantam Press, 2010.

<sup>57</sup> Public hearing, 20 July 2010, pages 70-72.

<sup>58</sup> Dannatt R. *Leading from the Front*. Bantam Press, 2010.

Gen Dannatt wrote that the increasing involvement of charitable organisations was, in his view, not a response to “a challenge thrown down by the Government, merely evidence that the nation was beginning to get behind its soldiers and their families”.

## Handling complex cases

**93.** Lt Gen Lillywhite told the Inquiry that survival rates improved significantly over the course of Op TELIC.<sup>59</sup> He also highlighted the increasing number of Service Personnel with “complex injuries” that would be seen in civilian life extremely rarely, and for which civilian medical and social services have not been set up to manage.

**94.** Lt Gen Lillywhite also told the Inquiry that since the start of the Iraq conflict, the MOD had taken a more flexible approach to determining the appropriate date for discharge, which now depended on the individual’s circumstances.<sup>60</sup> He described that to be “a compassionate response to ... very, very serious injuries and sometimes family situations”.

**95.** A particular challenge was managing the transfer of care from the military system to the NHS, when an individual with complex injuries was discharged.<sup>61</sup> The military system was holding onto casualties for longer, and in some cases to a point where it did not have all the capability required to care for the individual. However, at that same point, the NHS was not set up to provide the comprehensive care that was required.

Lt Gen Lillywhite commented:

“So arranging that care package requires individual persuasion, discussion, debate, with the local authorities in the place where that individual is at home. Of course, the issue of funding can then come into it ...

“So the ongoing care of the complex casualty is throwing up issues that we have not seen before.”

**96.** Lt Gen Lillywhite suggested that individuals with complex injuries should be treated by the Government as a group with specific clinical needs, in recognition of their service and on clinical grounds to enable specialist care to be arranged and provided more consistently.<sup>62</sup> He subsequently stated:

“I had general agreement when I was in office that that was what was required, but it needs giving effect to, and there are ongoing issues that can be only addressed

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<sup>59</sup> Public hearing, 20 July 2010, page 41.

<sup>60</sup> Public hearing, 20 July 2010, pages 52-53.

<sup>61</sup> Public hearing, 20 July 2010, pages 47-49.

<sup>62</sup> Public hearing, 20 July 2010, pages 41-42.

in my view by treating them as a group ... for example, giving them the advanced prostheses in the future, giving them access to new techniques that are becoming available as a result of research.”<sup>63</sup>

### Clinical developments during Op TELIC

The MOD told the Inquiry that it had identified five major “lessons” from the provision of medical care during Op TELIC, and had incorporated those lessons into its medical procedures.<sup>64</sup> The lessons were:

- Novel haemostatics. Experience during Op TELIC showed that control of catastrophic bleeding in the first 10 minutes after wounding led to a significant improvements in mortality and morbidity rates. New blood clotting agents, the Combat Applied Tourniquet, and an improved First Field dressing were introduced to arrest the flow of blood more effectively.
- Medical Emergency Response Teams (MERTs). Experience during Op TELIC led to the creation of Immediate Response Teams (IRTs), to deliver medical care at the point of wounding. The concept was developed into MERTs, which deliver consultant-led, pre-hospital emergency care.
- The introduction of a more capable “ground evacuation platform” (based on the Mastiff) which improved soldiers’ confidence in the casualty evacuation chain and significantly improved the delivery of medical care during evacuation.
- The introduction of digital imaging which allowed casualties to be diagnosed more quickly and more accurately.
- The development of an enhanced system for capturing medical data from all parts of the operational medical chain which improved casualty care and treatment regimes.

The Inquiry asked Lt Gen Lillywhite what the MOD had learned from Op TELIC about trauma care.<sup>65</sup> Lt Gen Lillywhite highlighted three areas:

- how to save life at the point of injury, including through the use of haemostatic dressings and massive transfusion protocols;
- how to sustain the quality of life of seriously injured individuals into the long term; and
- pain management.

Lt Gen Lillywhite added that those advances, and others, were being transferred to civilian medicine.

<sup>63</sup> Public hearing, 20 July 2010, page 92.

<sup>64</sup> [Minute MOD \[junior official\] to Iraq Inquiry \[junior official\], 22 June 2010, ‘Iraq Inquiry – Request for Evidence’.](#)

<sup>65</sup> Public hearing, 20 July 2010, pages 24-27.

## Support for mental health

### Research into the physical and psychological health of Operation TELIC personnel

**97.** Following a meeting of the Veterans Task Force on 10 April 2003, and as major combat operations in Iraq continued, Dr Lewis Moonie, the Parliamentary Under Secretary of State for Defence, discussed with MOD officials the value of initiating a long-term study of the health of Op TELIC veterans.<sup>66</sup>

**98.** In early May, an MOD official asked Dr Moonie to agree that the UK Government should support a large-scale programme of research on the physical and psychological health of personnel deployed on Op TELIC.<sup>67</sup> The cost could not yet be precisely estimated, but could be around £3m.

**99.** The official commented that the UK Government had moved “far too late” to initiate research programmes after the 1990/1991 Gulf Conflict, leading to a loss of trust from veterans and the public:

“By the time we [the Government] responded concern was widespread and the idea of a ‘Gulf War Syndrome’, for which there is still no scientific evidence, had taken root.

“We therefore need to act early this time and put in place as soon as possible a robust programme of research ... and respond as necessary.”

**100.** Dr Moonie agreed that recommendation.<sup>68</sup>

**101.** The MOD subsequently commissioned the King’s Centre for Military Health Research (the King’s Centre) at King’s College London to undertake a large-scale epidemiological study into the physical and psychological health of personnel deployed on Op TELIC.<sup>69</sup> The “primary objectives” of the study were:

- to assess the physical and psychological health of personnel deployed on Op TELIC in comparison with personnel not deployed on Op TELIC; and
- to ascertain whether an “Iraqi War Syndrome” had emerged following deployment, similar to the Gulf War Syndrome.

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<sup>66</sup> Minute PS/USofS [MOD] to Hd GVIU, 11 April 2003, ‘Op TELIC: Studies of Returning Service Personnel’.

<sup>67</sup> Minute MOD [junior official] to PS/USofS [MOD], 1 May 2003, ‘Op TELIC – Research into Possible Health Effects Post-Conflict’.

<sup>68</sup> Minute PS/USofS [MOD] to Hd GVIU, 6 May 2003, ‘Op TELIC – Research into Possible Health Effects Post-Conflict’.

<sup>69</sup> King’s Centre for Military Health Research, 2006, *The Iraq Study 2003 – 2006: Monitoring the Physical and Psychological Health of Personnel Deployed on Operation TELIC 1 (Op TELIC 1): Key Results from Stage 1*.

**102.** Secondary objectives included:

- to compare the health of Regular and Reservist Personnel; and
- to assess risk-taking behaviours (alcohol consumption and risky driving) in personnel deployed on Op TELIC.

**103.** In December 2003, the MOD published a report on lessons it had drawn from operations in Iraq.<sup>70</sup> The report provided a brief update on the King's College work, and concluded that "to date, we are not aware of any unusual pattern of ill-health in returning personnel".

**104.** The initial findings of the King's College research were published in May 2006.

### Over-Arching Review of Operational Stress Management

The MOD completed its Over-Arching Review of Operational Stress Management (OROSM) in September 2004, and a second phase covering Training and Communications Strategies in April 2005.

The OROSM defined six steps in operational stress management:

- pre-service entry beliefs and attitudes;
- in-service training and promotion courses for career development;
- pre-deployment;
- operational deployment;
- post-operational recovery; and
- on discharge from the Armed Forces.

Implementation and delivery of operational stress management within that framework remained the responsibility of the individual Services.

The OROSM clearly identified operational stress management as a management, rather than a medical, responsibility.

## Decompression

**105.** Over the course of Op TELIC, in addition to the requirement for a period of "normalisation" at the end of an operational tour, commanders increasingly opted for their units to undertake a formal period of decompression at the end of an operational tour, as part of post-operational stress management.<sup>71</sup>

**106.** Decompression involved "placing groups into a structured and – critically – monitored environment in which to begin winding down and rehabilitating to a normal, routine, peacetime environment". Any individual considered to be vulnerable to any form

<sup>70</sup> Ministry of Defence, *Operations in Iraq: Lessons for the Future*, December 2003.

<sup>71</sup> Minute DCDS(Pers) to VCDS, July 2007, 'Decompression'.

of post-operational stress should be identified, so that the appropriate support could be provided as the individuals passed through the demobilisation process.<sup>72</sup>

**107.** The MOD assessed that decompression was best suited to formed teams and units.<sup>73</sup> Where possible, units should include individual augmentees (including Reservists) in their decompression arrangements. In the cases of individuals who were not available for the decompression period, the “clinically relevant” elements of the decompression process could be covered by pre-departure briefings and the subsequent normalisation period.

**108.** For Army units on Op TELIC, decompression usually took place in Cyprus over a period of 36 hours.

**109.** The first formal period of decompression took place in 2004, at the end of Op TELIC 3.<sup>74</sup>

**110.** By July 2007, the MOD’s policy was that formed units should have a period of decompression unless a formal application to opt out had been agreed by the chain of command.<sup>75</sup> Air Marshal (AM) David Pocock, the Deputy Chief of Defence Staff (Personnel), advised Gen Granville-Chapman that, in the absence of evidence of “clinical efficacy”, the policy was based on the “military judgement” that decompression promoted adjustment and re-integration into a normal environment.

**111.** In August 2010, the MOD produced an analysis of Op TELIC from a Land perspective.<sup>76</sup> The analysis stated that many units reported that individual augmentees and members of the TA could “fall between the cracks” and not carry out decompression. Some units reported that members of the TA could not remain with the unit during normalisation when it took place in the unit’s barracks, and therefore went home.

**112.** The MOD concluded:

“... a debate remains to be had about whether the main effort for Reservists should be to return them to civilian life as quickly as possible or extend their period in mobilised service to effect full normalisation ... What is vital is to ensure that all TA Personnel are given adequate transition back to civilian life, and this includes important information on where to get assistance if he/she needs it. POSM [Post-Operational Stress Management] must continue through their chain of command.”

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<sup>72</sup> Minute DCDS(Pers) to MA/USoS [MOD], December 2006, ‘Management of Personnel Returning from High Intensity Operations’.

<sup>73</sup> Minute DCDS(Pers) to VCDS, July 2007, ‘Decompression’.

<sup>74</sup> Minute DCDS(Pers) to MA/USoS [MOD], December 2006, ‘Management of Personnel Returning from High Intensity Operations’.

<sup>75</sup> Minute DCDS(Pers) to VCDS, July 2007, ‘Decompression’.

<sup>76</sup> Report Land Command, 31 August 2010, ‘Operations in Iraq: An Analysis from a Land Perspective’.

## Variations in the level of support after an operational deployment

**113.** The Inquiry heard from a number of veterans and witnesses that the level of support received by personnel returning from Op TELIC varied significantly.

**114.** The Inquiry asked Lieutenant General Sir Alistair Irwin, Adjutant General from 2003 to 2005, whether he was aware of that variation and, if so, what was done to address it.<sup>77</sup> He told the Inquiry:

“... we were aware that there were varying standards ... That was obviously a worry because, where the standard was good, that was fine. Where the standard was not good, then something clearly needed to be done about it.

“So there was a constant interchange between my people, who were producing the advice, the guidance, the policy, and the people who were actually delivering these things, which were ... the welfare staffs ... the field Army and the chain of command.

“... there was, amongst us all collectively, a desire to deliver as good a product as we could for those who needed it but, when it boils down to it, when you have a complex machine that consists of over 100,000 individual people, you can be absolutely certain, no matter what it is that you do, that there will be people who one way or another don't live up to the standard required.

“So much to the regret of all of us involved, there were unquestionably people who weren't looked after as well as they should have been. There is no doubt about that and each one of them represents, in some degree or another, a failure.

“I hope, though ... without in any way wanting to sound complacent about it, that that number was probably relatively small.”

**115.** Lt Gen Irwin agreed that those individuals were more likely to have returned to environments without significant military support around them, including Reservists returning to civilian life and Regular Personnel living away from barracks.

**116.** Vice Admiral Peter Wilkinson, Deputy Chief of Defence Staff (Personnel) from 2007, told the Inquiry:

“Certainly, when we started the campaign, we were much more adept at looking after the large, formed units than we were on those individuals who had either gone out as single staff or on an augmentee basis.

“I think, as we have gained greater experience of the operation and of the likely pressures on the troops, then we have become more adept and more proactive at looking after their likely needs.”<sup>78</sup>

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<sup>77</sup> Public hearing, 21 July 2010, pages 29-31.

<sup>78</sup> Public hearing, 19 July 2010, page 24.

## First reports from the King's Centre study

**117.** Professor Simon Wessely and Professor Christopher Dandeker presented the early findings of the King's Centre study to the 25 May 2005 meeting of the Service Personnel Board (SPB).<sup>79</sup> The record of the meeting reported:

“The initial observations suggest that for Regulars, there was no Iraqi War syndrome, no increases in general mental health problems and PTSD [Post-Traumatic Stress Disorder], or increases in alcohol intake. These observations were different to Op GRANBY [the 1990/1991 Gulf Conflict]. For Reservists, there have been increases in general mental health problems and a doubling of PTSD, but no increase in alcohol intake.”

**118.** Two papers from the King's Centre study into the physical and psychological health of personnel deployed on Op TELIC were published in May 2006.

**119.** The first paper concluded that for Regular Personnel, deployment to Iraq had not, so far, been associated with significantly worse health outcomes, apart from a modest effect on multiple physical symptoms.<sup>80</sup> There was, however, evidence of a clinically and statistically significant effect on the health of Reservists, in relation to PTSD symptoms, multiple physical symptoms, and general perceptions of health.

**120.** The second paper concluded that there had been no substantial increase in symptomatic ill-health amongst members of the Regular Armed Forces who had taken part in the invasion of Iraq, and there was no pattern suggestive of a new syndrome.<sup>81</sup> That finding was in contrast to the situation after the 1990/1991 Gulf Conflict, when a substantial increase in symptomatic ill-health had been observed.

**121.** On 16 May, Mr Tom Watson, the Parliamentary Under Secretary of State for Defence, set the conclusions of the papers and the Government's response in a written statement to Parliament:

“... a small but measurable number of Reservists (when compared either with Regulars who did deploy or Reservists who did not deploy) are showing some increased health effects as a result of deployment – particularly for common mental disorders (such as anxiety, depression and stress), post traumatic stress disorder and fatigue. It remains the case, though, that the reported rates of indicators of common mental ill-health for both Reservists and Regulars are broadly of the same order as found in the general UK population.”<sup>82</sup>

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<sup>79</sup> Minutes, 25 May 2005, Service Personnel Board meeting.

<sup>80</sup> Hotopf et al. The health of UK military Personnel who deployed to the 2003 Iraq war: A cohort study. *The Lancet* **367**: 1731-1741 (2006).

<sup>81</sup> Horn et al. Is there an 'Iraq War Syndrome'? Comparison of the health of UK Service Personnel after the Gulf and Iraq wars. *The Lancet* **367**: 1742-1746 (2006).

<sup>82</sup> House of Commons, *Official Report*, 16 May 2006, column 43WS.

**122.** Mr Watson described the issue of Reservists' mental health as the "key finding" of the study, advised that the Government was already monitoring the issue closely and looking at possible solutions, and announced that the Government would introduce an enhanced post-operational mental health programme for recently demobilised Reservists later in the year.

**123.** Lt Gen Lillywhite told the Inquiry that there might be several reasons why Reservists might suffer more from mental health issues:

- less preparatory training throughout their careers than Regular Personnel;
- a less supportive environment for the families of Reservists than for Regular Personnel;
- a less robust selection process; and
- an absence of "ongoing support from their peers" when Reservists left the military environment and returned to civilian life.<sup>83</sup>

**124.** The King's Centre study was extended in 2006 into a second phase (2007 to 2010), and broadened to include all subsequent Iraq deployments and deployments to Afghanistan.<sup>84</sup>

## Reserves Mental Health Programme

**125.** In November 2006, in response to the findings of the King's Centre study, the MOD launched the Reserves Mental Health Programme (RMHP), to provide enhanced mental healthcare to current and former Reservists who had been demobilised since 1 January 2003 following deployment on an overseas operation.<sup>85</sup>

**126.** The RMHP provided a mental health assessment and, if appropriate, out-patient treatment at one of the MOD's Departments of Community Mental Health (DCMHs). In-patient treatment was provided through the NHS.

**127.** The MOD assessed that there could be, in the worse case, a "backlog" of 680 individuals (who had been demobilised since 1 January 2003 and who had concerns over their mental health), who would be referred to the RMHP when it launched.<sup>86</sup> Thereafter the RMHP was expected to receive 75 referrals a year.

**128.** A 2011 study concluded that the RMHP was an effective method of treatment for those who accessed it.<sup>87</sup>

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<sup>83</sup> Public hearing, 20 July 2010, pages 60-61.

<sup>84</sup> [Paper MOD, 29 June 2010, 'Veterans Mental Health'](#).

<sup>85</sup> Surgeon General's Policy Letter 28/06, 21 November 2006, 'Reservists Mental Health Programme'.

<sup>86</sup> Paper MOD, 25 August 2006, 'Recently Demobilised Reservists Mental Health Project: The Proposal and Business Process'.

<sup>87</sup> N Jones et al. A Clinical Follow-up Study of Reserve Forces Personnel Treated for Mental Health Problems Following Demobilisation. *Journal of Mental Health* **20** (2011).

## Concerns over mental health issues, late 2006

**129.** Section 16.1 describes the concerns of General Sir Richard Dannatt, Chief of the General Staff (CGS) from August 2006, that the Army was “running hot” and the military covenant was out of balance.<sup>88</sup>

**130.** Gen Dannatt visited Iraq in late September 2006.<sup>89</sup> His report to Air Chief Marshal Jock Stirrup, Chief of the Defence Staff (CDS), highlighted the psychological welfare of Service Personnel as one area where action was required:

“I was concerned to hear that there had been 99 referrals to the Field Mental Health Team from 20 Bde alone during their tour. This number seems high, though I suspect as people start returning to Iraq (or Afghanistan) for the third or fourth time it will not be atypical. I am aware ... that we do not equip our soldiers as well as we might during their pre-deployment training for the combat stress of operations. I am discussing this with AG [the Adjutant General, Lt Gen Viggers], and we will shortly be taking steps to improve our commanders’ understanding of, and ability to deal with, psychiatric casualties in theatre. I will ensure that this work informs DCDS(Personnel)’s Overarching Review of Operational Stress Management.

“I am less sanguine, however, about what happens to psychological casualties evacuated back to UK – in the case of 20 Bde about 20 individuals. As I understand it, once in the UK these casualties are managed by The Priory, a civilian contractor, for psychiatric treatment. Not only do we tend to lose track of these casualties thereafter, but I feel intuitively that rustication from a military environment is hardly the best way to treat all but the very worst of our stress casualties. Indeed, experience from recent major conflicts tells us that soldiers suffering from combat stress are best treated in as military an environment as possible. Once the psychological props of discipline, esprit de corps, ethos and humour are removed, the road to recovery for stress casualties grows that much longer. Now that we have decided, quite rightly, to run RCDM Birmingham on more military lines,<sup>90</sup> we should at least ask ourselves similar questions over our care of psychiatric casualties.”

**131.** Gen Dannatt subsequently tasked Major General Mark Mans, the Deputy Adjutant General (DAG), to address those concerns.<sup>91</sup>

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<sup>88</sup> Letter Dannatt to Browne, 31 August 2006, [untitled].

<sup>89</sup> Minute Dannatt to CDS, 2 October 2006, ‘CGS’ Visit to Iraq: 26-28 Sep 06’.

<sup>90</sup> A reference to the decision to establish a Military Managed Ward at Selly Oak hospital.

<sup>91</sup> Minute DAG [MOD] to CGS, 30 November 2006, ‘Welfare and Aftercare’.

**132.** Mr Ingram visited Iraq from 30 September to 1 October.<sup>92</sup> His Private Secretary reported that three concerns had been raised with Mr Ingram with regard to “psychiatric treatment”:

- There was an “apparent upward trend (if not surge)” in the number of people requiring support in the second half of six-month tours.
- The US provided “significantly more in-theatre welfare/counselling support” than the UK (although the US deployed personnel for longer than the UK).
- Personnel evacuated back to the UK to receive treatment at The Priory had, from their unit’s perspective, been “‘lost’ for weeks at a time”.

**133.** Maj Gen Mans replied to Gen Dannatt on 30 November, advising that:

- The high level of psychiatric casualties being referred to the Field Mental Health Team (FMHT) was a positive feature rather than a cause for concern, as it reflected a willingness by personnel to consult the FMHT. The number of personnel evacuated from theatre was lower than might be expected from the number of referrals to the FMHT.
- The current system for providing care for personnel evacuated from theatre with mental health problems (treatment at The Priory and/or the MOD’s Departments of Community Mental Health) conformed to psychiatric best practice. The recently activated RMHP would also help.
- Regarding commanders’ understanding of and ability to deal with psychiatric issues, the OROSM had recommended that personnel receive stress management training at points throughout their career. This recommendation had been partially implemented; full implementation required resources and training time.<sup>93</sup>

**134.** In November, Mr Derek Twigg, Parliamentary Under Secretary of State for Defence, expressed his concern that the MOD was not providing a “comprehensive rehabilitation package” for personnel returning from operations.<sup>94</sup>

**135.** AM Pocock responded in December.<sup>95</sup> He advised that a forecast that the current downward trend in Road Traffic Accidents would stall, and a recent King’s Centre paper indicating an increased tendency towards risk-taking behaviour after deployment, both supported Mr Twigg’s “nagging concern” that the MOD might not be providing the support that personnel (including Regulars, Reservists, formed units, individuals, and individuals who had been medically evacuated) required.

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<sup>92</sup> Minute PS/Min(AF) [MOD] to MA/CJO, 4 October 2006, ‘Iraq: Minister (AF)’s Visit 30 Sept – 1 Oct ‘06’.

<sup>93</sup> Minute DAG to CGS, 30 November 2006, ‘Welfare and Aftercare’.

<sup>94</sup> Minute DCDS(Pers) to MA/USoS [MOD], December 2006, ‘Management of Personnel Returning from High Intensity Operations’.

<sup>95</sup> Minute DCDS(Pers) to MA/USoS [MOD], December 2006, ‘Management of Personnel Returning from High Intensity Operations’.

**136.** AM Pocock set out the six-step process defined by the MOD's Operational Stress Management Policy and highlighted the role of decompression as one element of step 5 (post-operational recovery). Work to evaluate the effectiveness of decompression was under way.

**137.** In July 2007, AM Pocock advised Gen Granville-Chapman that, following the 2005 OROSM review, the MOD's policy on operational stress management was "both comprehensive and robust".<sup>96</sup> The MOD had now undertaken an analysis within the three Services and the Civil Service of how much training for operational stress was available and how effective it was. This "gap analysis" indicated that the three Services "already do much to address [operational stress management] training needs". A bid for resources to plug the gaps, including the wider implementation of the Royal Marines' Trauma Risk Management programme proposed by the Army, would be submitted.

## Trauma Risk Management

**138.** In 2008, the Armed Forces rolled out Trauma Risk Management (TRiM) in all three Services.<sup>97</sup>

**139.** Lt Gen Lillywhite described TRiM as a form of debriefing after a traumatic event,<sup>98</sup> but undertaken in peer groups rather than by an external counsellor. The person who was leading the debriefing was taught to identify whether their colleagues were under stress and might need referral elsewhere.<sup>99</sup>

## Further findings from the King's Centre study

**140.** Further reports from the King's Centre study in 2009 and 2010 reported that:

- There was no increase in mental health problems in Regular Personnel serving in Iraq or Afghanistan, compared with Regular Personnel not deployed to Iraq or Afghanistan.
- The rate of symptoms of PTSD remained "relatively low" among Regular Personnel deployed to Iraq or Afghanistan; estimates ranged between 1.3 and 4.8 percent following deployment. The rate of symptoms of PTSD in the general UK population was approximately 3 percent.
- Between 16 and 20 percent of Regular Personnel reported common mental disorders, such as depression and anxiety. This was similar to the rate in the general UK population.

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<sup>96</sup> Minute DCDS(Pers) to VCDS, July 2007, 'Decompression'.

<sup>97</sup> Seventh Report from the House of Commons Defence Committee, Session 2010-2012, *The Armed Forces Covenant in Action?*, HC 762.

<sup>98</sup> Traumatic events might include sudden death, serious injury, near misses and overwhelming distress when dealing with disaster relief and body handling.

<sup>99</sup> Public hearing, 20 July 2010, pages 56-57.

- Alcohol misuse was a common problem among Regular Personnel deployed to Iraq and Afghanistan. In the first phase of the King's Centre study (2003 to 2006), only "combat troops" were found to have a higher prevalence of alcohol misuse following deployment to Iraq. Later analyses showed a higher prevalence of alcohol misuse among all Regular Personnel who were deployed to Iraq or Afghanistan, regardless of their role on deployment.
- "Combat troops" deployed to Iraq and Afghanistan showed a small but significant increase in the risk of symptoms of PTSD compared with non-combat troops. Approximately 7 percent of combat troops had symptoms of PTSD following deployment.
- Reservists deployed to Iraq or Afghanistan were at a higher risk of reporting symptoms of PTSD, when compared with Reservists not deployed to Iraq or Afghanistan. The King's Centre commented that many factors could contribute to the excess of mental ill-health observed in deployed Reservists, including their relative inexperience of combat operations, lower unit cohesion, and problems in the home and work environment during or after deployment. The King's Centre also commented that despite the introduction of measures focused on helping Reservists (including the RMHP and better support for Reservists' families), the excess of mental health problems (specifically PTSD) observed among Reservists deployed to Iraq and Afghanistan was "disappointingly persistent".
- Multiple deployments were not consistently associated with an increased risk of mental health problems. However, the cumulative duration of deployments did affect mental health; if troops deployed for more than 13 months over a three-year period they were at increased risk of mental health problems, particularly an increased risk of PTSD symptoms. The King's Centre commented that the finding supported the MOD's Harmony Guidelines for Army Personnel. Ensuring that the Guidelines were not exceeded could help to reduce the risk of mental health problems in the UK's Regular forces.
- Regular Personnel were at increased risk of alcohol misuse and PTSD symptoms where the tour length was extended during the deployment itself.<sup>100</sup>

**141.** The King's Centre concluded:

"Despite extended campaigns in Iraq and Afghanistan, the prevalence of mental disorders in the UK's Armed Forces remains low. PTSD is in fact an issue for a relatively small proportion of military personnel. Of particular concern, however, are the high levels of alcohol misuse in Regulars, the mental health of combat troops and also the mental health of Reservists. These three issues require attention over the coming years."

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<sup>100</sup> Forbes et al. The Mental Health of UK Armed Forces Personnel: The Impact of Iraq and Afghanistan. *RUSI Journal*, **156**: 14-20 (2011).

### The Harmony Guidelines and mental health

Professor Christopher Dandeker, Professor of Military Sociology at King's College London and Co-Director of the King's Centre for Military Health Research, told the House of Commons Defence Committee in March 2008 that:

“... so far as our own research is concerned ... I think that the Harmony Guidelines have been well constructed because the evidence suggests that if you stay within them they [Service Personnel] do not suffer; if you go beyond them there is a 20 to 50 percent likelihood that they will suffer in terms of PTSD [Post Traumatic Stress Disorder]”.<sup>101</sup>

In his evidence to the Inquiry, Air Marshal David Pocock, Deputy Chief of Defence Staff (Personnel) from 2005 to 2007, questioned whether Professor Dandeker was right to suggest that the Harmony Guidelines were an appropriate basis for assessing the effect of operational deployment on individuals.<sup>102</sup> The Guidelines had been derived in a straightforward way from the planning assumptions used in SDR 98 (‘what operations have we got? How many people have we got? ... that means that they can spend this long away’). AM Pocock said that his focus had been on the broader relationship between time deployed on operations and the risk of mental health issues.

**142.** The Inquiry asked Lt Gen Lillywhite how the MOD’s approach to mental health had changed over the course of Op TELIC.<sup>103</sup>

**143.** Lt Gen Lillywhite told the Inquiry that the “perennial challenge” was to overcome the stigma associated with mental health issues:

“A lot of effort has gone into educating both commanders and individuals that psychological adverse effects is not something that needs to be hidden. We have not fully succeeded, nor has any other nation, and neither has the civilian population. Mental health continues to have a stigma amongst many that actually inhibits its presenting for care early.”

**144.** Lt Gen Lillywhite highlighted the introduction of a decompression period after an operational deployment and TRiM, as two significant developments in the MOD’s approach to supporting mental health.

## Compensation

**145.** The MOD provided compensation to Service Personnel who suffered from illness or injury, including mental health problems.

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<sup>101</sup> Fourteenth Report from the Defence Committee, Session 2007-2008, *Recruiting and retaining Armed Forces Personnel, Oral and Written Evidence (25 March 2008)*, HC424.

<sup>102</sup> Public hearing, 19 July 2010, pages 68-70.

<sup>103</sup> Public hearing, 20 July 2010, pages 55-57.

**146.** For illnesses and injuries caused before 6 April 2005, compensation was provided under two separate compensation arrangements, the War Pensions Scheme (WPS) and the Armed Forces Pension Scheme 1975 (AFPS 75).

**147.** In September 2003, after a consultative process which began in 2001, the Government announced that it would introduce a new Armed Forces Pension Scheme (AFPS 05) (see Section 16.1) and a new compensation scheme.<sup>104</sup> The new compensation scheme would be introduced in April 2005 and would replace provisions under the War Pensions Scheme and attributable benefits under AFPS 75.

**148.** Mr Ivor Caplin, the Parliamentary Under Secretary of State for Defence, told Parliament that the new compensation scheme would have “more focus on the more severely disabled” and would provide a lump-sum payment for “pain and suffering” – a benefit that was not available under the current arrangements.

**149.** The new compensation scheme – the Armed Forces Compensation Scheme (AFCS) – was introduced on 6 April 2005.<sup>105</sup> The AFCS:

- Provided compensation for any injury, illness or death which was caused by service on or after 6 April 2005. That included injury or illness which occurred while participating in a “service related activity”, such as organised sport.
- Covered all current and former members of the Armed Forces, including Reservists. For the first time, serving members of the Armed Forces could make claims.
- In the event of service-related death, paid benefits to eligible partners and children. An eligible partner was described as “someone with whom you are cohabiting in an exclusive and substantial relationship, with financial and wider dependence”.
- Provided lump sum payments and, for the most severe injuries and illnesses, Guaranteed Income Payments (GIPs) to provide a regular income stream. Those payments were made according to a comprehensive tariff reflecting, for lump-sum payments, the severity of the injury or illness and, for GIPs, estimated loss of future earnings. The most severe injuries and illnesses qualified for a lump-sum payment of £285,000.
- Used the balance of probabilities standard of proof, in line with similar schemes for civil claims.<sup>106</sup>

**150.** Public concern over the level of compensation paid to injured Service Personnel grew in autumn 2007, following press coverage of the compensation awarded to Lance Bombardier Ben Parkinson.<sup>107</sup> Lance Bombardier Parkinson was severely injured in

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<sup>104</sup> House of Commons, *Official Report*, 15 September 2003, column 40WS.

<sup>105</sup> Armed Forces (Pension and Compensation) Act 2004.

<sup>106</sup> Ministry of Defence, *Guidance: Armed Forces Compensation: What You Need to Know*, [undated].

<sup>107</sup> Ministry of Defence, *Military Covenant: the Support Available to Current and Former Servicemen*, 2008.

Afghanistan, losing both his legs and suffering a brain injury and multiple other serious injuries.<sup>108</sup> The *BBC* reported that he had been awarded £152,150 in compensation.

**151.** In February 2008, the MOD amended the AFCS to take account of individuals who had suffered more than one injury in a single incident and to increase the lump-sum payments to those with the most serious multiple injuries (within the £285,000 maximum).<sup>109</sup> The MOD stated that, when the AFCS was developed, the MOD had not envisaged the “severe, multiple injury cases of the type that are now unfortunately occurring”. The changes enabled the AFCS to respond to that challenge.

**152.** In July 2008, within the Service Personnel Command Paper, the Government doubled the lump-sum payment for the most serious injuries, from £285,000 to £570,000.<sup>110</sup> All payments were increased by at least 10 percent. The Government committed to apply those increases retrospectively to all those who had already made claims under the AFCS. GIPs remained unchanged.

**153.** Mr Ainsworth told the Inquiry that when he pressed for that increase, he had experienced “some resistance” from some officials in the MOD:

“... I can remember a particular official amusing me no end when he told me, ‘You cannot, Minister, double the upfront compensation payment’ ... I think he had worked on the scheme for quite some time and was pretty dedicated to it, and he knew some of the other consequences of doubling the upfront payment, [that] potentially it would cause disparities with other people, but my attitude was ‘So what? I can’t defend the level of upfront payment as it exists today and you do not have to, and you are not injured and we are going to double it’, and we did.”<sup>111</sup>

**154.** Further increases in lump-sum payments (though not to the maximum amount) and to GIPs, and changes to the operation of the AFCS, were made in 2010 following a review of the AFCS.<sup>112</sup>

## Support for veterans

**155.** In March 2001, the Government launched the Veterans Initiative to identify and address the needs of veterans, in close partnership with ex-Service organisations.<sup>113</sup> It also announced the appointment of Dr Moonie as the first Minister for Veterans’ Affairs. The Initiative’s priorities included:

- co-ordinating the Government’s response to issues affecting veterans;

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<sup>108</sup> *BBC*, 28 August 2007, *Maimed soldier ‘let down’ by Army*.

<sup>109</sup> Ministry of Defence, *Military Covenant: the Support Available to Current and Former Servicemen*, 2008.

<sup>110</sup> *The Nation’s Commitment: Cross-Government Support to our Armed Forces, their Families and Veterans*, July 2008, Cm 7424.

<sup>111</sup> Public hearing, 6 July 2010, pages 25-26.

<sup>112</sup> Ministry of Defence, *The Review of the Armed Forces Compensation Scheme*, February 2010.

<sup>113</sup> Standard Note SN/IA/3070, 28 June 2005, ‘Veterans Policy’.

- improving communications between veterans and the Government; and
- promoting partnership between the Government and ex-Service organisations.

**156.** In June 2001, the War Pensions Agency was transferred to the MOD and in April 2002 it was re-launched as the Veterans Agency, with a remit to provide financial and welfare support to all former members of the Armed Forces, their widows/widowers and dependants.

**157.** The Veterans Agency published the *Strategy for Veterans* in March 2003, to “help ensure” a coherent Government policy and a structured plan of action.<sup>114</sup> The Strategy stated that services for veterans were increasingly delivered on a cross-Government basis, or through a partnership between Government and the private or voluntary sectors. Partnerships between Government and the voluntary sector should not detract from the Government’s responsibilities or impinge on charities’ independence.

**158.** The Veterans Agency published the *Communications Strategy for Veterans* in September 2003, in response to research commissioned by the MOD that indicated that many veterans, members of the general public, and “statutory and charitable service providers” were unaware of the services, advice and support available to veterans.<sup>115</sup>

## Mental healthcare for veterans

**159.** The Medical Assessment Programme (MAP) was established in 1993 to examine veterans of the 1990/1991 Gulf Conflict who were concerned that their health had been adversely affected by their service.<sup>116</sup> The majority of cases seen by the MAP were mental health related and the service evolved into a mental health assessment programme. The MAP was extended in 2003 to include Op TELIC veterans.

**160.** The MAP provided a thorough assessment by a physician with knowledge of veterans’ physical and mental health issues. The physician would provide a report for the referring doctor including any diagnosis made and recommendations for treatment.

**161.** In July 2003, King’s College London published its final report on the delivery of cross-departmental support and service to veterans.<sup>117</sup> The study (which ran from July 2002 to March 2003) had been commissioned by the MOD to examine key areas of need not already addressed under the Veterans Initiative and the *Strategy for Veterans*.<sup>118</sup>

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<sup>114</sup> Veterans Agency, *Strategy for Veterans*, March 2003.

<sup>115</sup> Veterans Agency, *Communications Strategy for Veterans*, September 2003.

<sup>116</sup> [Paper MOD, 29 June 2010, ‘Veterans Mental Health’](#).

<sup>117</sup> King’s College London, July 2003, *Improving the delivery of cross-departmental support and services for veterans*.

<sup>118</sup> Standard Note SN/IA/3070, 28 June 2005, ‘Veterans Policy’.

**162.** Key findings from the study included:

- There was very little published information on the experience of UK veterans.
- For “many (indeed most)” personnel, military life was a positive experience.
- Most veterans did not develop mental health problems as a result of serving in the Armed Forces. The minority of veterans who did, fared badly.
- There had been a decline in “civilian-military understanding”, which adversely affected veterans’ dealings with Local Authorities and Social Services.
- Only half of veterans with mental health problems were currently seeking help. Of those who had sought help, many were receiving anti-depressant therapies but few were receiving specialist advice or treatment.<sup>119</sup>

### Community mental health pilots

**163.** In 2005, following recommendations on mental health services for veterans presented by the independent Health and Social Care Advisory Service (HASCAS), the MOD, in collaboration with the DoH and the Devolved Administrations, launched six community NHS mental health pilots.<sup>120</sup> The purpose of the pilots was to provide expert, evidence-based assessment and treatment, led by a mental health therapist with an understanding of the issues faced by veterans, and to improve local health professionals’ awareness and understanding of veterans and military life.

**164.** The first pilot, in Stafford, started in November 2007; the sixth pilot, in Edinburgh, started in April 2009.

### Priority treatment within the NHS

**165.** From 1953, it was Government policy that war pensioners (not all ex-Service Personnel) should receive priority examination and treatment within the NHS for the condition for which they received a pension or gratuity.<sup>121</sup>

**166.** In spring 2007, in response to a series of Parliamentary questions on the efficacy of the arrangements underpinning that policy, the MOD tasked the Service Personnel and Veterans Agency (SPVA) to record all complaints relating to priority access.

**167.** In June 2007, a junior MOD official advised Gen Dannatt that the arrangements for ensuring priority access had several “inherent weaknesses”:

- The MOD owned the policy but was reliant on the DoH for delivery. The DoH did not regularly remind NHS clinicians and GPs of the policy. Even when clinicians

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<sup>119</sup> King’s College London, July 2003, *Improving the delivery of cross-departmental support and services for veterans*.

<sup>120</sup> [Paper MOD, 29 June 2010, ‘Veterans Mental Health’](#).

<sup>121</sup> Minute MOD [junior officer] to MA1/CGS, 19 June 2007, ‘War Pensioners – Priority in the NHS’.

and GPs were aware of the policy, the allocation of priority treatment was determined by a number of factors.

- The arrangement between the MOD and the DoH had never been formalised, but was rather a “gentleman’s agreement”. “Priority access” had never been defined.
- The MOD did not regularly remind war pensioners of their right to priority access.

**168.** The official stated that the only alternative to the current arrangement, the provision of treatment in the private sector, was unlikely to be affordable. To mitigate the weaknesses of the current arrangement, the MOD’s current level of engagement with the DoH, including at Ministerial level, should be sustained. The information that was now being collected by the SPVA would, in the future, allow better analysis and “evidence-based” action.

**169.** On 23 November, Mr Alan Johnson, the Health Secretary, and Mr Derek Twigg, Parliamentary Under Secretary of State for Defence and the Minister for Veterans, announced that the NHS would provide priority treatment for all veterans (not just those in receipt of war pensions), whose ill-health or injuries were attributed to their military service.<sup>122</sup>

**170.** Lt Gen Lillywhite told the Inquiry that the arrangement on priority access was of limited – but some – utility to veterans.<sup>123</sup>

**171.** In July 2008, the Government published a command paper entitled *The Nation’s Commitment: Cross-Government Support to our Armed Forces, their Families and Veterans* (known as the *Service Personnel Command Paper*).<sup>124</sup> The paper contained a number of measures to address the disadvantages experienced by veterans, including:

- a commitment that the standard of prosthetic limbs provided to veterans by the NHS, would match or exceed the standard of limbs provided to injured personnel by the DMS;
- a commitment to raise awareness amongst healthcare professionals of the healthcare needs of veterans;
- funding for supported housing for Service leavers;
- a commitment to fund tuition fees in further and higher education for Service leavers; and
- measures to improve veterans’ access to transport and employment opportunities.

**172.** The Inquiry’s conclusions and lessons on the care provided to Service Personnel are set out in Section 16.4.

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<sup>122</sup> Ministry of Defence, *Government boost to veterans healthcare*, 23 November 2007.

<sup>123</sup> Public hearing, 20 July 2010, page 80.

<sup>124</sup> *The Nation’s Commitment: Cross-Government Support to our Armed Forces, their Families and Veterans*, July 2008, Cm 7424.

## SECTION 16.3

### MILITARY FATALITIES AND THE BEREAVED

#### Contents

Introduction .....	77
Planning and preparing for fatalities .....	78
Estimates of UK military fatalities .....	78
Repatriation policy .....	79
Preparing to hold civilian inquests .....	80
Support for bereaved families .....	83
The Casualty Notification Officer and Visiting Officer .....	83
Immediate remedial action on bereavement procedures .....	84
Joint procedures and a Joint Casualty Co-ordination Cell .....	89
Training and support for Casualty Notification Officers and Visiting Officers ....	91
The experience of bereaved families .....	92
Early concerns about military investigations .....	94
Impact of a study on military inquiries and investigations, March 2004 .....	94
Review of Service Police investigations, October 2004 .....	100
Changes to MOD processes .....	103
Creation of the Army Inquest Cell .....	104
Reducing the number of redactions in BOI reports released to families .....	105
Creation of the Defence Inquests Unit .....	107
Introduction of Service Inquiries .....	113
Efforts to reduce the backlog of inquests, 2005 to 2007 .....	113
Support for the Oxfordshire Coroner .....	113
Discussions on funding .....	117
Progress in clearing the backlog of inquests .....	119
Efforts to transfer more inquests to local coroners .....	121
Support for the Swindon and Wiltshire Coroner .....	125
Efforts to improve the inquest process, 2006 to 2009 .....	126
US participation in inquests .....	126
Legal representation at inquests .....	130
The Coroners and Justice Act, 2009 .....	135

Fatal Accident Inquiries in Scotland .....	137
Honouring the dead .....	142
Repatriation ceremonies .....	142
Royal Wootton Bassett .....	144
Letters of condolence .....	144
Commemoration in Parliament .....	147
Memorial services .....	148
Armed Forces Memorial .....	149
The Elizabeth Cross .....	151

## Introduction

1. Between 2003 and 2009, 178 British Service Personnel and one Ministry of Defence (MOD) civilian lost their lives serving on Operation TELIC.<sup>1</sup> A breakdown of those fatalities by year is shown in the table below.

2. This Section addresses:

- the preparations made for repatriating the bodies of those who lost their lives on Op TELIC, and for investigating their deaths;
- changes to military investigative processes and to the civilian inquest process;
- the support offered to the next of kin and bereaved families; and
- how the Government honoured those who lost their lives.

3. This Section does not consider other UK citizens who also lost their lives in Iraq, in a variety of different roles and as the result of hostage-taking.

4. The provision of welfare support for Service Personnel is addressed in Section 16.1.

5. The provision of medical care, in particular for seriously injured personnel, and the support provided to their families, is addressed in Section 16.2.

6. The problems caused by deployments consistently exceeding the Defence Planning Assumptions in respect of the provision of military equipment are addressed in Sections 6.3 and 14.

7. The decision to deploy to Helmand province in Afghanistan, and the implications of that decision, are addressed in Section 9.

Table 1: Service Personnel and MOD civilian fatalities serving on Op TELIC, 2003 to 2009

Year	Fatalities
2003	53
2004	22
2005	23
2006	29
2007	47
2008	4
2009	1
<b>Total</b>	<b>179</b>

<sup>1</sup> GOV.UK, 12 December 2012, *British Fatalities: Operations in Iraq*.

## Planning and preparing for fatalities

### Estimates of UK military fatalities

8. Sections 6.1 and 6.2 describe military planning for operations in Iraq.

9. In early September 2002, the MOD estimated that between 31 and 48 Service Personnel would be killed in action during the initial combat phase of operations of an attack on Iraq (and that between 157 and 241 Service Personnel would be admitted to Role 3 hospitals).<sup>2,3</sup> Those figures excluded possible casualties from chemical and biological warfare.

10. The MOD regularly updated its casualty estimates as the military plan developed. The estimates did not consider casualties beyond the initial combat phase of operations.

11. Mr Geoff Hoon, the Defence Secretary, wrote to Mr Blair on 16 January 2003, recommending that the UK agree a US request to provide a large scale ground force for operations in southern Iraq.

12. Mr Hoon's advice did not include the estimates of UK military casualties (including fatalities) that had been developed.<sup>4</sup>

13. Mr Blair agreed Mr Hoon's recommendation the following day.<sup>5</sup>

14. On 3 February, the MOD produced a Casualty Estimate paper for the Chiefs of Staff meeting later that week.<sup>6</sup> The paper stated that:

- There could be between 30 and 50 fatalities in the Land Component.
- There could be between 5 and 9 fatalities in the Air Component.
- No simple estimate could be made of fatalities in the Maritime Component, given the high impact/low probability nature of incidents.
- Fatalities from a "single small-scale but well executed" chemical attack could be between 0 and 96 fatalities, depending on a range of factors including the target, the chemical agent used, and the weather.
- No useful estimate could be made of fatalities from a biological attack in the absence of more specific information about the circumstances of any attack.

15. The Chiefs of Staff concluded on 5 February that the Casualty Estimate paper would need to be shown to Ministers before any decision to commit UK troops was made.<sup>7</sup>

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<sup>2</sup> Role 3 (Echelon 3) medical support is generally provided at field hospitals and on hospital ships.

<sup>3</sup> Minute MOD [junior official] to Iraq Inquiry [junior official], 22 June 2010, 'Iraq Inquiry – Request for Evidence'.

<sup>4</sup> [Letter Hoon to Blair, 16 January 2003, 'Iraq: UK Land Contribution'](#).

<sup>5</sup> [Letter Manning to Watkins, 17 January 2003, 'Iraq: UK Land Contribution'](#).

<sup>6</sup> Minute Fry to COSSEC, 3 February 2003, 'Casualty Estimates – Op TELIC' attaching Paper MOD, 3 February 2003, 'Casualty Estimates for Op TELIC Based on Operational Analysis'.

<sup>7</sup> Minutes, 5 February 2003, Chiefs of Staff meeting.

**16.** On 20 February, in response to the publication of a paper, *Iraq at the Crossroads: State and Society in the Shadow of the Regime*, by the International Institute of Strategic Studies (IISS),<sup>8</sup> Mr Blair asked for advice on a number of questions, including: “What is our military’s assessment of the likely consequences of an attack on Iraq; i.e. how many casualties; how quickly the collapse?”<sup>9</sup>

**17.** On 24 February, Mr Peter Watkins, Mr Hoon’s Principal Private Secretary, wrote to Mr Matthew Rycroft, Mr Blair’s Private Secretary for Foreign Affairs, advising that the MOD estimated that there would be between 30 and 60 British and between 500 and 1,200 Iraqi “land battle” fatalities.<sup>10</sup> Mr Watkins also advised that work to estimate Iraqi civilian casualties continued.

**18.** Lord Boyce, Chief of the Defence Staff from 2001 to April 2003, told the Inquiry that Ministers would have been informed of the MOD’s casualty estimates, as part of the routine briefing process.<sup>11</sup>

**19.** By 1 May, when President Bush declared that major combat operations in Iraq had ended, 33 British Service Personnel had died serving on Op TELIC.<sup>12</sup>

**20.** Both Lord Boyce and Sir Kevin Tebbit, MOD Permanent Under Secretary from 2001 to 2005, told the Inquiry that the actual number of casualties had been fewer than the MOD had estimated.<sup>13</sup> Sir Kevin commented:

“... as far as casualties are concerned, the assessment was that they would not be any higher than we faced in the Gulf war 12 years earlier. So the figures were relatively ... modest. In the event, they were even lower than that. The uncertainty was ... the possible use of chemical/biological weapons against us. I think the original assessment was that Saddam was unlikely – but we couldn’t rule it out militarily – unlikely to use them early ... but he might use them, and we expected him to use them, as a matter of last resort, which, of course, informed the nature of military planning.”

## Repatriation policy

**21.** Until the Falklands Conflict in 1982, Service Personnel who died on major operations were normally buried in theatre.<sup>14</sup>

**22.** After the Falklands Conflict, all bereaved families were offered the opportunity to have the bodies of their relatives returned to the UK, largely because of the difficulty

<sup>8</sup> Oxford University Press for the International Institute of Strategic Studies: *Iraq at the Crossroads: State and Society in the Shadow of the Regime* – Adelphi Paper 354.

<sup>9</sup> [Minute Rycroft to McDonald, 20 February 2003, ‘Iraq: Political and Military Questions’](#).

<sup>10</sup> [Letter Watkins to Rycroft, 24 February 2003, ‘Iraq: Political and Military Questions’](#).

<sup>11</sup> Public hearing, 3 December 2009, page 94.

<sup>12</sup> GOV.UK, 12 December 2012, *British Fatalities: Operations in Iraq*.

<sup>13</sup> Public hearing, 3 December 2009, pages 94-96.

<sup>14</sup> Paper DCDS(Pers), 14 March 2003, ‘UK Forces: Repatriation of the Dead’.

of travelling to the Falkland Islands to visit their graves. In subsequent operations, it became MOD policy to repatriate bodies to the UK in all but the most exceptional circumstances.

**23.** The MOD's policy on the repatriation of the dead was set out in a paper produced by Lieutenant General Anthony Palmer, Deputy Chief of the Defence Staff (Personnel) (DCDS(Personnel)), on 14 March 2003:

“Repatriation to UK of the dead is to take place wherever possible and as soon as practicable.”<sup>15</sup>

**24.** If fatalities were suspected to have been caused by Chemical Biological Radiological Nuclear (CBRN) agents, then repatriation should only proceed once the presence of a CBRN agent had been confirmed or ruled out, and then on the basis of a risk assessment. In certain circumstances, repatriation might require mitigating actions (such as decontamination or special isolation of the body), or the body might need to be officially cremated in theatre with the ashes repatriated. In exceptional circumstances, the body might need to be cremated and permanently buried in theatre.

## Preparing to hold civilian inquests

### The legal frameworks for inquests

Coroners are independent judicial officers. They are appointed and paid for by the relevant local authority and their officers and staff are employed by the local authority and/or the police.

Coroners in England and Wales had a statutory duty, under Section 8 of the 1988 Coroners Act, to investigate deaths which are reported to them when the body is lying in their district and there is reason to believe that the death was violent or unnatural, or was a sudden death of unknown cause, or in some other circumstances.<sup>16</sup> That duty applied “whether the cause of death arose in his district or not”.

Section 14 of the 1988 Coroners Act provided that, if it appeared to the coroner for the district where a body was lying that the inquest ought to be held by another coroner, then he may request that coroner to assume jurisdiction.

The position in Scotland and Northern Ireland was different.

In Scotland, the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976 required the appropriate procurator fiscal to investigate (through a Fatal Accident Inquiry) any death which occurred within Scotland in the course of an individual's employment, or in legal custody.<sup>17</sup> The Act also provided for the Lord Advocate to instruct a procurator fiscal to investigate a death if it appeared to him that an investigation would be in the public interest.

<sup>15</sup> Paper DCDS(Pers), 14 March 2003, ‘UK Forces: Repatriation of the Dead’.

<sup>16</sup> Coroners Act 1988. The Act was replaced by the Coroners and Justice Act 2009.

<sup>17</sup> Fatal Accidents and Sudden Deaths (Scotland) Act 1976.

The Coroners Act (Northern Ireland) 1959 provided that coroners in Northern Ireland within whose district a dead body was found, or an unexpected or unexplained death or a death in suspicious and certain other circumstances occurred, “may” hold an inquest.<sup>18</sup> The Act also provided for the Advocate General for Northern Ireland to direct that an inquest should be held in other circumstances.

In the case of military deaths overseas, civilian inquests usually took place after the internal military investigation had concluded, although this was not formally required. The military investigation could provide evidence that would be extremely difficult for a coroner to source elsewhere.

**25.** An MOD official wrote to Mr Nicholas Gardiner, the Coroner for Oxfordshire, on 17 January 2003 to advise him that the Services were currently considering the administration for “potential mass casualties in the event of war”, and that the majority of fatalities might be repatriated to RAF Brize Norton, which fell within his area of responsibility.<sup>19</sup> The official asked whether “normal peacetime rules” would apply and specifically whether, if there were a large number of fatalities, he would expect to hold an inquest into each case.

**26.** Mr Gardiner replied on 20 January, confirming that:

- If the cause of death appeared unnatural, then there would be an inquest. This would normally be held in public.
- Normal practice where there was a single death was to transfer responsibility for the inquest to the “home town coroner”. Where there were a number of deaths in the same incident it was “clearly sensible” for the same coroner to hold those inquests; that would commonly be the coroner for the point of entry.<sup>20</sup>

**27.** Mr Gardiner and officials in the Home Office (the Department which was then responsible for coronial policy) and the MOD worked together during February and March to refine the arrangements for receiving UK fatalities.

**28.** Mr Gardiner advised a Home Office official on 20 February that he understood that in “contamination cases”, the bodies of deceased Service Personnel would not be returned to the UK.<sup>21</sup>

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<sup>18</sup> Coroners Act (Northern Ireland) 1959, as amended.

<sup>19</sup> Letter MOD [junior official] to Gardiner, 17 January 2003, ‘Handling of Multiple Deaths as a Result of Operations Overseas’.

<sup>20</sup> Letter Gardiner to MOD [junior official], 20 January 2003, ‘Foreign Deaths’.

<sup>21</sup> Letter Gardiner to Home Office [junior official], 20 February 2003, ‘Service Deaths Overseas’. Mr Gardiner’s letter provides no further details on the nature of those “contamination cases”. The Inquiry believes that Mr Gardiner was referring to casualties from chemical and biological weapons.

**29.** Mr Gardiner wrote to a Home Office official on 18 March, the day before military operations against Iraq began:

“There are a few matters outstanding but, generally, I think we are reasonably well prepared, although there are bound to be things we have not thought of.”<sup>22</sup>

**30.** The Home Office issued guidance to all coroners on handling deaths arising from hostilities in Iraq on 26 March.<sup>23</sup> The guidance stated:

- The MOD had advised that, while hostilities lasted, it would not be possible to provide evidence of the incidents on the battlefield which led to injury. In those circumstances, the Home Office recommended that coroners should adjourn inquests pending the conclusion of hostilities. Coroners “could expect to receive in due course advice on when it might be appropriate to consider the resumption of such inquests”.
- Coroners should notify the Home Office “if the numbers of adjourned cases in their jurisdiction seem likely to cause problems in terms of workload”.

**31.** A Home Office official wrote to Mr Gardiner on 2 April to advise that, while the Home Office appreciated Mr Gardiner’s “willingness to undertake the handling of all these cases”, the extra costs involved would fall to Oxfordshire County Council and they should be invited to agree the commitment that Mr Gardiner was taking on.<sup>24</sup>

**32.** The official went on to suggest that, “wherever appropriate, it would be better for the substantive inquests to be held by coroners local to the family concerned, as with any other deaths overseas”. While that approach had not been adopted for the inquests into the deaths caused by the 9/11 attack and the Bali bombing, in those cases the deaths all arose from a single incident:

“In the case of Iraq, the deaths are occurring in different places, at different times and in different circumstances. It seems to me, that unless there is good reason to the contrary, single deaths, and multiple deaths arising from the same incident and involving personnel from broadly the same place in England and Wales, ought to be subject to local inquests where the family or families involved can attend conveniently. Inquests into multiple deaths involving individuals from different parts of the country might properly be undertaken by you, unless there seems to be a more appropriate local coroner (e.g. if the deceased were all from the same military base).”

**33.** Mr Gardiner replied on 4 April, agreeing that it was certainly appropriate for some inquests to be transferred to other coroners.<sup>25</sup> Those would generally be single deaths,

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<sup>22</sup> Letter Gardiner to Home Office [junior official], 18 March 2003, [untitled].

<sup>23</sup> Letter Cobley to Coroners, 26 March 2003, ‘Deaths Arising from Hostilities in Iraq’.

<sup>24</sup> Letter Home Office [junior official] to Gardiner, 2 April 2003, ‘Section 14 and War Deaths’.

<sup>25</sup> Letter Gardiner to Home Office [junior official], 4 April 2003, ‘Section 14 etc’.

and multiple deaths where there was a “significant common factor” indicating that an inquest outside of Oxfordshire would be appropriate.

**34.** Mr Gardiner also agreed that there were “significant financial implications” for his office, and advised that he was copying the exchange to Oxfordshire County Council.

## Support for bereaved families

### The Casualty Notification Officer and Visiting Officer

**35.** Lieutenant General Sir Alistair Irwin, the Adjutant General from 2003 to 2005, described the role of a Casualty Notification Officer (CNO) for the Inquiry:

“It is the hope and expectation that those involved [CNOs] will be from the unit but sometimes, particularly if it was an individual based elsewhere, it had to be done by somebody else ... The general principle was that it should be based on the family entity, the military family entity.

“Once the casualty has been identified beyond peradventure and all the details are correct ... the CNO ... has the unenviable task of knocking on the door and presenting the bad news.”<sup>26</sup>

**36.** Vice Admiral (VAdm) Peter Wilkinson, Deputy Chief of Defence Staff (Personnel) (DCDS(Personnel)) from 2007, told the Inquiry:

“... it is the very first official contact that a bereaved family has with the MOD or the Armed Services that determines how the journey will go from there. If that official notification is carried out appropriately from all sides, then there is a chance that we may be able to help the family as they go through the grieving and bereavement process. If, for whatever reasons, that initial official contact doesn’t go well, then it is very hard to recover. Sometimes we never do.”<sup>27</sup>

**37.** Lt Gen Irwin described the role of a Visiting Officer (VO) for the Inquiry:

“... that person [the CNO] then stays with the family until the notified casualty Visiting Officer appears. The CNO, the one who has broken the bad news, then departs the scene and the VO then remains with the family...

...

“These people were trained ... to hold the family’s hand through the awful aftermath of this. First of all, the realisation that it has happened, then the business of going to the repatriation ceremonies, then, in many cases, going through the whole of the coroner’s process, then the funerals, and then the gradual trying to piece together

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<sup>26</sup> Public hearing, 21 July 2010, pages 47-48.

<sup>27</sup> Public hearing, 19 July 2010, page 49.

life again. Some families, of course, needed their VOs only briefly; others needed them ... for really quite a long time.”<sup>28</sup>

**38.** VOs were not generally specialists, but Service Personnel who were asked to take on the role in addition to their regular duties because they were thought to be suited to it.<sup>29</sup>

**39.** In December 2002, following a number of high-profile cases, the Army acknowledged that its procedures for supporting bereaved families “fell short of modern expectations” and introduced a number of changes, including:

- CNOs and VOs were briefed to try to identify any issues that might affect communications with the immediate and wider family (such as divorced or separated parents). If necessary, a second or third CNO could be appointed.
- All Notifying Authorities were instructed to maintain a pool of CNOs and VOs “who must have attended a seminar at Brigade or Divisional level”.
- Notification was to take place at any time of day or night, to avoid families hearing the news from elsewhere.
- The VO would remain in contact with the family as the focus for all communication, as long as the family wished.<sup>30</sup>

**40.** The Army refined that approach through 2003 and 2004, in the light of their experience of supporting the families of Service Personnel killed in Iraq.

### **Immediate remedial action on bereavement procedures**

**41.** The prospect of military operations against Iraq prompted the MOD to bring forward plans to extend some benefits to unmarried partners.

**42.** Mr Hoon was advised on 26 February 2003 that, with conflict in Iraq looming, the Government should end the uncertainty on whether unmarried partners of Service Personnel were eligible for benefits in the event of their death.<sup>31</sup>

**43.** Unmarried partners were not entitled to benefits under the Armed Forces Pension Scheme (AFPS) and only certain unmarried partners were entitled to benefits for death attributable to service under the War Pension Scheme (WPS). The MOD advised that the new Armed Forces compensation and pension schemes would extend benefits to unmarried partners (both heterosexual and homosexual) for attributable and non-attributable injury and death, but the new schemes would not be implemented before 2005/06.

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<sup>28</sup> Public hearing, 21 July 2010, pages 48-49.

<sup>29</sup> Public hearing, 21 July 2010, page 50.

<sup>30</sup> Paper MOD, [undated], ‘The Army Investigations and Aftercare Support Cell (AIASC)’.

<sup>31</sup> Iremonger to PS/Secretary of State [MOD], 26 February 2003, ‘Unmarried Partners – Implications for the Gulf’.

- 44.** Ministers had already indicated that, in certain circumstances, the Government would extend benefits to unmarried partners on a “case-by-case” basis.
- 45.** That position now needed to be clarified and formalised, by agreeing that AFPS benefits should be extended to unmarried partners for deaths attributable to service.
- 46.** On 20 March, Dr Lewis Moonie, the Parliamentary Under Secretary of State for Defence, announced that, with immediate effect, where a member of the Armed Forces died as a result of service related to conflict, ex-gratia payments equivalent to the benefits paid to a surviving spouse under the AFPS could be awarded to their unmarried partner, where there was a substantial relationship.<sup>32</sup>
- 47.** In late March, the MOD’s Armed Forces Personnel Administration Agency (AFPAA) wrote to the spouse of a Serviceman who had been killed in Iraq advising that an overpayment of her late husband’s salary – relating to the period between his death and formal identification – would be recovered from her benefits.<sup>33</sup>
- 48.** The bereaved spouse also felt that the AFPAA was pressuring her to leave her Service Family Accommodation (SFA).
- 49.** The MOD’s policy at that time was to allow spouses of deceased Service Personnel to remain in SFA for up to six months.<sup>34</sup> That period could be extended in some circumstances.
- 50.** The case attracted significant press attention.
- 51.** The bereaved spouse wrote to Mr Blair on 26 March, setting out her concerns. Mr Blair replied on 7 April, stating that Mr Hoon would consider the detailed points raised in her letter, but assuring her that she would be given all the time she required to consider her future housing needs.<sup>35</sup>
- 52.** Mr Hoon told Lt Gen Palmer on 15 April that he was “very uncomfortable” with the MOD’s handling of the case, including both the tone and content of the AFPAA’s letter.<sup>36</sup> Lt Gen Palmer confirmed that the letter was “factually incorrect”, as there were no grounds for seeking repayment.
- 53.** The following day, Mr Hoon tasked Lt Gen Palmer to oversee “a comprehensive review of the way in which all three Services handled bereaved families”.<sup>37</sup>

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<sup>32</sup> House of Commons, *Official Report*, 20 March 2003, column 54WS.

<sup>33</sup> Minute Palmer to 2SL [MOD], 15 April 2003, ‘Op TELIC – Pay, Pensions and Allowances Issues on Death of Service Personnel’.

<sup>34</sup> Record, 12 May 2003, ‘Record of Bereavement Policy Meeting Held in St Giles Court at 1330 on 7 May 2003’.

<sup>35</sup> Letter Blair to [name redacted], 7 April 2003, [untitled].

<sup>36</sup> Minute Palmer to 2SL [MOD], 15 April 2003, ‘Op TELIC – Pay, Pensions and Allowances Issues on Death of Service Personnel’.

<sup>37</sup> Minute Cooper to CE AFPAA, 24 April 2003, ‘Assistance to Bereaved Relatives – Policy Review’.

**54.** Lt Gen Palmer wrote to Mr Hoon’s Private Office on 17 April, confirming that work was already in hand to conduct that comprehensive review (an initial report would be available by 16 May), and reporting the “immediate remedial action” that had been taken in response to the individual’s experience:

- Lt Gen Palmer had “declared” that all except one of the Op TELIC fatalities to date were attributable to service. That declaration meant that the usual assessment of attributability would not be required, and that families could be notified now that the higher benefits associated with deaths attributable to service would be paid.
- The letters used by the AFPAA were not appropriate. As of 16 April, all letters dealing with Op TELIC had been “personally vetted” by the AFPAA’s Chief Executive and checked by the appropriate Service Casualty Co-ordination Centre.
- Families of Service Personnel were now able to stay in their service accommodation for “as long as they feel they need to in order to assess their longer-term housing requirements”. If pressed, VOs should “talk in terms of nine months although stressing that each case will be examined on its merits”.
- The MOD had asked the deceased insurer’s to accelerate their procedures.<sup>38</sup>

**55.** Lt Gen Palmer was advised on the same day that the MOD was facing a new challenge: “Policy ... changing ‘on the hoof’”.<sup>39</sup>

**56.** Lt Gen Palmer provided his first report to Mr Hoon on bereavement procedures on 16 May.<sup>40</sup> It identified six recent, specific lapses in the MOD’s handling of bereaved families (two of which pre-dated Op TELIC), and three broader areas where improvement was necessary:

- the volume, timing and style of correspondence between multiple MOD organisations and bereaved families;
- a lack of clarity over the sources of specialist advice available to bereaved families; and
- the “training/education” of CNOs and VOs.

**57.** Lt Gen Palmer reported the actions that had already been taken to prevent a recurrence of those specific lapses, and restated the decisions of the previous month

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<sup>38</sup> Minute DCDS(Pers) to APS/Secretary of State [MOD], 17 April 2003, ‘[name redacted] – Follow-up Action’.

<sup>39</sup> Minute Cheadle to Palmer, 17 April 2003, ‘Op TELIC – Pay, Pensions and Allowances Issues on Death of Service Personnel’.

<sup>40</sup> Minute DCDS(Pers) to PS/USoS [MOD], 16 May 2003, ‘Bereavement – Review of Procedures’.

to relax the MOD's policy on the retention of SFA and to improve the quality of AFPAA correspondence. Lt Gen Palmer also advised that:

- He had directed that all MOD correspondence should be routed through the deceased's unit and the VO, and all MOD visits to bereaved families should be co-ordinated by the VO.
- Further work would be done to develop "simple and readable" guidance, to improve the tone of correspondence, and to develop a comprehensive guide to the sources of advice and support available.
- Further work would be done to assess the selection, training and education of CNOs and VOs.

**58.** In March 2004, the MOD concluded a study to identify improvements to their investigative and Board of Inquiry (BOI) processes.<sup>41</sup> While the study focused on the investigative and BOI processes themselves, it recommended that:

- Commands should establish a senior focal point with responsibility for pro-actively monitoring all investigations and BOIs;
- all communication with families should be routed through a "single established and known contact", who could explain the context of any correspondence and "head-off any infelicitous or insensitive drafting"; and
- a "knowledgeable and consistent" officer should regularly brief families on the detail and progress of the entire investigation and BOI process.

**59.** On 24 June, Lt Gen Palmer reported to Air Chief Marshal (ACM) Sir Anthony Bagnall, Vice Chief of Defence Staff (VCDS), that each Service had now appointed a "Senior Co-ordinator" to act as a focal point for monitoring investigations and Inquiries.<sup>42</sup> Lt Gen Palmer also gave ACM Bagnall the "specific reassurance" that he had requested that each Service had undertaken to provide regular briefings to next of kin on process and progress. All communication with the next of kin would be routed through a single contact (normally the VO) who would "act as a sift" to filter out any insensitive or inconsistent drafting.

**60.** Lt Gen Palmer advised ACM Bagnall that a study into Services' bereavement support procedures, including the training provided to CNOs and VOs, had now reported. The study had concluded that:

- While it might seem logical to adopt a tri-Service approach to bereavement support procedures, it was reasonable for each Service to continue to use their

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<sup>41</sup> [Paper MOD \[junior official\], 25 March 2004 \[incorrectly dated on original as 24 February 2004\], 'Inquiries/Investigations into Death or Serious Injury on Operations: Scope for Improvement and Tri-Service Harmonisation – a Short Study for VCDS/DCDS\(Pers\)'](#).

<sup>42</sup> Minute DCDS(Pers) to VCDS, 24 June 2004, 'Inquiries into Unnatural Death and Serious Injury: Improvements in Process and Briefing'.

“slightly different” approaches given their differing geographical spread, unit organisations and ethos.

- With the exception of the Royal Navy, which generally used qualified welfare workers, “bereavement support personnel” were appointed on an ad hoc basis from the junior officer cadre. While bespoke training for the entire cadre was neither cost-effective nor deliverable, it should be possible to provide “awareness briefings” during general staff training, supplemented by “thorough briefings” by specialist personnel when an individual was appointed to be a VO.<sup>43</sup>

**61.** Lt Gen Palmer advised ACM Bagnall that he supported those findings, but commented that ACM Bagnall might wish to “revisit” the conclusion that it would not be financially or practically viable to develop a bespoke training course for individuals involved in bereavement support.<sup>44</sup>

**62.** ACM Bagnall accepted the findings, but commented that existing single-Service or tri-Service courses could include some coverage of bereavement support procedures.<sup>45</sup>

**63.** On 30 June, Lt Gen Palmer provided Mr Hoon with an update on work to improve the BOI process.<sup>46</sup> The update also covered progress on improving communications with families.

**64.** Lt Gen Palmer advised Mr Hoon that it was “clear that we are failing to meet some families’ expectations in respect of the quality and quantity of information we are providing to them”. A key step in improving communications between families and the MOD would be the appointment of a Senior Co-ordinator in each of the Services to ensure that families were briefed, through their VOs, on the progress of investigations and BOIs; the role of the Senior Co-ordinator, and progress in improving the BOI process, is described later in this Section.

**65.** Lt Gen Palmer recalled the steps that had been taken to improve the tone and accuracy of the MOD’s correspondence with bereaved families and advised that, as far as practicable, all routine correspondence now followed standard templates. The production of a joint casualty procedures manual<sup>47</sup> and the formation of a Joint Casualty Co-ordination Cell (JCCC) by January 2005 would further improve communication with families. As a “final filter”, all communication with families was now routed through a single point of contact, usually the VO.

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<sup>43</sup> Paper MOD, [undated], ‘Bereavement Support Training (Scoping Study) – Summary of Findings and Recommendations’.

<sup>44</sup> Minute Palmer to VCDS, 24 June 2004, ‘Inquiries into Unnatural Death and Serious Injury: Improvements in Process and Briefing’.

<sup>45</sup> Minute VCDS to Palmer, 1 July 2004, ‘Inquiries into Unnatural Death and Serious Injury: Improvements in Process and Briefing’.

<sup>46</sup> [Minute DCDS\(Pers\) to APS/SofS \[MOD\], 30 June 2004, ‘Boards of Inquiry – Improvements in Process’.](#)

<sup>47</sup> The first Joint Casualty and Compassionate Policy and Procedures (JSP 751) manual was published in March 2005.

**66.** Lt Gen Palmer reported that the review of training for personnel involved in bereavement support had concluded that a bespoke training course would be neither “financially nor practically viable”, but had identified a number of ways in which they would be better supported. The “problems of picking VOs from a necessarily ad hoc pool” could be overcome by including VO duties in general staff training, ensuring that specialist advice was available when needed, and ensuring that the “often junior” VO was properly briefed and supervised. Lt Gen Palmer expected that senior commanders would take a close and personal interest in ensuring that this was done properly.

**67.** In April 2005, Lt Gen Palmer recommended that the MOD’s policy on the occupation of Service Family Accommodation by bereaved spouses should be changed to be “less prescriptive”:

“... while bereaved spouses should be offered retention of SFA for two years we should acknowledge that there might be some ... who seek to retain their SFA for an indefinite period thereafter.”<sup>48</sup>

**68.** Mr Hoon agreed that recommendation, subject to a number of amendments, including that Ministers should be consulted before any decision was taken to withdraw housing entitlement beyond the two-year period.<sup>49</sup>

**69.** Mr Adam Ingram, Minister of State for the Armed Forces from 2001 to 2007, recalled the exchange in his evidence to the Inquiry:

“... the view [in the MOD] was, ‘Well, this is going to dislocate all the other arrangements, if you let this widow stay in the house’, and Geoff Hoon just said ‘So what? Fix it’, and it was fixed. I think, to the best of my recollection, we didn’t have a deluge of demand in that area. It may have been beneath the surface, but it never became a reality and, if it had been: yes, they can stay there, yes, we have to be sympathetic.”<sup>50</sup>

## Joint procedures and a Joint Casualty Co-ordination Cell

**70.** The Joint Casualty Co-ordination Cell (JCCC) was established in early 2005 to provide a focal point for casualty administration and notification and requests for compassionate travel.<sup>51</sup>

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<sup>48</sup> Minute Palmer to APS/SofS [MOD], 11 April 2005, ‘Draft Revised Policy for the Occupation of SFA by Bereaved Spouses Following the Death in Service of the Service Licensee’.

<sup>49</sup> Minute APS/SoS [MOD] to Palmer, 13 April 2005, ‘Revised Policy for the Occupation of SFA by Bereaved Spouses’.

<sup>50</sup> Public hearing, 16 July 2010, pages 39-40.

<sup>51</sup> Ministry of Defence website, *Casualty Procedures*.

**71.** Air Marshal David Pocock, the Deputy Chief of Defence Staff (Personnel) from 2005 to 2007, told the Inquiry that in 2004:

“... there was clear dissatisfaction with the notification procedures because ... it was a single-service responsibility and we were required very quickly to set up a Joint Casualty and Compassionate Cell ... and that took over getting the information from theatre, identifying a [Casualty] Notification Officer and setting the whole notification procedure in place ... on a joint basis.”<sup>52</sup>

**72.** Lt Gen Irwin told the Inquiry that during his time as Adjutant General (from 2003 to 2005):

“... I think [there were] 57 Army casualties ... and I would think, looking back on it, that I may have heard about issues in the notification process, and by ‘issues’ I mean either delays in doing it or calling on the wrong person, or the wrong sort of words being said at the wrong sort of time, I think maybe I had cases of that kind maybe between six and ten, so something of that order.”

“... as an individual, that family, there was nothing in the world was more significant. So we had to keep asking ourselves, ‘Are we doing this right?’

...

“So as each issue developed, we tried to close it off, but even after all this time and even with the establishment of the new joint system, with the new central training, even then, I am afraid I can guarantee that, in the future, there will be people who have a bad experience with this for one reason or another, and it is because we are all human beings.”<sup>53</sup>

**73.** The first version of the Joint Casualty and Compassionate Policy and Procedures (JSP 751) was produced in March 2005 (policy and procedures had previously been set and managed by the individual Services).

**74.** Lt Gen Palmer described the JSP as drawing together into one publication the best practices and procedures currently in place across the three Services.<sup>54</sup>

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<sup>52</sup> Public hearing, 19 July 2010, page 50.

<sup>53</sup> Public hearing, 21 July 2010, pages 52-53.

<sup>54</sup> Minute DCDS(Pers) to VCDS, 30 July 2004, ‘Inquiries into Unnatural Death and Serious Injury: Improvements in Process and Briefing’.

**75.** Shortly after the JCCC was established, the Army established the Army Investigations and Aftercare Support Cell (AIASC) to improve and extend the Army's support for families.<sup>55</sup> The AIASC had two main roles:

- to maintain close contact with bereaved families on a regular basis for as long as they wanted, including estranged family members. This included regular letters on the progress of Service Police investigations and BOIs; and
- on behalf of the Army's Senior Co-ordinator, to oversee the BOI process and ensure that delays were kept to a minimum.

**76.** The AIASC had a number of secondary roles, including developing and maintaining a formal, standardised training package for CNOs and VOs. The AIASC aimed to implement that package by the end of 2005.

### TRAINING AND SUPPORT FOR CASUALTY NOTIFICATION OFFICERS AND VISITING OFFICERS

**77.** JSP 751 stated that CNOs should "if possible ... have received some training or instruction such as in dealing with bereavement" and that VOs should "if possible ... have received some relevant training or instruction".<sup>56</sup>

**78.** Lieutenant General Mark Mans, the Deputy Adjutant General, wrote to senior Army commanders on 25 November 2005, to remind them of the importance of selecting appropriate and experienced individuals to be VOs:

"Although the majority do an excellent job, from time to time the wrong person is nominated and invariably significant difficulties follow. This happened again recently ...

"The training of both Casualty Notification Officers (CNOs) and VOs is also most important and although JSP [751] says 'if possible ... should have received some training', it should be exceptional for them not to have attended some sort of instruction."<sup>57</sup>

**79.** Lt Gen Mans advised that a centralised training package based on an interactive CD and accompanying material should issue in early 2006 and would form the basis of all future training (divisions and brigades currently ran their own training). Training would become mandatory when this package issued.

**80.** Lt Gen Mans told the Inquiry that VOs had:

"... a fairly comprehensive training programme in order to deal with a number of issues ... and, indeed, as individuals, they need to be looked after as well because,

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<sup>55</sup> Paper MOD, [undated], 'The Army Investigations and Aftercare Support Cell (AIASC)'.

<sup>56</sup> Paper MOD, 11 July 2005, 'JSP 751: Joint Casualty and Compassionate Policy'.

<sup>57</sup> Minute Mans to Comd BFC, 25 November 2005, 'Selection of Visiting Officers'.

if you are a Visiting Officer, you can have a pretty traumatic time. Throughout a period of a tour of duty, you might be looking after one or two or three families one after the next, and they need to be monitored for stress ... and we have a process in place to do just that.”<sup>58</sup>

**81.** Lt Gen Irwin told the Inquiry that “there is no doubt about it that the training is better now, the preparation is better now”.<sup>59</sup>

**82.** MOD Ministers returned to the issue of the training and support provided to Visiting Officers in 2008.

**83.** In February 2008, Sir Bill Jeffrey, the MOD’s Permanent Under Secretary, provided detailed advice to Mr Bob Ainsworth, Minister of State for the Armed Forces, on how the BOI process could be improved and how the existing process could be accelerated.<sup>60</sup> Sir Bill’s advice did not consider the role of the VO.

**84.** Mr Ainsworth held a meeting on 11 April to discuss that advice.<sup>61</sup> The record of the meeting reported:

“The Minister raised the issue of interface with families. He recognised that the Visiting Officer role was very difficult ... He also recognised the clear single Service lead in this area ... He, nevertheless, felt that more could be done in terms of the resourcing and training of Visiting Officers. He felt that the cell [the Defence Inquests Unit] should play a role in this area, focusing on ensuring the right training and guidance is provided, sharing best practice between the Services and monitoring performance.”

## The experience of bereaved families

**85.** The experiences that family members have shared with the Inquiry suggest that there was considerable variation in the quality of the notification process. Some family members spoke positively about the sensitive and prompt way in which the news was delivered. A smaller number reported negative experiences, including:

- insensitive delivery;
- an impression that details were being withheld (particularly in ‘friendly fire’ incidents or where there was a possibility of equipment failure);
- release of names to the media before official notification;
- circulation of names amongst the families of others deployed in Iraq before official notification; and

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<sup>58</sup> Public hearing, 19 July 2010, page 45.

<sup>59</sup> Public hearing, 21 July 2010, page 48.

<sup>60</sup> [Minute Jeffrey to Minister\(AF\) \[MOD\], 29 February 2008, ‘Boards of Inquiry and Inquests’.](#)

<sup>61</sup> Minute PS/Min(AF) to APS/Secretary of State [MOD], 11 April 2008, ‘Boards of Inquiry and Inquests’.

- use of archive footage by the media which featured the deceased as though they were still alive, causing confusion about what was the truth.

**86.** The experiences shared with the Inquiry suggest that the creation of the JCCC led to an improvement in the quality of the notification process.

**87.** There was also considerable variation in families' experience of the support provided by Visiting Officers (VOs). In some cases, an enduring and positive relationship resulted. In others:

- The VO was changed without warning, in some instances more than once.
- The VO was badly briefed and lacked knowledge of procedures.
- Insensitive language and behaviour caused distress.
- Contact was sporadic.

**88.** The Inquiry also heard about a number of distressing incidents which, although they do not form part of a wider pattern, are illustrative of how a lack of care can have a significant impact. They were:

- Following an air crash in which several Service Personnel died, a number of body parts remained unidentified. Families of those who had died were not told about the existence of those unidentified body parts, and many had already held funerals by the time identification was complete, making a second ceremony necessary.
- One family discovered that photographs of their son's body had been used, without permission being sought, in a training seminar.
- One family member accepted military advice not to view their son's body based on the impact of the injuries suffered. But facial reconstruction had taken place and there had already been a viewing for another family member.

**89.** Anyone serving in the Armed Forces is asked to designate one person as their official next of kin. When a fatality occurs, the CNO contacts the next of kin, and they are the ongoing point of contact for a VO.

**90.** Parents who lost children in Op TELIC told the Inquiry that one consequence of this arrangement was a disparity between the information and support provided to the partner of the deceased, usually the person named as next of kin, and to parents. As one father told the Inquiry, being a bereaved parent can be a very lonely business.

**91.** The need for greater support to a wider family than just the next of kin was recognised by the Government in July 2008:

“We recognise that the loss of a Service person affects the whole of the bereaved family, not just the next of kin or nominated emergency contacts, on whom we

traditionally tend to focus our contact and support. We will review our procedures to ensure that in future sufficient account is taken of the needs of the wider family.”<sup>62</sup>

## Early concerns about military investigations

**92.** The MOD had a wide range of internal investigations that could be carried out following a fatality or other serious incident occurring on operations.<sup>63</sup> They included:

- Land Accident Investigation Team (LAIT) investigations. The LAIT could respond to incidents at very short notice and would normally report within 30 days. It sought to determine the cause of an accident and make timely recommendations to prevent reoccurrence. It did not apportion blame. A LAIT report could inform a Board of Inquiry/Service Inquiry, or substitute for it where the facts of the case were sufficiently clear.
- Service Police investigations. Each Service has its own Service Police force; for the Army, that is the Royal Military Police (RMP). The Special Investigation Branch (SIB) of each Service Police force investigates the most serious cases. The MOD told the Inquiry: “While the need for a prompt investigation is important, and may be vital, there are no specific deadlines for the completion of Service Police investigations.”
- Boards of Inquiry (BOIs). The purpose of a BOI was to establish the facts about an event, to make recommendations to prevent a reoccurrence, and to inform any decision on whether other action, such as administrative or disciplinary action, should be initiated.<sup>64</sup> BOIs would not generally attribute blame.

## Impact of a study on military inquiries and investigations, March 2004

**93.** On 26 June 2003, Mr Hoon received an update on the SIB investigation into the death of a member of the Armed Forces.<sup>65</sup>

**94.** Mr Hoon’s Private Office responded on 30 June, expressing Mr Hoon’s concern that the individual’s next of kin had not yet been informed of the result of the post-mortem, in particular as the media might release that information.

**95.** Mr Hoon’s Office also asked for an update on all the BOIs and other investigations that had been launched into the deaths of Service Personnel killed in Iraq, including details of the “timescales and inter-dependencies on the investigations reaching their conclusions”.

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<sup>62</sup> Ministry of Defence, *The Nation’s Commitment: Cross-Government Support to our Armed Forces, their Families and Veterans*, July 2008, Cm 7424, para 2.34.

<sup>63</sup> Paper MOD, [undated], ‘Service Inquiries and Investigations’.

<sup>64</sup> Paper [SPEG], 19 July 2004, ‘Proposals for a Tri-Service Inquiry System’.

<sup>65</sup> Minute APS/Secretary of State [MOD] to PJHQ Civ Sec, 30 June 2003, ‘Completion of Main Stage of SIB Investigation into the Death of [name redacted] and Other Action’.

**96.** On 4 July, Mr Ian Gibson, MOD Deputy Director Service Personnel, sent an update on progress on BOIs and investigations to Mr Hoon’s Office.<sup>66</sup> The update detailed 43 fatalities resulting from 21 incidents. Only one BOI, into the loss of a Sea King helicopter with six UK Service Personnel on board on 22 March, had so far reported. A date for the inquest had not yet been set.

**97.** Later that month, Mr Gibson sent Mr Hoon’s Office a paper describing military investigative and BOI processes, which highlighted the different approaches taken by the Services.<sup>67</sup> The Royal Navy and RAF would generally launch a BOI as soon as an incident occurred, at the same time as they deployed a criminal investigative team (if they thought that one was required). In contrast, the Army would only launch a BOI after an investigative team had reported. The MOD was considering the scope for harmonising the Services’ approaches to BOIs as part of the Tri-Service Armed Forces Act.

**98.** Mr Ingram’s Private Secretary wrote to ACM Bagnall on 15 September:

“Minister (AF) [Mr Ingram] is concerned about the increasing perception amongst next of kin (and as a consequence Parliamentarians) that investigations into the deaths of personnel in Iraq lack focus and are taking too long. Families also have the impression that they are not kept informed of progress, however modest. These are admittedly perceptions, but most investigations seem slow.”<sup>68</sup>

**99.** While Mr Ingram understood the complications arising from the roulement of formations and the operational situation:

“Nonetheless, he feels that we need to strengthen our ‘grip’ on these sensitive issues, to ensure that corporate memory is preserved, that investigations are prosecuted as vigorously as possible, and that the flow of information to NOK [next of kin] is actively managed. This may best be done through the DCMO [Defence Crisis Management Organisation].”

**100.** Mr Ingram’s Private Secretary asked for advice on how that “central management” of the process might be achieved.

**101.** ACM Bagnall received advice in September and October on how the MOD’s investigative processes might be improved.

**102.** Major General Richard Shirreff, Chief of Staff LAND, advised ACM Bagnall on 24 September that the key to accelerating RMP/SIB investigations in Iraq was more

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<sup>66</sup> Minute Gibson to APS/Secretary of State [MOD], 4 July 2003, ‘Investigations into Op TELIC UK Service Personnel and UK Civilian Deaths’.

<sup>67</sup> Minute Gibson to APS/Secretary of State [MOD], 17 July 2003, ‘Investigations into Op TELIC UK Service Personnel and UK Civilian Deaths: Procedures for Service Deaths’.

<sup>68</sup> Minute PS/Min(AF) [MOD] to MA/VCDS, 15 September 2003, ‘TELIC Incidents: Investigations’.

resources, and asked that mobilised Reservists and military police from other Services should be deployed to assist with Op TELIC investigations.<sup>69</sup>

**103.** Lt Gen Palmer advised ACM Bagnall on 17 October that the Army's policy of investigating all deaths, while "cautious and prudent", placed a heavy burden on RMP/SIB resources.<sup>70</sup> There was scope for the Services to consider a common policy on when it was necessary for Service Police to investigate an incident, and when a BOI or LAIT investigation would suffice.

**104.** Lt Gen Palmer also advised that, notwithstanding the Army's policy, the main reason for delays to investigations on Op TELIC was the difficult working environment in Iraq (including the need for force protection for Service Police and a potentially hostile population). The MOD was now deploying "SIB qualified" Reservists to Iraq, but the RMP "remain swamped with the volume of investigative work".

**105.** In early 2004, ACM Bagnall and Lt Gen Palmer commissioned an internal study to identify improvements that could be made to the MOD's investigative processes, and in particular the scope for harmonising procedures across the three Services.<sup>71</sup>

**106.** The study reported in late March 2004. It concluded that the core BOI process ran "reasonably well" once triggered. The more significant problems related to how and when BOIs were convened, how they linked to other investigations, and how their findings were processed.

**107.** The study highlighted the "considerable delay" to Army BOIs that could be caused by a LAIT investigation and by the Army's practice of undertaking a full RMP/SIB investigation into all sudden deaths:

"LAIT TOR [Terms of Reference] define four weeks for issue of report after return from investigation, and HQLAND BOI Standing Orders define another 14 weeks after issue of final LAIT and SIB Reports before the BOI first sits. In other words, the target for the BOI to start is some five months after the incident, if everything goes to plan ... five months seems too long for a routine target."

**108.** The study also reported that, while existing guidance emphasised that investigations and inquiries should be opened and concluded as quickly as possible, "the words and figures do not match, and it has to be said that the Army's target timescale of some 10 to 11 months after incident [to the conclusion of the BOI] looks somewhat excessive, particularly when only two months of that is the BOI itself sitting". The majority of that 10-11 month period was allocated to "waiting for any successive comments" from advisers and senior officers to complete the BOI report.

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<sup>69</sup> Minute Shirreff to VCDS, 24 September 2003, 'Op TELIC Incidents – Investigations'.

<sup>70</sup> Minute Palmer to VCDS, 17 October 2003, 'TELIC Incidents: Investigations'.

<sup>71</sup> [Paper MOD, 25 March 2004 \[incorrectly dated on original as 24 February 2004\], 'Inquiries/Investigations into Death or Serious Injury on Operations: Scope for Improvement and Tri-Service Harmonisation – a Short Study for VCDS/DCDS\(Pers\)'](#).

**109.** The study made 15 recommendations, including:

- Commands should establish a senior focal point with responsibility for pro-actively monitoring all investigations and BOIs.
- There should be a presumption across all three Services that a BOI President should be appointed promptly.
- A BOI President should be required to exercise grip and co-ordination over all Service investigative bodies, and liaise with non-Service bodies. Presidents should be released from other duties.
- There should be a “renewed emphasis ... upon early commencement and conclusion of all phases and maximum concurrent activity”. The standard target timescales for all phases of the investigative and inquiry processes should be reviewed and tightened. The time allowed for advisers and senior officers to comment should be limited to six weeks.
- All communication with families should be routed through a “single established and known contact”, who could explain the context of any correspondence and “head-off any infelicitous or insensitive drafting”.
- A “knowledgeable and consistent” officer should regularly brief families on the detail and progress of the entire investigation and BOI process.

**110.** The study also reported that there was a significant increase in public expectations that there should be a BOI into every incident, and that its conclusions should be disclosed. That imposed a “heavy workload” on all three Services but especially the Army.

**111.** Lt Gen Palmer wrote to Mr Ingram on 6 April, advising that all the recommendations in the study had been agreed by the Services; the “main recommendations” would be implemented immediately.<sup>72</sup> The “main advance” from the existing process was that the presumption that a BOI should be convened promptly, with a BOI President appointed within 48 hours of the incident, would now be extended to the Army (it was already standard practice in the Royal Navy and RAF). The President would normally be released from other duties and would “play a wider role in determining and co-ordinating the activities of any other necessary investigations, notwithstanding that he might decide not to convene his own Board immediately”.

**112.** Lt Gen Palmer set out how communication with the next of kin would be improved. All communications would be routed through a single “personal contact point”. The next of kin would be “briefed clearly, comprehensively and regularly” on the investigation and BOI process. Information that would not compromise the BOI could be released to the next of kin before the final report issued; a clear disclosure policy consistent with

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<sup>72</sup> [Minute Palmer to Ingram, 6 April 2004, ‘Inquiries into Unnatural Death and Serious Injury on Operations: Improvements in Process and Briefing’.](#)

the Data Protection Act (DPA), Freedom of Information Act (FOI Act) and other relevant legislation would be developed.

**113.** Lt Gen Palmer also advised that a report on the progress of all Inquiries and investigations would be sent to Ministers every two months.

**114.** Mr Hoon met some of the families bereaved during Op TELIC on 28 April.<sup>73</sup> They expressed concern about the Services' investigative processes in general and in particular the quality and frequency of communication from the MOD, and said that they lacked confidence in the BOI and investigative processes. Their concerns triggered a review of Service Police investigations, which is described later in this Section.

**115.** Mr Hoon received the first progress report on investigations and BOIs on 14 June.<sup>74</sup>

**116.** Mr Hoon's Assistant Private Secretary responded to the progress report on 18 June, stating that the MOD now had, for the first time, visibility of the extent and progress of all current investigations.<sup>75</sup> The Assistant Private Secretary reported that Mr Hoon had:

"... noted that the submission has confirmed a number of weaknesses, in particular the length of time it has taken to complete many of the investigations and the apparent lack of communication with some of the families on the more protracted investigations. The Secretary of State [Mr Hoon] will expect to see improvement in these and the other areas as the Board of Inquiry study recommendations are implemented. He will also wish to see early results in the work commissioned by VCDS into the procedural aspects of SIB investigations. It is important that these workstrands are linked: how many BOIs are delayed because of SIB work? He will also wish to see progress in the next report on bringing the more protracted investigations to a speedy close."

**117.** Mr Hoon's Assistant Private Secretary concluded that Mr Hoon would "wish to be assured that making progress on the various investigations and the Boards of Inquiry continues to receive appropriate senior management attention".

**118.** Lt Gen Palmer told the Inquiry:

"... the Secretary of State [Mr Hoon] himself was personally briefed every two months by me as to exactly which Board of Inquiry was delayed, or rather the findings were delayed, why they were delayed, what the reasons for the delay was. Could we do anything to speed up the process, and how are the families reacting to this?"<sup>76</sup>

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<sup>73</sup> Minute DCDS(Pers) to APS/SofS [MOD], 30 June 2004, 'Boards of Inquiry – Improvements in Process'.

<sup>74</sup> Minute DCDS(Pers) to APS/SofS [MOD], 30 June 2004, 'Boards of Inquiry – Improvements in Process'.

<sup>75</sup> Minute APS/Hoon to DCDS(Pers), 18 June 2004, 'Inquiries into Unnatural Death and Serious Injury on Operations: First Routine Report'.

<sup>76</sup> Public hearing, 21 July 2010, page 56.

**119.** On 24 June, Lt Gen Palmer reported to ACM Bagnall that the “initial tranche” of improvements identified by the BOI study (comprising 13 of the 15 recommendations) was now in place.<sup>77</sup> Each Service had appointed a “Senior Co-ordinator”, to act as a focal point for monitoring investigations and BOIs. Lt Gen Palmer gave ACM Bagnall the “specific reassurance” that he had requested, that:

- Each Service had agreed to appoint a BOI President within 48 hours, unless judged unnecessary by a higher authority.
- Each Service had undertaken to provide regular briefings to next of kin on process and progress. All communication with the next of kin would be routed through a single contact (normally the Visiting Officer) who would “act as a sift” to filter out any insensitive or inconsistent drafting.

**120.** Lt Gen Palmer also reported that he had carefully considered a suggestion from Mr Hoon that the BOI process should include “an individual who is independent of both MOD and the bereaved family ... who would give a view of whether or not the BOI had completed its job successfully, before the report was published”, but had concluded that:

“... the purpose for which BOIs are established and the perceived presentational need to prove to external parties that they carry out their work successfully cannot sensibly be reconciled.”

**121.** Lt Gen Palmer advised that including an independent element would delay the BOI process, “yet bring no guarantee of adding value, credibility or acceptability of a Board’s findings”. Families’ concerns could largely be met by the “administrative arrangements – including better communications – already put in place”.

**122.** Ministers returned to the question of whether there should be an independent member on a BOI in 2007.

**123.** On 30 June, Lt Gen Palmer sent Mr Hoon a progress report on work to improve the BOI process.<sup>78</sup> Lt Gen Palmer wrote that it was “clear that we are failing to meet some families’ expectations in respect of the quality and quantity of information we are providing to them”. The key to improving the flow of information to families would be the new Senior Co-ordinators, who would ensure that BOIs proceeded quickly and that families were briefed on progress.

**124.** Lt Gen Palmer reflected on the role and impact of the Senior Co-ordinator in his evidence to the Inquiry:

“... he was responsible for the progress of Boards of Inquiry. If there were delays, why there were delays and what should be done about it, and keeping, importantly, the families informed through the visiting officers as to what was going on.

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<sup>77</sup> Minute DCDS(Pers) to VCDS, 24 June 2004, ‘Inquiries into Unnatural Death and Serious Injury: Improvements in Process and Briefing’.

<sup>78</sup> [Minute DCDS\(Pers\) to APS/SoS \[MOD\], 30 June 2004, ‘Boards of Inquiry – Improvements in Process’.](#)

“We put that in place relatively quickly.

“Now that did not immediately speed up the Boards of Inquiry, because some of them were quite complicated.

“We have already alluded to a shortage of military police investigators ... but the emphasis – because I think this is what the grievance was – was lack of information. The families felt they were excluded from the process.

“I personally believe, once we put ... in place ... a regular briefing for families about where their particular Board of Inquiry had got to, they were less exercised ...”<sup>79</sup>

**125.** Lt Gen Palmer also advised that all the “quick wins” identified in the BOI study were now in place; work continued to establish a robust disclosure policy and devise a mechanism to allow local commanders to initiate an immediate investigation in urgent and exceptional cases.

**126.** The target timeline for a BOI was tightened in June 2004, to allow 14 weeks from the incident to the formal release of the completed BOI report to the next of kin.<sup>80</sup> That timeline comprised eight weeks for the production of the BOI report and six weeks for advisers and senior officers to comment and complete it.

**127.** The BOI process was also amended at that time to include the production of additional progress reports for the next of kin.

**128.** The steps taken by the MOD to improve communication with and support for next of kin and bereaved families, including the review of bereavement procedures and the review of training for personnel involved in bereavement support, are described later in this Section.

## **Review of Service Police investigations, October 2004**

**129.** During a meeting with Mr Hoon on 28 April 2004, a number of bereaved families expressed a lack of confidence in the Services’ investigative processes.<sup>81</sup>

**130.** In response to those concerns, ACM Bagnall commissioned a review of the timeliness and effectiveness of Service Police investigations.<sup>82</sup>

**131.** The review, which reported in October, concluded that:

- There were no major issues that were not already being considered.
- There was no evidence that the quality of Service Police investigations was inadequate.

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<sup>79</sup> Public hearing, 21 July 2010, pages 55-56.

<sup>80</sup> Minute DCDS(Pers) to PS/SoS [MOD], 17 July 2006, ‘BOI Timelines – a Proposal for Extension’.

<sup>81</sup> [Minute DCDS\(Pers\) to APS/SofS \[MOD\], 30 June 2004, ‘Boards of Inquiry – Improvements in Process’.](#)

<sup>82</sup> [Report Loudon, 12 October 2004, ‘Review of Service Police Investigations on Operations’.](#)

- Service Police in Basra were “operating at full stretch and had a considerable backlog”. A key constraint was that relatively few Service Police investigators were qualified to Level 3 (able to carry out the investigations into the most serious offences). More investigative personnel should be trained to the Level 3 standard, and deployed.
- Service Police in Basra needed more equipment and administrative support.<sup>83</sup>

**132.** On the timeliness of investigations, the review stated:

“There can be both avoidable and unavoidable delays, but complex investigations and the post-investigative processes do take time and speed must not be at the expense of quality. That said, some trimming may be possible in respect of the timescales for some steps in the process.”

**133.** The review recommended that the timescales for the individual steps of the post-investigative process should be revalidated.

**134.** The review also identified the practical difficulties in undertaking investigations in a non-permissive environment such as Iraq, including:

- A number of Service Police personnel had been tasked to train the Iraqi Police Service.
- Service Police needed force protection, which was not always available.
- Access to the crime scene and to witnesses could be difficult, and could cause further tension.

**135.** Lt Gen Irwin told the Inquiry:

“... as the operation [in Iraq] developed, it began to be something that came to my attention and, therefore, could be regarded as a possible problem, that the Royal Military Police were not there in sufficient numbers to do everything that was required of them in a completely timely fashion.

“Now, of course, when you are trying to investigate incidents when there is shooting going on, there is always going to be a delay that would not occur in the normal circumstance, but nevertheless I began to get a feeling that maybe there were not enough military police in Iraq and maybe also that, extrapolating from that, there were not enough military policemen ... in the British Army.

“So I spent – I would not say every day, but quite regularly I used to speak to the Provost Marshal (Army) and ask him the direct question, looking at him in the eye, ‘Have we got an issue here? Are your people bearing up to the strain? Are they going over too often with too short tour intervals? Do you want me to try to find some other way of reinforcing you, like doing something which the bureaucracy sometimes

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<sup>83</sup> [Report Loudon, 12 October 2004, ‘Review of Service Police Investigations on Operations’.](#)

calls ‘novel and contentious’, which was to get civilian police to sort of come along and help?’

“The answer was always, ‘We are a bit stretched, but we are fine’. My people and I just took that at, not exactly face value, but kept our eyes on it and at no stage did we ever have to do anything that was ‘novel and contentious’.”<sup>84</sup>

### **The deaths of six RMP Personnel at Majarr al Kabir**

On 24 June 2003, six RMP Personnel – Sergeant Simon Hamilton-Jewell, Corporal Russell Aston, Corporal Paul Long, Corporal Simon Miller, Lance Corporal Benjamin Hyde, and Lance Corporal Thomas Keys – were killed at Majarr al Kabir in Iraq.

Mr Hoon informed the House of Commons on 17 November 2004 that a BOI into that incident had now completed its work.<sup>85</sup> Because of the “wider parliamentary and public interest”, the MOD had taken the unusual step of providing a summary of the BOI’s findings to Parliament and to the media. The families of those who died would be briefed by the President of the BOI, and would subsequently meet Mr Hoon to discuss the BOI’s findings and any concerns they might have.

Continued criminal investigation prevented the BOI from considering the events that were the direct cause of the six deaths, but Mr Hoon informed the House:

“The Board found that the incident at Al Majarr Al Kabir was a surprise attack, which could not reasonably have been predicted. The Board also found that a number of factors may potentially have had a bearing on the deaths of the six soldiers, including issues relating to ammunition, communications and command relationships within the battle group to which the Royal Military Police platoon was attached. The Board was not, however, able to state that any of these factors, either in isolation or in combination directly determined the six soldiers’ fate.”

Mr Hoon went on to acknowledge:

“I am aware that some of the families have been critical of the Army’s response to the deaths of the six soldiers. I hope they recognise the Board’s work for the thorough and detailed review that it is. I hope, too, that they now have a much better understanding of the events leading up to the death of their loved ones and the wider context in which the events occurred, and can take some comfort from this.”

The RMP suffered 12 fatalities during the course of Op TELIC, including the six fatalities at Majarr al Kabir.<sup>86</sup>

**136.** An April 2005 review of the MOD’s future requirements for Service Policing recorded that “The recommendations of the [2004] review have largely been implemented”.<sup>87</sup>

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<sup>84</sup> Public hearing, 21 July 2010, pages 19-20.

<sup>85</sup> House of Commons, *Official Report*, 17 November 2004, columns 90-91WS.

<sup>86</sup> *GOV.UK*, 12 December 2012, *British Fatalities: Operations in Iraq*.

<sup>87</sup> Minute Rooks to VCDS, 29 April 2005, ‘Review of the Department’s Requirements for Service Policing’.

**137.** The 2005 review stated that, in relation to investigations on operations, “delay is still an issue”. Delays were generally due to “overstretch and practical inhibitors”, such as the need for force protection, rather than any specific failings on the part of the Service Police.

**138.** The review also stated that the “primary RMP output” in Iraq was now providing support for the reform of Iraq’s security forces.

**139.** The review recorded that work on the future structure of the Army had resulted in an uplift of nearly 10 percent in the baseline figure for RMP manpower.

## Changes to MOD processes

**140.** AM Pocock wrote to Mr Des Browne, the Defence Secretary, on 17 August 2006 proposing that the timeline for conducting BOIs should be increased from 14 to 27 weeks.<sup>88</sup> The MOD was operating at “maximum efficiency, within resources” but, for the Army in particular, experience since the current timeline was introduced in June 2004 had shown that it was “not achievable”. No Army BOI had met the current 14-week timeline. The Royal Navy and RAF did not have a problem with the current timeline but “saw merit” in extending it.

**141.** AM Pocock summarised the problems in meeting the current timelines:

- It was not possible to produce a Convening Order and Terms of Reference (TORs) for a BOI within 48 hours (as the current timeline required). TORs were often dependent on Service Police or LAIT reports, which could take “several months” to produce.
- It was not possible to “staff” a BOI report (secure comments from advisers and senior officers) within six weeks.

**142.** AM Pocock advised that underlying those problems was a resource issue. The Army was currently required to convene up to 20 BOIs a month (compared with one or two for the Royal Navy and RAF). It took time to identify and nominate suitable experienced and available Presidents, to confirm the Terms of Reference, and for officers to consider a BOI report.

**143.** AM Pocock closed his advice:

“Delays in completing BOIs have been linked in the media to delays in Coroners’ inquests. Some families ... have also been critical of the time it takes to complete BOIs. It is, however, unlikely that extending the BOI timeline will attract significant media coverage.”

**144.** In an annex to his minute, AM Pocock analysed the reasons for delays in completing BOIs. It concluded that progress had been made since 2004 but that,

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<sup>88</sup> [Minute DCDS\(Pers\) to PS/SofS \[MOD\], 17 August 2006, ‘BOI Timelines – A Proposal for Extension’.](#)

against a background of an increasing number of incidents, “the rate of closure has now remained more or less constant since January 2005”.

## Creation of the Army Inquest Cell

**145.** In February 2007, in response to Ministerial concerns over the MOD’s support for the inquests into the deaths of Sergeant Steven Roberts and Lance Corporal of Horse Matthew “Matty” Hull, the Army established a small Army Inquest Cell with a remit to, “through more effective handling of documents and stakeholders ... provide a better co-ordinated service to the Department [MOD], the coroner, and to the bereaved families”.<sup>89</sup> Mr Ingram was advised that the Army’s existing arrangements had been unable to manage the volume of work associated with inquests.

**146.** An MOD official advised Mr Ingram in March that good progress was being made in clearing the “backlog” of Army BOIs.<sup>90</sup> The Army Inquest Cell had “now assumed the role of managing of the Inquest process”, allowing the Army Inquiries and Aftercare Support Cell (AIASC) to revert to its primary role of supporting bereaved families.

**147.** In June, Mr Ingram informed the House of Commons that the Army was planning to appoint permanent Presidents for BOIs, in order to deliver a more consistent approach and avoid delays.<sup>91</sup>

**148.** In January 2008, Mr Giles Ahern, MOD Deputy Director Personnel with responsibility for the Army Inquest Cell, advised General Sir Richard Dannatt, Chief of the General Staff, that the team had made “significant progress” in reducing the time taken to hold an inquest.<sup>92</sup>

**149.** Mr Ahern advised that, despite this progress, Ministers remained “very concerned” about the MOD’s performance. The Army Inquest Cell was focusing on:

- The provision of information to families. In the past, families had received little formal information before the inquest about how their relative had died. AIASC now provided a “Record of Events” based on SIB findings, but that might only reach the family just before the inquest. The Cell was developing an “Initial Account” containing “some basic information”, which could be passed to families about one month after a death.
- Timely completion of SIB and BOI reports. In a number of cases, completion of SIB and BOI reports was “judged to have taken longer than necessary”. The Cell was trying to “expedite” completion and sign-off of reports by the chain of command.

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<sup>89</sup> Minute Pitt-Brooke to PS/Minister(AF) [MOD], 26 February 2007, ‘Support to Inquests – Project AJAX’; Minute Ahern to MA1/CGS, 15 January 2008, ‘Project AJAX – An Update on the Army Inquest Cell’.

<sup>90</sup> Minute Pitt-Brooke to PS/Minister(AF) [MOD], 30 March 2007, ‘Support to Inquests – Project AJAX’.

<sup>91</sup> House of Commons, *Official Report*, 7 June 2007, column 28WS.

<sup>92</sup> Minute Ahern to MA1/CGS, 15 January 2008, ‘Project AJAX – An Update on the Army Inquest Cell’.

- Ensuring that witnesses were properly prepared for inquests, by briefing them on their purpose and format.
- Handling of classified material. Recent lapses had resulted in the unauthorised release of classified US material; this had undermined Ministers' confidence in the MOD's management of inquests. A review was under way on whether the Services' support for inquests should be centralised, possibly using the model provided by the Cell.

## Reducing the number of redactions in BOI reports released to families

**150.** The MOD released redacted versions of BOI reports to the next of kin and coroners. The version released to the next of kin was redacted to remove personal information relating to third parties, and security and operationally sensitive information. The version released to the coroner was redacted to remove certain security and operationally sensitive information only, with a request that the report was not introduced into court.<sup>93</sup>

**151.** The inclusion of the names of third parties in the version of the BOI released to the coroner allowed the coroner to identify potential witnesses for the inquest.

**152.** In November 2006, Ms Selena Lynch, Deputy Assistant Coroner for Oxfordshire, directed the MOD to provide a "full set of papers" to a bereaved family's legal team and indicated that she might consider a legal challenge if the MOD did not comply.<sup>94</sup>

**153.** Mr Chris Baker, MOD Director General Service Personnel, advised Mr Ingram on 22 January 2007:

"It is evident that the manner in which some of the BOI reports have been redacted, by blocking out the names and text ... renders them unintelligible. Families and their respective Counsel claim that because they are unable to follow the narrative of the BOI it is difficult to consider whether to request the coroner to invite additional witnesses."

**154.** Mr Baker stated that the MOD's position was that the redaction of the names of third parties was necessary "to comply with both our responsibilities in accordance with the Data Protection Act 1998, and in common law, as an employer to protect the identity of current and former employees".

**155.** Mr Baker concluded that to meet the concerns of families and the coroner, the MOD would replace the names of third parties with unique identifiers (such as Person AA and Officer BB), which would enable families to follow the narrative of the BOI report more easily while still protecting individual identities.

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<sup>93</sup> Paper [MOD], 17 December 2004, 'BOI Reports – Disclosure Policy'.

<sup>94</sup> Minute Baker to PS/Minister(AF) [MOD], 22 January 2007, 'Board of Inquiry Reports – Disclosure for the Purposes of an Inquest'.

**156.** The MOD issued revised instructions for the disclosure of BOI reports in May.<sup>95</sup> The instructions advised that following the full implementation of the FOI Act on 1 January 2005, the current policy (of limited release of BOI reports outside the MOD) was no longer sustainable; the underlying principle of the FOI Act was that information should be available to members of the public on request unless it had an absolute exemption or there was an overriding public interest in withholding it.

**157.** The way in which BOIs were conducted would not change, but the reports should now be prepared in two parts:

- Part 1, which would be generally known as the “BOI Report”, should include the convening order, terms of reference, findings, recommendations, and comments from senior officers. It should be carefully structured to ensure that it contained no exempt material or, if that was not possible, suitably redacted.
- Part 2 would include all other supporting documentation including witness statements and police and investigative reports.

**158.** There would also be a separate master “Schedule of Proceedings”, listing everything that constituted the full BOI Report.

**159.** Part 1 of the full BOI Report would be proactively published by the MOD under their Publication Scheme. Requests for further information would be considered under the FOI Act in the normal way. Applicants could be provided with the Schedule of Proceedings to help them refine their request.

**160.** Next of kin should, in the first instance, be given only Part 1 of a BOI Report. Requests for information from Part 2 would be treated in the same way as other FOI requests (although it would normally be inappropriate to redact non-sensitive personal information about the family member). The instructions stated:

“Although this may be seen as restricting what is given to next of kin, it should be borne in mind that Part 1 ... will be a synthesis of all the relevant information presented to the Board. Although the next of kin should always be treated in a sympathetic and helpful manner, the provisions of the FOI Act and DPA98 and other relevant legislation and common law must be observed.”

**161.** Coroners would “continue to be provided with the full unredacted copy of the report (Parts 1 and 2)”, on the understanding that the report contained only information owned by the UK and was not quoted from or admitted into evidence without further reference to the MOD.

**162.** The instructions directed that where names were redacted, they should be replaced by a unique identifier.

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<sup>95</sup> Defence Instructions and Notices, May 2007, ‘Disclosure of Board of Inquiry Reports, 2007DIN02-15’.

**163.** In early November, Ms Lynch issued her ruling on the death of Fusilier Gordon Gentle.<sup>96</sup> She concluded that it was probable that the roadside bomb that killed him would not have detonated if a disabling device had been fitted to the vehicle in which he was travelling.

**164.** The press reported that Ms Lynch had described the MOD's policies for the disclosure of evidence to the inquest as "illogical and based on errors of law",<sup>97</sup> and that she had stated that the inquest had been delayed by the MOD's failure to provide documents and their policy of redacting names from the documents that were provided.<sup>98</sup>

**165.** Sir Bill Jeffrey advised Mr Ainsworth in February 2008, in the context of a paper on how to improve the BOI system, that while the MOD continued to face criticism over the redaction of BOI reports, "we have gone as far as practicable within the law".<sup>99</sup>

**166.** An MOD/Ministry of Justice (MOJ) information booklet for bereaved families on the BOI and inquest processes, which was issued in 2008, stated that "where names are removed, each will be replaced with a term like Person A, Person B to help you follow the sequence of events in the report".<sup>100</sup>

**167.** A number of the BOI reports seen by the Inquiry have followed this practice.

### Creation of the Defence Inquests Unit

**168.** In early February 2007, the MOD sought and received an adjournment to the inquest into the death of Lance Corporal of Horse Matthew "Matty" Hull, who had been killed in a friendly-fire incident with US forces in 2003, to allow them more time to secure US agreement to the use in court of a US cockpit recording of the incident.<sup>101</sup>

**169.** The adjournment came as the UK was negotiating with the US Government on US participation in inquests into the deaths of UK Service Personnel. Those negotiations are described later in this Section.

**170.** Mr Baker wrote to MOD officials on 19 February advising that, in the light of the inquest into the death of L Cpl Hull, MOD Ministers might wish to have a "further urgent examination" of the BOI process, possibly including "a fundamental review as to whether [BOIs] can be considered fit for purpose given the wider uses to which they are increasingly put".<sup>102</sup> Mr Baker asked recipients to provide "positive points ... in support of the BOI system as it currently stands" and information on planned improvements.

<sup>96</sup> *BBC News*, 7 November 2007, *Army supply 'chaos' proved fatal*.

<sup>97</sup> *BBC News*, 7 November 2007, *Army supply 'chaos' proved fatal*.

<sup>98</sup> *Daily Telegraph*, 7 November 2007, *Army failings led to death of Gordon Gentle*.

<sup>99</sup> [Minute Jeffrey to Minister\(AF\) \[MOD\], 29 February 2008, 'Boards of Inquiry and Inquests'](#).

<sup>100</sup> Ministry of Defence & Ministry of Justice, *Boards of Inquiry and Coroners' Inquests: information for bereaved families*, 2008.

<sup>101</sup> Minute Ferguson to APS/Min(AF) [MOD], 2 February 2007, 'Oxfordshire Inquests: Release of US Classified Information'.

<sup>102</sup> Minute Baker to DG Sec LF, 19 February 2007, 'Boards of Inquiry'.

**171.** Mr Ingram subsequently met Mr Baker and other MOD officials to discuss work already in hand to improve the BOI process.<sup>103</sup> Mr Ingram's Private Secretary recorded that Mr Ingram:

“... postulated that there might be a need to consider a more radical approach; that rather than working to make the current system work better, we might need to consider adopting a different system.”

**172.** Mr Baker said that he had already discussed the possibility of a more radical approach with the Services, and concluded that “there was no realistic alternative to the BOI process”. The MOD needed a thorough process of examination in order to learn lessons, and needed to be able to ensure that it could be undertaken quickly and address all the relevant issues. Mr Baker advised that the arguments for continuing with the BOI process would be set out in a submission.

**173.** An MOD official working in Mr Baker's Directorate sent Mr Ingram's Private Office advice on the “rationale for continuing with the BOI process” on 2 March.<sup>104</sup>

**174.** The official identified three alternative mechanisms for establishing the facts surrounding an incident – Learning Accounts, Service Police investigations, and inquests – and concluded that none of them met the MOD's requirements.

**175.** The official concluded that the current BOI system played a “valuable role” in “establishing the full details of the circumstances surrounding an incident and in learning the lessons to prevent a recurrence”. Particular advantages were:

- BOIs enabled the MOD to fulfil its duty of care and health and safety obligations towards its employees.
- Investigations into sensitive matters could be carried out “within the Service environment and by the relevant subject matter experts”.
- As BOIs did not seek to apportion blame, and evidence given to a BOI could not be used in a Service court, witnesses might be more candid than in another type of investigation.
- BOIs were “tried and tested and worked well”.

The official also described the work under way to improve the BOI process.

**176.** The BOI report into the loss of Nimrod XV230 in September 2006 (in Afghanistan) was published on 4 December 2007. Mr Browne told the House of Commons on the same day:

“By its nature, the Board was not in a position to go into the history of those arrangements [for assessing the airworthiness of Nimrod aircraft] or to assess where responsibility lies for failures ... Flying will never be risk-free. But I do believe

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<sup>103</sup> Minute Johnson to DG SP Pol, 22 February 2007, ‘Boards of Inquiry’.

<sup>104</sup> MOD [junior official] to PS/Minister(AF) [MOD], 2 March 2007, ‘Boards of Inquiry (BOIs)’.

that the families of those who died are due more of an explanation of the history than the Board of Inquiry could be expected to provide. I have therefore decided to put in place a review of the arrangements for assuring the airworthiness and safe operation of the Nimrod aircraft over its service life; to assess where responsibility lies for any failures; to assess more broadly the process for compiling safety cases, taking account of best practice in the civilian and military world; and to make recommendations.”<sup>105</sup>

**177.** Mr Browne discussed the BOI into the loss of Nimrod XV230 with MOD Ministerial colleagues the following day.<sup>106</sup> He said that the MOD would shortly announce the name of the Queen’s Counsel who would lead the independent review. It would be important for the families to be able to feed their questions into that process.

**178.** During the meeting, MOD Ministers concluded that the Nimrod BOI was “a further example of the [BOI] process not necessarily being suited to the requirements of the MOD, the individuals and families involved and, crucially, public expectation”. Mr Browne suggested that there might be merit in a new process comprising:

“... a short, focused Learning Account style review ... conducted in a matter of a few months followed, as required, by a further review to look beyond the immediate circumstances and which was empowered to engage with individuals and the families affected by the incident, had an independent element and could draw from the advice of those who were well-practiced in preparing for evidence-based reviews”.

**179.** Mr Browne’s Private Secretary asked Mr Bill Jeffrey, the MOD’s Permanent Under Secretary,<sup>107</sup> to provide “advice on the scope and options for improving the BOI process” by the end of January.

**180.** Mr Browne’s Private Office wrote to Mr Ainsworth’s Private Office later that week, reporting Mr Browne’s concern that recent good progress in clearing the backlog of inquests would not be sustained as the military investigation/BOI process was moving too slowly.<sup>108</sup> Particular concerns included:

- The significant number of cases (13) over six months that were still awaiting completion of a BOI or RMP investigation, or even a decision on whether a BOI was required. In one case, a decision on whether to hold a BOI was still awaited nearly one year after the incident.
- The number of cases where the Swindon and Wiltshire Coroner was awaiting SIB reports.

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<sup>105</sup> House of Commons, *Official Report*, 4 December 2007, column 687.

<sup>106</sup> Minute Forber to PS/Minister(AF) [MOD], 5 December 2007, ‘Defence Ministerial Meetings’.

<sup>107</sup> Mr Jeffrey was knighted in the 2008 New Year’s Honours.

<sup>108</sup> Minute APS/Secretary of State [MOD] to PS/Minister(AF) [MOD], 7 December 2007, ‘BOI and Inquest Backlog’.

**181.** Mr Browne asked Mr Ainsworth to look into the backlog of incomplete BOIs and “investigate what further action should be taken to speed up this process, including whether additional staff resource is needed in theatre”.

**182.** On 28 February, Mr Ainsworth and Ms Bridget Prentice (Parliamentary Under-Secretary of State for the Ministry of Justice), met Mr Andrew Walker (Assistant Deputy Coroner for Oxfordshire) and Mr David Masters (Coroner for Wiltshire & Swindon), at Mr Ainsworth’s request, to discuss what could be done to accelerate the inquest process.<sup>109</sup>

**183.** Ms Prentice’s Assistant Private Secretary recorded that Mr Walker had welcomed the new Army Inquest Cell, which had had “a profound effect” on the conduct of inquests into the deaths of Army Personnel. Working with the Cell, he had trialed a number of proposals to improve and streamline the inquest process.

**184.** Mr Walker described how that new partnership had worked in a recent inquest:

“Despite the fact that there was extremely sensitive intelligence involved, the inquest was completed within 12 months from the date of the incident. The key difference was that he [Mr Walker] had been in contact with the Board of Inquiry (BOI) team from the beginning of their investigation and was kept informed throughout, enabling him sufficient time to build up the technical knowledge required to adequately conduct the inquest. Crucially, this early involvement avoided the complicated ‘cold’ handover from the BOI to the inquest.”

**185.** Both coroners felt that the new arrangement enabled them to update families more effectively on progress and to respond to their needs.

**186.** Both coroners contrasted that positive experience, with their experiences with the Royal Navy and RAF. In one case, they said that they had had to wait four months “for a signature on a piece of paper”. In four cases, it was alleged to have taken over a year to reach a decision on whether or not to hold a BOI. The coroners felt that the establishment of a tri-Service Inquest Cell based on the Army model would be a “very positive step”.

**187.** The MOD team confirmed that the idea of a tri-Service Inquest Cell was being considered, and highlighted the greater complexity often associated with Royal Navy and RAF BOIs.

**188.** Mr Ainsworth told the Inquiry that he had considered the end-to-end process of investigating fatalities and had taken the unusual step of meeting both Mr Walker and Mr Masters to discuss ways in which the MOD could help.<sup>110</sup> He recalled some anxiety that a meeting might be seen as interfering with the coroners’ independence, but he

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<sup>109</sup> Minute Spence to Rothapel, 28 February 2008, ‘Bridget Prentice MP Meeting with Bob Ainsworth MP and the Coroners for Oxford and Swindon & Wiltshire on 21 February’.

<sup>110</sup> Public hearing, 6 July 2010, page 30.

believed that it was possible both to respect that independence and to seek to understand “how the system is working for them from their point of view”.

**189.** Sir Bill Jeffrey responded to the requests for advice on how the BOI process could be improved and how the existing process could be accelerated in a minute to Mr Ainsworth at the end of February 2008.<sup>111</sup>

**190.** Sir Bill advised that, in response to Mr Browne’s question, it would be possible to hold a relatively short fact-finding exercise followed by a “fuller inquiry into the whole course of events”. While the Nimrod XV230 BOI included a careful investigation of the incident itself, its remit did not extend into the history and safety record of the Nimrod; that question was now being examined by Mr Charles Haddon-Cave. Where there was “a need to capture the broader departmental perspective, and where there is high public interest in the case”, the remit of the BOI could be broadened or a “further reaching independent inquiry”, running concurrently with the BOI, could be held.

**191.** Sir Bill also advised that:

- A new direction should be issued to the chain of command, that families should always be briefed as soon as practicable after an incident and kept regularly informed thereafter.
- A new joint Secretariat should be established, building on the Army’s Inquest Cell, to co-ordinate all three Services’ management of inquests, the relationship with coroners and joint reports to Ministers.

**192.** The Army had appointed Permanent Presidents to lead high-profile Army BOIs; the Royal Navy and Royal Air Force were taking steps to establish “pools of expertise” from which Presidents could be selected.

**193.** There were currently 100 open inquests. That was “below last summer’s peak of 132, but still well above the backlog of 80 inquests that was judged to be unacceptable in Spring 2006”. The use of pre-inquest hearings, while a valuable contribution to the inquest process, could introduce delays into the process. Coroners often waited for access to the MOD’s reports, including BOI reports, before undertaking an inquest. Sir Bill commented: “We must show coroners that we treat our investigations as matters of urgency so that we might expect them to do the same.”

**194.** On 9 April, Mr Ainsworth met senior officials and military officers to discuss Sir Bill’s advice.<sup>112</sup> Mr Ainsworth stated that he and Mr Browne remained of the view that there needed to be a “step change in the way in which the BOI and inquest process was handled, end-to-end”. He had already discussed the advice with Sir Bill, and agreed that

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<sup>111</sup> [Minute Jeffrey to Minister\(AF\) \[MOD\], 29 February 2008, ‘Boards of Inquiry and Inquests’.](#)

<sup>112</sup> Minute PS/Min(AF) [MOD] to APS/Secretary of State [MOD], 11 April 2008, ‘Boards of inquiry and Inquests’.

it formed “a good basis for further discussion”. The key proposal was the establishment of a “single inquest cell”.

**195.** The meeting agreed that a single inquest cell should be established as a matter of urgency. Key responsibilities would be to:

- professionally manage the MOD’s relationship with coroners;
- chase progress on BOIs in order to “drive down” the time between incident and inquest; it would need sufficient “authority and clout” to do that;
- identify weaknesses in policy and ensure they were addressed, and ensure that existing policy and best practice was adhered to; the lead for developing policy would often sit outside the cell; and
- ensure the right training and guidance was provided to VOs.

**196.** The cell would not carry out BOIs (which would continue to be the responsibility for the Services).

**197.** Mr Ainsworth’s Private Secretary recorded that, although the other proposals made by Sir Bill had not been discussed in any detail at the meeting, Mr Ainsworth would like them “taken forward in the context of the establishment of the new cell”.

**198.** The Defence Inquests Unit (DIU) was created in May 2008 to act as the focal point for all coroners’ inquests into the deaths of Service and MOD civilian personnel.<sup>113</sup>

**199.** The Army Inquest Cell was disbanded on the creation of the DIU, and its posts moved into the DIU.<sup>114</sup>

**200.** Mr Ainsworth told the Inquiry that the role of the DIU was not just to ensure that the MOD was providing the support that coroners required:

“... my motives were more than just helping the bereaved, they were about the MOD getting better at learning some of the lessons that flowed from inquests ... some of our systems were, from time to time, exposed pretty badly by coroners’ inquests and, you know, they were a mine of information ... if you were prepared to really embrace the findings ...”<sup>115</sup>

**201.** Mr Mike Venables, Head of the DIU from 2009 to 2012, described the DIU’s role as supporting bereaved families by making sure that coroners had everything they needed.<sup>116</sup> This included:

- providing all relevant reports and information, and explaining that material where necessary;

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<sup>113</sup> Defence Instructions and Notices 2008DIN05-052, December 2008, ‘The Defence Inquests Unit’.

<sup>114</sup> Minute D/VCDS to Min(AF) [MOD], 24 April 2008, ‘Inquests Cell: Terms of Reference’.

<sup>115</sup> Public hearing, 6 July 2010, pages 30-31.

<sup>116</sup> GOV.UK, 23 February 2012, *Defence Inquests Unit: helping to find the answers*.

- helping to identify and locate military witnesses;
- organising familiarisation events on military equipment for coroners; and
- providing support to witnesses.

**202.** Mr Venables also indicated that the creation of the DIU served to change the MOD's policy on legal representation at inquests. The MOD had tended to be legally represented at inquests:

“But we took the view that some families see that as intimidating. It looked as though the big bad Ministry had turned up, so now, even if the families choose to have a barrister, we tend not to, we ... send a case officer.”

## Introduction of Service Inquiries

**203.** Section 343 of the Armed Forces Act 2006 (AFA 2006), which came into force on 1 October 2008, provided for the establishment of a single form of statutory inquiry – the Service Inquiry (SI) – for all the Services.<sup>117</sup>

**204.** The Royal Navy, Army and RAF had previously held inquiries under the Prerogative, Army Act 1955 and Air Force Act 1955 respectively.

**205.** The MOD told the Inquiry that the AFA 2006 represented the first complete overhaul of the Service justice system in 50 years, harmonising practices and procedures across the Services to provide a single system of Service law.

**206.** The MOD also told the Inquiry that SIs had the same purpose as BOIs (subject to its terms of reference, to establish the facts of a particular matter and make recommendations to prevent recurrence).

## Efforts to reduce the backlog of inquests, 2005 to 2007

### Support for the Oxfordshire Coroner

**207.** From March 2003 to 1 April 2007, military fatalities on Op TELIC were repatriated to RAF Brize Norton in Oxfordshire.

**208.** In early 2005, Mr Gardiner applied to the Oxfordshire County Council, then to the Home Office, and finally to the MOD for additional funding to enable him to carry out his duties.<sup>118</sup>

**209.** In May 2005, the MOD convened a series of meetings with officials from the Home Office and the Department for Constitutional Affairs (DCA)<sup>119</sup> to consider how to resolve

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<sup>117</sup> Paper MOD, 2011, 'Service Inquiries and Investigations'.

<sup>118</sup> Paper MOD, May 2006, 'Coronial Issues'.

<sup>119</sup> The DCA took over responsibility for coronial policy from the Home Office in May 2005.

the immediate problem and “explore alternative arrangements to ensure that the issue does not reoccur”.

**210.** On 24 May, the Home Office provided £80,000 to allow Mr Gardiner’s office to recruit an additional Coroner’s Officer to help manage inquests into the deaths of Service Personnel in Iraq.<sup>120</sup>

**211.** Mr Don Touhig, Parliamentary Under Secretary of State for Defence, told the House of Commons in early June 2005 that the decision to provide support to Mr Gardiner’s office predated recent press reports on delays in holding inquests into the deaths of Service Personnel.<sup>121</sup>

**212.** A June 2007 DCA briefing assessed that that support had “little effect” on the backlog.<sup>122</sup> The main constraint was the time that Mr Gardiner himself was able to devote to considering case papers in preparation for inquests.

**213.** On 6 February 2006, Ms Harriet Harman, Minister of State for the DCA, informed the House of Commons that she intended to bring forward legislation to reform the coroner service:

“Under the current coroner service, families frequently get overlooked during the inquest process ... The system is fragmented, with no national leadership, and it is not accountable ... Standards are not uniformly good; everything rests too much on the personal qualities and abilities of individuals within the system. The legal framework is downright archaic. For most coroners, this is not even their principal occupation; it is a secondary one, added on to their main work as solicitors in private practice ...

“The coroner service must serve the public interest and meet bereaved families’ concerns in a way that, frankly, it currently does not ...”<sup>123</sup>

**214.** In May 2006, in response to renewed Parliamentary concern over delays in holding inquests into the deaths of Service Personnel, Ms Harman was charged with “dealing with the problem”.<sup>124</sup>

**215.** On 22 May, Ms Harman wrote to Mr Browne suggesting that they meet to discuss how to clear the backlog of inquests in Oxfordshire.<sup>125</sup> It was important that all coroners conducted inquests in good time; she was particularly concerned that the families of Service Personnel should not face a long wait before an inquest was concluded.

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<sup>120</sup> Paper MOD, May 2006, ‘Coronial Issues’.

<sup>121</sup> House of Commons, *Official Report*, 6 June 2005, column 982.

<sup>122</sup> DCA [junior official] to Harman, 12 June 2007, ‘Request from Wiltshire and Swindon Coroner for Additional Resources to Deal with Military Fatalities Repatriated via RAF Lyneham’.

<sup>123</sup> House of Commons, *Official Report*, 6 February 2006, column 607.

<sup>124</sup> DCA [junior official] to Harman, 17 May 2006, ‘Oxfordshire Coroner and Inquests into Iraq Fatalities’.

<sup>125</sup> [Letter Harman to Browne, 22 May 2006, ‘Oxfordshire Coroner and Iraq Deaths Inquests’](#).

**216.** Ms Harman wrote:

- The DCA had been endeavouring to get a full picture of the extent of the delays, working with MOD officials and Mr Gardiner’s Office, and had compiled a grid showing the number of inquests yet to be undertaken. That analysis indicated that there were 39 military deaths and 5 civilian deaths relating to Iraq in the “inquest queue”, excluding cases where Mr Gardiner was waiting for evidential material from the MOD.
- The first military deaths in that queue related to the loss of a Sea King helicopter on 22 March 2003.<sup>126</sup> The first deaths on which Mr Gardiner had not yet received material from the MOD related to the loss of a CH46 helicopter on 21 March 2003.
- Mr Gardiner estimated that to clear the backlog, he would need an additional Assistant Deputy Coroner and continued funding for the additional Coroner’s Officer, at a cost of £125,000 a year for two years. DCA officials had not yet assessed whether that estimate was realistic. The DCA was “poorly placed” to provide that funding. If those resources could not be found, the current position that most inquests were held in Oxfordshire (rather than in the home area of the deceased) would need to be reconsidered.

**217.** Ms Harman, Mr Browne and Mr Ingram met on 24 May.<sup>127</sup> Ms Harman advised that further work by DCA officials suggested that £250,000 would be required over six months in order to list or complete all cases by the end of the year.

**218.** A record of the meeting by Mr Browne’s Assistant Private Secretary, which was circulated only within the MOD, reported that Mr Browne had agreed that if there was a “practical plan” to reduce the backlog and there was no possibility of securing funding from the Reserve, then he was “prepared in principle to put in £125,000 for the first year”.

**219.** An informal record of the meeting by a DCA official reported that Mr Browne had agreed to provide £125,000, and to hold a further £125,000 “in reserve” which could be made available depending on progress.<sup>128</sup>

**220.** In a Written Ministerial Statement to the House of Commons on 5 June, Ms Harman and Mr Browne set out the support that the Government would provide to the Oxfordshire Coroner’s office to enable it to deal with “outstanding inquests”:

- three Assistant Deputy Coroners (Sir Richard Curtis, Ms Selena Lynch and Mr Andrew Walker);

<sup>126</sup> The (Royal Navy) BOI into the loss of a Sea King helicopter on 22 March 2003 had reported on 1 May 2003 (it was the first BOI relating to Op TELIC to report); the BOI report had been made available to families on 9 June 2003.

<sup>127</sup> Minute APS/SoS [MOD] to SPPol SC-D, 24 May 2006, ‘Iraq Inquest Backlog – Oxford Coroner – Meeting with Harriet Harman MP’.

<sup>128</sup> Email Woolfenden to Sadler, 24 May 2006, ‘Iraq Deaths’.

- two additional Coroner's Officers;
- an additional member of support staff; and
- recording equipment which would enable two extra courts to operate simultaneously.<sup>129</sup>

**221.** There were currently 59 inquests into the deaths of Service Personnel killed in Iraq and 11 inquests into the deaths of civilians to be concluded. Mr Gardiner expected, with this additional support, to be able to conclude inquests into the deaths of 30 Service Personnel where the MOD had completed their own inquiries and case papers had been prepared, and conclude inquests into the deaths of three civilians where he had been provided with reports and other information, by the end of the year.

**222.** Ms Harman and Mr Browne undertook to report quarterly to Parliament on progress in clearing the backlog of outstanding inquests.

**223.** As the Statement was being drafted, Ms Harman expressed her strong view that it should be sent to the families of deceased Service Personnel before it was laid in Parliament.<sup>130</sup>

**224.** DCA officials advised that they were "not convinced" by that proposal, and that it was in any case impractical as the MOD was "not prepared" to supply family contact details.<sup>131</sup>

**225.** Ms Harman and Mr Browne agreed on 1 June that the Statement should be sent to families before it was laid in Parliament.<sup>132</sup>

**226.** Two of the three Assistant Deputy Coroners were appointed in early June, the third in early August.<sup>133</sup>

**227.** The effectiveness of the additional support provided to the Oxfordshire Coroner's office in clearing the outstanding inquests is considered below.

**228.** In July, as the capacity of the Oxfordshire Coroner's office was being increased, the MOD extended the target timelines for the completion of BOIs; that decision is described earlier in this Section.

**229.** By the end of July, it had become clear that the MOD and DCA did not have a shared understanding of how much, and at what point, the MOD would contribute to the cost of the additional support provided to the Oxfordshire Coroner's office.

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<sup>129</sup> House of Commons, *Official Report*, 5 June 2006, column 4WS.

<sup>130</sup> Email Tierney to Woolfenden, Patterson & Bainbridge, 1 June 2006, 'Writing to the Families'.

<sup>131</sup> Minute Bainbridge to Harman, 31 May 2006, 'Oxon Coroner'.

<sup>132</sup> Email Tierney to Anderson, 1 June 2006, 'Note of Telephone Call between Harriet Harman and Des Browne – Iraq/Coroner'.

<sup>133</sup> Minute DCA [junior official] to Harman, 6 October 2006, 'Oxfordshire Coroner: Written Ministerial Statement on Progress with Iraq Related Inquest Backlog'.

The discussions between the DCA, the MOD, and the Treasury from July 2006 to February 2007 on that issue are described below.

**230.** The DCA bore the costs that were being incurred by the Oxfordshire Coroner's office while those discussions continued.<sup>134</sup>

## DISCUSSIONS ON FUNDING

**231.** On 22 May 2006, Mr Alex Allan, Permanent Secretary at the DCA, and Mr Ian Andrews, 2nd Permanent Under Secretary at the MOD, discussed how the additional funding required by the Oxfordshire Coroner might be found.<sup>135</sup> Mr Allan's Assistant Private Secretary reported that Mr Allan had stated that neither the local authority nor the DCA could provide that additional funding. Mr Andrews said that the Treasury met the MOD's "operational costs", and indicated that the funding for the Oxfordshire Coroner should be included within that arrangement.<sup>136</sup> That would be for the MOD to explore with the Treasury.

**232.** On 20 July, Ms Harman sent Mr Browne an update on progress on clearing the backlog of inquests, and concluded that she "hoped that we can clarify the amount of money you will pay".<sup>137</sup>

**233.** On the same day, Ms Harman wrote to Lord Falconer of Thoroton, the Secretary of State for Constitutional Affairs and Lord Chancellor, asking if he would speak to Mr Browne to ensure that Mr Browne's decision to provide £250,000 would be communicated to MOD finance officials.<sup>138</sup>

**234.** Mr Browne replied to Ms Harman on 14 August stating that, as he had previously indicated, given that the inquests were a result of operational commitments, his preference would be for the additional funding to be sought through a call against the Reserve.<sup>139</sup> He stood ready to support a request to the Treasury. If funding could not be secured from the Reserve, he was "in principle willing to provide a contribution of £125,000 for the first year towards the financial costs of the additional resources, subject to Accounting Officer and Treasury approval".

**235.** Lord Falconer wrote to Mr Browne later that month, stating that £125,000 was insufficient to cover the costs involved and that, while DCA officials would look at the suggestion of making a bid on the Reserve, "given that the backlog is driven by the

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<sup>134</sup> Letter Harman to Browne, 28 December 2006, 'Proposals Arising from Meeting with Relatives of Service Personnel on their Experience of the Inquest System'.

<sup>135</sup> Email DCA [junior official] to DCA [junior official], 22 May 2006, 'Coroners – Inquest Delays/MOD'.

<sup>136</sup> The established arrangements whereby the MOD claimed the Net Additional Costs of Military Operations (NACMO) from the Treasury are described in Section 13.

<sup>137</sup> [Letter Harman to Browne, 20 July 2006, 'Iraq Inquests Backlog'](#).

<sup>138</sup> Minute Harman to Falconer, 20 July 2006, 'Funding for Extra Resources for the Oxfordshire Coroner'.

<sup>139</sup> [Letter Browne to Harman, 14 August 2006, 'Iraq Inquest Backlog'](#).

MOD's policy to repatriate Iraq fatalities to RAF Brize Norton in Oxfordshire" it would not be appropriate for the DCA to make that bid.<sup>140</sup>

**236.** Mr Browne replied on 10 September, stating that while there was a strong case for funding the additional costs from the Reserve, the Treasury would expect the bid to come from the Department responsible for coronial policy.<sup>141</sup>

**237.** Lord Falconer replied on 6 October, advising that while the DCA held policy responsibility for coroners, operational responsibility rested with the relevant local authority.<sup>142</sup> In this case, it would normally be for Oxfordshire County Council to meet the costs of the inquests. He continued:

"The Cabinet Office Ministerial Code of Conduct (paragraph 6.10) clearly sets out the principle that Departments responsible for initiating policy are required to take into account the effect their proposals have on other departments. It is MOD policy to repatriate bodies to RAF Brize Norton rather than Lyneham, Fairford or elsewhere and it is a direct result of this decision that the backlog of cases has occurred. If fatalities were shared amongst a number of coroners this problem would have been avoided.

"It is for this reason that I consider that it is your Department's responsibility to shoulder the costs arising from the Iraq inquest backlog ... If you are unable to fund the additional resources from your existing budget then it is for your Department, not mine, to approach the Treasury for a Reserve claim."

**238.** Officials from the MOD, the DCA and the Department for Communities and Local Government (DCLG) met on 8 November to discuss funding options.<sup>143</sup>

**239.** A DCA official reported to DCA colleagues only that all three departments had difficulties in providing funding from within their existing budgets. The MOD had argued, for the first time, that it would be inappropriate for the MOD to be seen to be funding the inquest process when it had a clear interest in the cases involved. The meeting had agreed that DCA officials should approach the Treasury informally to see whether funding from the Reserve could be made available and, if not, whether they could suggest an alternative solution.

**240.** A DCA official advised Ms Harman on 13 December that the Treasury had "not replied positively" to that approach.<sup>144</sup> The DCA had subsequently written to the MOD, asking it to confirm that it would provide the necessary funding.

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<sup>140</sup> [Letter Falconer to Browne, 31 August 2006, 'Funding for Additional Resources for the Oxfordshire Coroner'](#).

<sup>141</sup> [Letter Browne to Falconer, 10 September 2006, \[untitled\]](#).

<sup>142</sup> [Letter Falconer to Browne, 6 October 2006, 'Funding for Additional Resources for the Oxfordshire Coroner'](#).

<sup>143</sup> Email DCA [junior official] to Tierney, 10 November 2006, 'Oxfordshire Coroners: Progress Report'.

<sup>144</sup> Minute DCA [junior official] to Harman, 13 December 2006, 'Oxfordshire Coroner: Written Ministerial Statement on Progress with Iraq Related Inquest Backlog'.

**241.** On 7 January 2007, Mr Lee McCauley, MOD Assistant Director of Defence Resources and Plans, wrote to a Treasury official to advise him that the MOD had “reluctantly concluded” that all additional costs related to the Oxfordshire Coroner should be “funded this year through Defence”.<sup>145</sup> There were several arguments against doing so, but Ministers wanted the issue to be resolved. Treasury approval would be required, as the MOD did not have authority to meet costs that fell to other parts of Government.

**242.** Mr McCauley proposed that the MOD treat the costs as part of the Net Additional Cost of Military Operations (NACMO), and claim them from the Treasury in the normal way. If that was not possible, the MOD would need to find the funds within its core settlement.

**243.** On 13 February 2007, Mr Browne wrote to Ms Harman:

“My officials have explored at length with the Treasury the possibility of making a claim against the Reserve. The Treasury have refused on the principle that such costs should lie where they fall and this is not a legitimate charge to Defence for the additional costs of operations. In light of this, I cannot accept an argument that the backlog stems solely from MOD policy: there are sound practical reasons for repatriation of bodies to RAF Brize Norton but there are also, as the current initiative<sup>146</sup> shows, ways in which the burden may be shared with other coroners.”<sup>147</sup>

**244.** Mr Browne concluded by confirming that he held to his earlier offer to contribute £125,000 towards the additional costs of the Oxfordshire Coroner during 2006/07. That contribution should not be seen as setting a precedent for MOD funding to address “future inquest backlogs, should they arise”.

**245.** Ms Harman replied on 27 March, expressing her disappointment with that contribution but confirming that she would accept it.<sup>148</sup> She would expect the MOD to contribute if further backlogs emerged.

## PROGRESS IN CLEARING THE BACKLOG OF INQUESTS

**246.** Ministers provided quarterly reports to the House of Commons on progress in clearing the backlog of inquests in Oxfordshire. The table below summarises these reports.

**247.** The first report, in June 2006, covered only outstanding inquests into deaths relating to Iraq.<sup>149</sup> Subsequent reports included outstanding inquests relating to previous conflicts and military exercises overseas, for which the Oxfordshire Coroner was responsible.

<sup>145</sup> Letter McCauley to Treasury [junior official], 11 January 2007, ‘Oxfordshire Coroner: Funding’.

<sup>146</sup> To allocate inquests directly to ‘home-town’ coroners, bypassing the Oxfordshire Coroner.

<sup>147</sup> [Letter Browne to Harman, 13 February 2007, ‘Proposals Arising from Meeting with Relatives of Service Personnel on their Experience of the Inquest System’.](#)

<sup>148</sup> [Letter Harman to Browne, 27 March 2007, ‘Proposals Arising from Meeting with Relatives of Service Personnel on their Experience of the Inquest System’.](#)

<sup>149</sup> House of Commons, *Official Report*, 5 June 2006, column 4WS.

**248.** Ms Harman informed the House of Commons on 12 October that Mr Gardiner would not be able to meet the target set in her June 2006 update for the completion of pre-June 2006 inquests (the end of 2006).<sup>150</sup>

**Table 2: Progress in clearing the backlog of inquests in Oxfordshire**

	<b>Outstanding inquests</b>	<b>Of which Service Personnel</b>	<b>Of which civilian</b>	<b>Outstanding inquests held since June 2006</b>
5 June 2006 <sup>151</sup>	70	59	11	0
12 October 2006 <sup>152</sup>	70	59	11	9
18 December 2006 <sup>153</sup>	57	48	9	28
29 March 2007 <sup>154</sup>	29	25	4	56
20 June 2007 <sup>155</sup>	15	11	4	72
30 October 2007 <sup>156</sup>	2	2	0	104

**249.** The June 2007 report stated that of the 72 inquests which had been completed by the Oxfordshire Coroner’s Office since June 2006, Mr Gardiner had conducted five, Sir Richard Curtis six, Ms Selena Lynch 28, Mr Andrew Walker 32, and Ms Jennifer Leeming, the Greater Manchester West Coroner, one.<sup>157</sup>

**250.** The additional resources provided by the Government in June 2006 enabled the Oxfordshire Coroner’s office to clear the backlog of outstanding inquests (into deaths occurring before June 2006) by October 2007.

**251.** The two outstanding inquests reported in the October 2007 report related to the deaths of Fusilier Gordon Gentle on 28 June 2004 and Lieutenant Richard Palmer on 15 April 2006. The inquest into Fusilier Gentle’s death was due to open on 29 October 2007. The coroner had decided to await the completion of the BOI into Lt Palmer’s death before opening an inquest; that inquest would therefore not be held until 2008.

<sup>150</sup> House of Commons, *Official Report*, 12 October 2006, column 28WS.

<sup>151</sup> House of Commons, *Official Report*, 5 June 2006, column 4WS.

<sup>152</sup> House of Commons, *Official Report*, 12 October 2006, column 26WS. Nine inquests had been completed since the June 2006 WMS, but Mr Gardiner had advised the Government of nine additional outstanding cases relating to deaths from previous conflicts and overseas military exercises.

<sup>153</sup> House of Commons, *Official Report*, 18 December 2006, column 112WS.

<sup>154</sup> House of Commons, *Official Report*, 29 March 2007, column 120WS. The Statement corrected the number given in the 18 December 2006 Statement for Inquests held since October 2006, from 18 to 19.

<sup>155</sup> House of Commons, *Official Report*, 20 June 2007, column 97WS.

<sup>156</sup> House of Commons, *Official Report*, 30 October 2007, column 35WS.

<sup>157</sup> House of Commons, *Official Report*, 20 June 2007, column 97WS.

## Efforts to transfer more inquests to local coroners

**252.** In early September 2006, after discussions with DCA officials, Mr Gardiner alerted coroners that the additional resources he had received from the Government were not intended to be “long term” and were only to reduce the current backlog of cases.<sup>158</sup> He was, therefore, likely to “increasingly be making transfer requests under Section 14(i) of the Coroners Act 1988”.

**253.** A DCA official advised Ms Harman on 6 October that Mr Gardiner’s office was now receiving a significant number of fatalities from Afghanistan, as well as from Iraq.<sup>159</sup> The additional resources announced on 5 June only covered inquests that were outstanding at that date. The DCA had “serious doubts” that Mr Gardiner’s office could handle the new (post-June 2006) cases, once the pre-June backlog was cleared and staffing levels returned to normal.

**254.** The official commented that it was not helpful that the MOD continued to repatriate bodies to RAF Brize Norton: DCA and MOD officials were meeting shortly to discuss that issue.

**255.** MOD and DCA officials met on 18 October to reconsider the policy of repatriating the bodies of deceased Service Personnel via RAF Brize Norton.<sup>160</sup> Points made in the discussion included:

- Mr Gardiner was “considering transferring cases to other jurisdictions, but in limited circumstances”. That was in line with established policy. Mr Gardiner would not be transferring cases where there were multiple deaths in a single incident, and all transfers required the agreement of the receiving coroner.
- Arrangements for inquests relating to incidents in 2003 and 2004 were “well in hand”, but there were still “serious delays” to later inquests and the number of bodies repatriated to RAF Brize Norton was increasing.
- One unavoidable factor behind those delays was the need to wait for a BOI to conclude before beginning an inquest.
- It was crucial to keep families informed of progress.
- MOD officials felt that Mr Gardiner and his officers provided effective support to families through the inquest process.
- DCA officials considered that Mr Gardiner’s office would be unable to cope with the workload once the additional resources provided by the Government were removed.

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<sup>158</sup> Letter Gardiner to Harman, 21 November 2006, ‘Foreign Service Fatalities’.

<sup>159</sup> Minute DCA [junior official] to Harman, 6 October 2006, ‘Oxfordshire Coroner: Written Ministerial Statement on Progress with Iraq Related Inquest Backlog’.

<sup>160</sup> [Record, 18 October 2006, ‘Oxfordshire Coroner: Note of a meeting at 10am on 18 October 2006 in room 8.04 Steel House’.](#)

**256.** The meeting considered a number of options, and agreed that:

- The MOD should continue to use RAF Brize Norton.
- MOD policy should be amended, so that when a death occurred (and before the body was repatriated), the appropriate local coroner would be alerted that the body of the deceased would be coming into their district.
- The body would be taken to the local coroner immediately after the repatriation ceremony. Such a policy “would avoid the need to involve the Oxfordshire Coroner at all”.

**257.** Ms Harman wrote to Mr Gardiner on 17 November, following up on discussions between Mr Gardiner and DCA officials, to seek his views on that approach.<sup>161</sup>

**258.** Mr Gardiner replied on 21 November, recalling that the Coroner’s Act required him to hold an inquest if he was informed that a body was within his jurisdiction and the death appeared violent or unnatural, and advised:

“In practice it is inevitable that I will be informed, either directly or through my Officers, of any bodies in my jurisdiction. Indeed ... I would be failing in my duties if I had not over the years established appropriate lines of communication.”<sup>162</sup>

**259.** Mr Gardiner also advised that he had had informal discussions with a number of coroners, and most of them had indicated that they would accept transfers from him under Section 14 of the Coroners Act. Since he had alerted coroners to the likelihood that he would be transferring more cases (in early September), he had transferred three cases.

**260.** On 4 December, Ms Harman met relatives of Service Personnel killed in Iraq to discuss their experience of the investigation and inquest process and the coroners’ service.<sup>163</sup> The meeting, which was facilitated by an external organisation called Opinion Leader, was attended by 17 relatives from 12 families.

**261.** A record of the meeting by a DCA official highlighted relatives’ concern over the distance they had to travel to inquests (there was a “particular difficulty” with Scottish fatalities as there was no discretion to hold a Fatal Accident Inquiry in Scotland where the death occurred overseas), and the perceived failure of the MOD to provide them with all documentation before the inquest.<sup>164</sup> The official commented that the Oxfordshire Coroner had been encouraged to transfer cases to other coroners. The DCA was also exploring ways to transfer a body directly to a local coroner.

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<sup>161</sup> Letter Harman to Gardiner, 17 November 2006, ‘Iraq and Afghanistan Fatalities: Handling Future Inquests’.

<sup>162</sup> Letter Gardiner to Harman, 21 November 2006, ‘Foreign Service Fatalities’.

<sup>163</sup> [Report Opinion Leader, January 2007, ‘DCA Meeting with Families of Military Personnel who Lost their Lives in Iraq’.](#)

<sup>164</sup> Email DCA [junior official] to Burden, 8 December 2006, ‘Short Paper on Actions from Iraq Inquest Meeting with Families’ attaching Paper, [undated], ‘Actions from Iraq Inquest Meeting with Families’.

**262.** Discussions on whether a Fatal Accident Inquiry could be held for all Scottish fatalities are addressed later in this Section.

**263.** On 13 December, a DCA official advised Ms Harman that the Oxfordshire Coroner’s office continued to receive a significant number of fatalities from Iraq and Afghanistan (15 and 33 respectively, since June).<sup>165</sup> The DCA continued to have serious doubts about whether it could cope with that workload. The Coroner’s office had “raised the possibility” of extending the additional staff until all inquests (pre- and post-June 2006) had been cleared, but the DCA had advised them that that would be a matter for Oxfordshire County Council.

**264.** Ms Harman told the House of Commons on 18 December that, following the 4 December meeting, the DCA was “working on providing families with better information about the inquest system, how we can help families to have access to all material relevant to the inquest, and holding inquests closer to where the relatives live”.<sup>166</sup>

**265.** Ms Harman wrote to Mr Browne on the same day, highlighting five areas identified at the 4 December meeting where changes might improve a family’s experience:

- Holding the inquest closer to the family’s home, rather than in Oxford. The DCA was encouraging Mr Gardiner to transfer cases to other coroners as a way of reducing his backlog. Another possibility would be to repatriate the bodies of deceased Service Personnel directly to the family’s local coroner without any involvement by the Oxfordshire Coroner.<sup>167</sup>
- Creating an information pack for families of deceased Service Personnel which described what to expect from an inquest and where to go for further support. Ms Harman suggested that DCA and MOD officials should discuss the contents of the pack.<sup>168</sup>
- Establishing a “victims’ advocate service” for families, similar to the Coroner’s Court Support Service but tailored to address the particular problems of families of those killed abroad and in conflict. The service could build on the support already provided by Visiting Officers.
- Ensuring earlier and more complete advance disclosure of documents and key facts to families.
- Ending the practice of charging families for access to documents, including inquest transcripts.

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<sup>165</sup> Minute DCA [junior official] to Harman, 13 December 2006, ‘Oxfordshire Coroner: Written Ministerial Statement on Progress with Iraq Related Inquest Backlog’.

<sup>166</sup> House of Commons, *Official Report*, 18 December 2006, column 116WS.

<sup>167</sup> [Letter Harman to Browne, 18 December 2006, ‘Proposals Arising from Meeting with Relatives of Service Personnel on their Experience of the Inquest System’](#).

<sup>168</sup> The resulting booklet, *MOD & MOJ Boards of Inquiry and Coroners’ Inquests: Information for Bereaved Families (2008)*, was published in early 2008.

**266.** The Opinion Leader record of the 4 December meeting, which issued in January 2007, reported that the Coroner's service had not sufficiently met the needs of most families.<sup>169</sup> It identified six main issues:

- the time between incident and inquest (more than three years in some cases);
- insufficient notification of an inquest, leaving little opportunity to prepare;
- not having access to key information;
- specific problems with the running of the inquest (including key witnesses not being present, factual errors, and not having the opportunity to ask questions);
- a lack of sensitivity in the treatment of families; and
- cost and logistical issues (including being asked to pay for documents and the difficulty faced by some families in paying for legal representation).

**267.** The report advised that families had also raised concerns relating to their treatment by the media and the Army's investigative processes.

**268.** On 22 January 2007, Mr David Cameron, the MP for Witney, in whose constituency RAF Brize Norton was located, wrote to Lord Falconer stating that it was "patently unfair" that Oxfordshire County Council should have to provide funding to clear post-June 2006 inquests.<sup>170</sup> The Council estimated that the Coroner's office would require an additional £100,000.

**269.** On 13 February, Mr Browne replied to Ms Harman's letter of 18 December:

"... I understand that your officials have confirmed with the Oxfordshire Coroner that provided the body is not formally reported to him he would be content for the repatriated body to be transferred directly from Brize Norton after the ceremonial to the area of the 'home' coroner."<sup>171</sup>

**270.** Mr Browne commented that this was a welcome development, provided that flexibility was retained; there would be occasions when the Oxfordshire Coroner, with the pathology services available to him, would be able to release a body to the family more quickly than a local coroner.

**271.** On 27 March, a DCA official advised Ms Harman that the DCA's line that Oxfordshire County Council should provide funding was "becoming harder to maintain".<sup>172</sup> It was important that Mr Walker was retained to deal with the post-June 2006 backlog. The DCA would look to the MOD to provide funding, but it was certain to resist.

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<sup>169</sup> [Report Opinion Leader, January 2007, 'DCA Meeting with Families of Military Personnel who Lost their Lives in Iraq'](#).

<sup>170</sup> Letter Cameron to Falconer, 22 January 2007, 'Coroner Service in Oxfordshire'.

<sup>171</sup> [Letter Browne to Harman, 13 February 2007, 'Proposals Arising from Meeting with Relatives of Service Personnel on their Experience of the Inquest System'](#).

<sup>172</sup> Minute DCA [junior official] to Harman, 27 March 2007, 'Oxfordshire Coroner: Written Ministerial Statement on Progress with Iraq Related Inquest Backlog'.

**272.** Ms Harman informed the House of Commons on 29 March that the Government had made further resources available to the Oxfordshire Coroner office's to enable Mr Walker to remain as Assistant Deputy Coroner and to enable one Coroner's Officer to be retained, to handle the new (post-June 2006) backlog of inquests.<sup>173</sup>

**273.** Ms Harman advised Mr Browne at the end of March that, since the Oxfordshire Coroner was now routinely transferring inquests to the appropriate local coroner, there had been no need to repatriate bodies directly to a local coroner without any involvement by the Oxfordshire Coroner.<sup>174</sup> Ms Harman understood that the practice of transferring single death inquests would be followed by the Swindon and Wiltshire Coroner (when fatalities began to be repatriated through RAF Lyneham from 1 April).

### Support for the Swindon and Wiltshire Coroner

**274.** From 1 April 2007, due to essential repair work at RAF Brize Norton, ceremonial repatriations took place through RAF Lyneham in Wiltshire.

**275.** In May, the DCA took on certain responsibilities from the Home Office and was renamed the Ministry of Justice (MOJ). Ms Harman retained Ministerial responsibility for coronial policy.

**276.** Mr David Masters, the Coroner for Wiltshire & Swindon, wrote to the Ministry of Justice on 21 May, requesting additional resources for his office to enable it to deal with the bodies of Service Personnel killed in Iraq and Afghanistan.<sup>175</sup>

**277.** An MOJ official advised Ms Harman that she should resist providing additional funding, but offer Mr Masters a meeting with MOJ and MOD officials to discuss his workload and possible options. There was a risk that without additional funding a backlog could develop (as it had in Oxfordshire), but there was also a case for challenging the argument that Mr Masters could not cope without it.

**278.** Ms Harman replied to Mr Masters on those lines.<sup>176</sup>

**279.** Subsequently, against a background of Parliamentary concern over the possibility that the backlog of inquests was increasing, she agreed with Mr Jack Straw, Secretary of State for Justice and Lord Chancellor, that he should meet Mr Masters.

**280.** Mr Straw and Ms Prentice met Mr Masters on 23 July.<sup>177</sup> Mr Masters said that he had transferred 17 cases relating to single deaths to other coroners, but retained

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<sup>173</sup> House of Commons, *Official Report*, 29 March 2007, column 124WS.

<sup>174</sup> [Letter Harman to Browne, 27 March 2007, 'Proposals Arising from Meeting with Relatives of Service Personnel on their Experience of the Inquest System'](#).

<sup>175</sup> Minute MOJ [junior official] to Harman, 12 June 2007, 'Request from Wiltshire and Swindon Coroner for Additional Resources to Deal with Military Fatalities Repatriated via RAF Lyneham'.

<sup>176</sup> House of Commons, *Official Report*, 12 July 2007, column 1623.

<sup>177</sup> Minute PS/Prentice [MOJ] to MOJ [junior official], 23 July 2007, 'Meeting with Wiltshire Coroner – 23 July 2007'.

jurisdiction in 16 cases relating to multiple deaths or where the deceased was from Scotland. He needed additional staffing and resources to deal with the additional workload. Mr Straw and Ms Prentice both said that they were “sympathetic” to that request.

**281.** Mr Straw and Mr Browne agreed later that month that the MOJ and the MOD should share the cost of supporting Mr Masters’ office,<sup>178</sup> and in October that their Departments should share the cost equally.<sup>179</sup> The cost for 2007/08 was likely to be £230,000, and £350,000 a year thereafter.

**282.** In October, an MOJ official advised Ms Prentice that there was no backlog of military inquests in Wiltshire and Swindon.<sup>180</sup>

**283.** The Coroners and Justice Bill, which was introduced into Parliament in January 2009, included a number of measures to ensure that any future backlogs of inquests could be addressed more easily. The Bill is described later in this Section.

## Efforts to improve the inquest process, 2006 to 2009

### US participation in inquests

**284.** Ms Harman wrote to Mr David Johnson, the Deputy Chief of Mission at the US Embassy in London, on 20 July 2006 about “the need for US co-operation which was contributing to delays in inquests” into the deaths of British Service Personnel in Iraq.<sup>181</sup>

**285.** The inquest into the death of Mr Terry Lloyd, an Independent Television News (ITN) journalist who died in a friendly fire incident with US forces on 22 March 2003, was conducted by Mr Andrew Walker, the Assistant Deputy Coroner for Oxfordshire, in October 2006. Mr Walker found that Mr Lloyd had been unlawfully killed.

**286.** In early August, as part of the preparations for that inquest, MOD and FCO officials met US Embassy staff on behalf of Mr Walker, to try to secure US authority to use a US Marine Corps report into one part of the incident and additional material covering the precise circumstances of Mr Lloyd’s death.<sup>182</sup>

**287.** The Pentagon advised MOD officials in late September that a redacted version of the Marine Corps report could be used and that no additional material was available.

**288.** Mr Walker then asked for US Service Personnel to attend the inquest. When that request was refused, he ruled that the information provided by the US was

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<sup>178</sup> Letter Straw to Browne, 26 July 2007, ‘Wiltshire and Swindon Coroner: Additional Funding’.

<sup>179</sup> Minute MOJ [junior official] to Prentice, 18 October 2007, ‘Overseas Military Inquests: October Written Ministerial Statement’.

<sup>180</sup> Minute MOJ [junior official] to Prentice, 18 October 2007, ‘Overseas Military Inquests: October Written Ministerial Statement’.

<sup>181</sup> Letter Harman to Johnson, 6 November 2006, ‘Oxfordshire Iraq related Inquests’.

<sup>182</sup> Briefing MOD, [undated], ‘Meeting with David Johnson, Deputy Chief of Mission US Embassy London (16 November 2006)’.

“inadmissible”, as he would not have the opportunity to question those who had provided witness statements.

**289.** Ms Harman wrote to Mr Johnson again on 6 November, to advise him that difficulties in securing US co-operation remained.<sup>183</sup> It appeared that US Service Personnel did not regard themselves as being required to attend inquests, despite being requested to do so. Mr Walker had told her that the inquest into the death of Mr Lloyd would have benefited considerably from the presence of US witnesses who could be questioned by him and the next of kin. Reading out the witnesses’ statements (with the names of the witnesses redacted) “was no substitute”.

**290.** Ms Harman reassured Mr Johnson that an inquest was not a criminal trial, and there was no reason for US Service Personnel not to attend. She suggested that they should meet to discuss the issue.

**291.** Ms Harman met Mr Johnson on 20 November.<sup>184</sup>

**292.** In advance of the meeting, Ms Harman asked for advice on a number of issues including how the UK would respond to a request for UK Service Personnel to attend a US inquest (or equivalent).<sup>185</sup>

**293.** The MOD advised that there was:

“... no formal process ... to facilitate such attendance. Attendance would have to be assessed on a case-by-case basis and the MOD would have to carefully consider the rights of the individual under different legal/constitutional systems”.<sup>186</sup>

**294.** At the meeting, Mr Johnson said that the US had provided redacted copies of US reports into incidents for a number of inquests; he was disappointed that Mr Walker had “rejected” that material.<sup>187</sup> Ms Harman suggested that the key issue was the ability of the coroner and families to question the material. Mr Johnson asked whether individuals who had been closely involved with the investigation of an incident could attend the inquest, instead of individuals who had been involved in it. Ms Harman agreed that that option should be explored, but said that it was for the coroner to decide who should give evidence.

**295.** Mr Johnson asked if UK Service Personnel were obliged to attend US or other inquests and inquiries; Ms Harman said that she had discussed that point with Mr Hoon,

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<sup>183</sup> Letter Harman to Johnson, 6 November 2006, ‘Oxfordshire Iraq related Inquests’.

<sup>184</sup> Email Tierney to English, 21 November 2006, ‘Note of Meeting between Harriet Harman and David Johnson’.

<sup>185</sup> Email Tierney to English, 14 November 2006, ‘Meeting with US Embassy Deputy Chief of Mission’.

<sup>186</sup> Briefing MOD, [undated], ‘Meeting with David Johnson, Deputy Chief of Mission US Embassy London (16 November 2006)’.

<sup>187</sup> Email Tierney to English, 21 November 2006, ‘Note of Meeting between Harriet Harman and David Johnson’.

who thought that “they should”. Mr Johnson also raised concerns about creating a precedent for similar processes in other countries.

**296.** An FCO official who attended the meeting reported that the US appeared to have two concerns:

- the material that they might be required to provide; and
- the risk that attendance at inquests by US Service Personnel might expose those individuals to civil action in the UK.<sup>188</sup>

**297.** In the following weeks, DCA and FCO officials provided advice to the US Embassy on the inquest process<sup>189</sup> and the extent of extra-territorial jurisdiction under English law.<sup>190</sup>

**298.** The FCO’s advice on extra-territorial jurisdiction was that:

- English criminal law was essentially territorial. There was no jurisdiction in English law to prosecute a foreign national for homicide committed overseas.
- If there was no extra-territorial jurisdiction, there was no question of any charges being issued against US Service Personnel.
- There were a group of “international” offences for which the UK had taken universal jurisdiction, including most relevantly “grave breaches” of the Geneva Conventions committed anywhere by persons of any nationality. It was, however, “hard to imagine circumstances in which a ‘friendly fire’ incident would amount to a grave breach” of the Convention.

**299.** Ms Harman met Mr Johnson again on 6 December.<sup>191</sup> Ms Harman suggested that the meeting should focus on the inquest into the death of L Cpl Hull.

**300.** Ms Harman said that she had spoken to Mr Walker, the coroner responsible for that inquest. He would like US witnesses to the incident to attend the inquest; however, he could accept “as a minimum”:

- an unredacted copy of the US report on the incident: the US and UK reports differed, and the US report had “large sections, even whole pages” redacted; and
- a US representative to speak to and explain the contents of the report.

**301.** An MOD official added that “in a reverse situation the UK would consider what we could offer in terms of best evidence”.

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<sup>188</sup> Email FCO [junior official] to MOD [junior official], 20 November 2006, ‘Iraq Coroners Inquests’.

<sup>189</sup> Email DCA [junior official] to US Embassy [junior official], 30 November 2006, ‘Questions from the US Embassy about Inquests’.

<sup>190</sup> Email Adams to US Embassy [junior official], 1 December 2006, ‘Questions from US Embassy about inquests’.

<sup>191</sup> Minute Burden to Harman, 11 December 2006, ‘Update Meeting between Harriet Harman and David Johnson on US Attendance at UK Inquests into Deaths in Iraq’.

**302.** Mr Johnson advised that the US Government had concluded that it would not be possible for US witnesses to an incident to participate in the inquest. It was now considering whether it could provide someone who could speak authoritatively to a US report.

**303.** On 1 February 2007, Mr Walker stated that he wished to play in open court a video-recording taken by one of the A-10 aircraft showing the attack on L Cpl Hull's convoy.<sup>192</sup> That recording had been provided to the MOD by the US for use in the BOI into the incident, and had subsequently been shown to the coroner by the MOD on the mistaken premise that it was UK-owned material.

**304.** The following day, the MOD sought and received an adjournment to the inquest to allow time to consult the US on disclosure of the recording.

**305.** These events attracted a great deal of media attention, focusing on:

- claims that the family of L Cpl Hull had previously been informed by the MOD that no video-recording of the incident existed;
- the MOD's decision to seek an adjournment, thus delaying the inquest; and
- the US Government's position that US witnesses to an incident should not participate in any subsequent UK inquest.

**306.** On 4 February, *The Observer* newspaper quoted Ms Harman's view:

"My letters haven't proved successful, phone calls haven't proved successful, requests from the coroners haven't. It's just not fair on the relatives to sit in on an inquest and to know that they can't ask questions. They're entitled to know the truth from our allies."<sup>193</sup>

**307.** The recording was leaked to the press on 6 February.<sup>194</sup>

**308.** Later that day, the US told the Government that the recording could be viewed by the coroner, an MOD representative and L Cpl Hull's family only.<sup>195</sup>

**309.** On 19 February, prompted by concerns arising from the MOD's support for the inquest into L Cpl Hull's death, Mr Ingram sought advice on whether the MOD should adopt a fundamentally different BOI process. This is described earlier in this Section.

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<sup>192</sup> Minute Ferguson to APS/Min(AF), 2 February 2007, 'Oxfordshire Inquests: Release of US Classified Information'.

<sup>193</sup> *The Observer*, 4 February 2007, *Why won't the US tell us how Matty died?*

<sup>194</sup> *The Guardian*, 6 February 2007, *US allows 'friendly fire' tape in court.*

<sup>195</sup> Minute DCA [junior official] to Tierney, 21 February 2007, 'Note of meeting with David Johnson (Deputy Chief of Mission, US Embassy)'.

**310.** Ms Harman met Mr Johnson for a third time on 21 February.<sup>196</sup> A DCA official recalled Mr Walker's requests for an unredacted copy of the US report on the attack on L Cpl Hull's convoy and for a US representative to speak to the report. Ms Harman said:

“... although it is difficult for the US to do what the coroner is asking, it is worse for the US not to ... providing no document and no representative at the inquest would be unacceptable.”

**311.** Mr Johnson advised that the US Government was still considering these requests; discussions between the US and UK military would take place later that week.

**312.** Mr Bill Jeffrey and Mr Gordon England, the US Deputy Defense Secretary, discussed the issue two days later.<sup>197</sup> Mr England advised that, while the US aimed to be as co-operative as possible:

- They could not provide an unredacted version of the US report to Mr Walker, could not agree that he should contact the A-10 pilots directly, and could not provide an official to answer questions on the training of A-10 pilots.
- They could not agree to the in principle release of classified US information to coroners in future cases.
- They could not agree to provide “third-party US officials” to attend inquests.

**313.** Mr Jeffrey asked Mr England to reconsider the provision of third-party US officials; Mr England agreed that he would.

**314.** On 16 March, Mr Walker ruled that L Cpl Hull was unlawfully killed.<sup>198</sup> The press reported that Mr Walker was critical of the failure of the US authorities to co-operate with the inquest.

## Legal representation at inquests

**315.** The Government's position at the beginning of Op TELIC was that legal aid was not normally necessary at inquests as the inquest procedure was designed to be inquisitorial and non-adversarial.<sup>199</sup> Legal aid could be provided in exceptional circumstances by the Lord Chancellor, provided that the Legal Services Commission (LSC) recommended it. Such exceptional circumstances might relate to a wider public interest in the applicant being legally represented, or to a need for the applicant to be legally represented to enable the coroner to carry out an effective investigation.

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<sup>196</sup> Minute DCA [junior official] to Tierney, 21 February 2007, 'Note of meeting with David Johnson (Deputy Chief of Mission, US Embassy)'.

<sup>197</sup> Minute PS/PUS [MOD] to Policy Director, 23 February 2007, 'Coroners' Inquests – PUS Phonecall with Gordon England: 23 February 2007'.

<sup>198</sup> *Daily Telegraph*, 17 March 2007, *Killing of British soldier by US pilot criminal*.

<sup>199</sup> Standard Note, 28 January 2010, *Legal aid for representation at Inquests*.

**316.** Legal Help might be available (subject to a means test) to provide legal advice and assistance before an inquest.

**317.** The Deepcut Review into the circumstances surrounding the deaths of four soldiers at the Princess Royal Barracks, Deepcut between 1995 and 2002, led by Mr Nicholas Blake, reported in March 2006.<sup>200</sup> He concluded that the participation of the family of the deceased in an inquest was desirable, and that their participation was assisted by “having experienced legal professionals to advise them whether there are reasons for concern, and how they can be properly addressed”. He also concluded that, in some circumstances, it was “invidious for the Army to be legally represented at such an inquest at public expense whilst the family is not”.

**318.** Mr Blake recommended:

“As part of the military covenant with the soldier, the MOD should ensure that the family of a deceased soldier have access to legal advice and, where appropriate, legal representation prior to, and during, the inquest or FAI [Fatal Accidents Inquiry].”

**319.** The Government’s formal response to the Deepcut Review was issued in June, and stated:

“An inquest is an inquisitorial, non-adversarial fact finding process of limited scope which does not make findings of civil or criminal liability. It is the general presumption that legal representation is not necessary, and it is quite appropriate for those deemed interested persons by the Coroner to ask questions of witnesses at an inquest without legal assistance. Government provision of legal aid ... is not therefore normally available ... However, under the Access to Justice Act 1999 allocation may be made to the Legal Services Commission for exceptional funding.”<sup>201</sup>

**320.** Ms Harman met relatives of Service Personnel killed in Iraq on 4 December, to discuss their experience of the investigation and inquest process.<sup>202</sup> The formal record of the meeting reported that families “would like to be informed of their right to have legal representation [at an inquest], and that the Government should provide funding for legal representation where families could not afford it”.

**321.** Ms Harman wrote to Mr Browne later that month summarising the conclusions of the meeting; her letter did not address the issue of legal representation.<sup>203</sup>

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<sup>200</sup> Nicholas Blake QC, *A Review of the circumstances surrounding the deaths of four soldiers at Princess Royal Barracks, Deepcut, between 1995 and 2002*, HC795, 29 March 2006, paragraph 12.110 and recommendation 31.

<sup>201</sup> Ministry of Defence, *The Government’s Response to the Deepcut Review*, Cm 6851, June 2006.

<sup>202</sup> [Report Opinion Leader, January 2007, ‘DCA meeting with families of military personnel who lost their lives in Iraq’](#).

<sup>203</sup> [Letter Harman to Browne, 18 December 2006, ‘Proposals arising from meeting with relatives of service personnel on their experience of the inquest system’](#).

**322.** On 13 December, during Prime Minister's Questions, Mr Roger Gale asked Mr Blair:

"When inquests are held into the deaths of Service Personnel whose bodies are returned to the UK, the Government are represented by the Treasury Solicitor, who has access to effectively unlimited taxpayers' funds for QCs, witnesses and support investigations. In contrast, families of the bereaved attending the same inquest have to pay out of their own pockets. Is it right that the dice should be loaded against the bereaved?"<sup>204</sup>

**323.** Mr Blair replied that Ms Harman was looking at the arrangements for inquests, adding that "it is of course important to make sure that bereaved families are given every possible facility".<sup>205</sup>

**324.** Mr Gale continued to press the Government to provide funding routinely for legal representation for bereaved families at inquests into the deaths of Service Personnel.

**325.** On 17 January 2007, a DCA official advised Ms Vera Baird, Parliamentary Under Secretary of State for the DCA, that Ms Harman had received representations on the issue during a consultation meeting on the draft Coroners Bill and at her 4 December meeting with the families of Service Personnel who had died in Iraq.<sup>206</sup> Ms Harman was concerned that there was a "real or perceived inequality" when a public authority was legally represented at an inquest but the family of the deceased was not. She had therefore asked officials to explore options for providing (non-legal aid) funding for families at inquests where public authorities had legal representatives. That work was still at a very early stage.

**326.** A DCA official detailed Ms Harman's position and that work on 22 February:

"Harriet [Ms Harman] was clear that it is of fundamental importance that there should be equality of arms between the families and MOD and something needs to be done to achieve this urgently ... Her view is that if it is not possible for families to be given legal support over and above the legal aid provisions then she would propose that equality of arms is met by there being no MOD lawyers present at the inquests in which they have an interest."<sup>207</sup>

**327.** Work was under way to:

- develop a consultation paper to seek views on how representation for families could be paid for outside of the legal aid system, in cases when a public

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<sup>204</sup> House of Commons, *Official Report*, 13 December 2006, column 872.

<sup>205</sup> House of Commons, *Official Report*, 13 December 2006, column 872.

<sup>206</sup> Minute DCA [junior official] to Baird, 17 January 2007, 'Advice and draft reply to Roger Gale MO – funding for representation at Inquests'.

<sup>207</sup> Minute DCA [junior official] to Falconer, 22 February 2007, 'Legal Funding of Military Inquests: Correspondence from Roger Gale MP'.

authority was represented; the favoured option was a surcharge on those authorities; and

- conduct a study to establish fair and effective ways of ensuring that families routinely had official material disclosed to them before an inquest; that should improve the opportunity for families to participate in inquests on equal terms.

**328.** On 27 February, the All Party Parliamentary Group on Army Deaths held a seminar focusing on the issue of legal representation for families, which Ms Harman attended.<sup>208</sup>

**329.** On 9 March, a DCA official advised Ms Harman that:

- the MOD had had legal representation at eight of the 45 inquests (into 63 deaths in Iraq and Afghanistan) that had been completed;
- at five of those eight inquests, the family had also had legal representation; and
- at three other inquests the family had had legal representation and the MOD had not.<sup>209</sup>

**330.** The official advised that the DCA had been able to confirm only two cases where families had received legal aid for an inquest relating to Iraq (at a total cost of some £38,000).

**331.** The official recalled the Government's response to the Deepcut Review and commented:

“If the MOD maintain the line that inquests are not adversarial ... so that families do not need to be represented, this begs the question as to why MOD needs to be represented.”

**332.** Ms Harman wrote to Mr Browne on 14 March:

“I am becoming increasingly concerned about the lack of legal representation for families at inquests where the military are represented.<sup>210</sup>

...

“One solution to the problem might be for neither the military nor the family to be legally represented. Alternatively, funding should be provided to families for representation in those cases where the MOD is represented. I would look to your Department to fund this ...

“I would welcome an early meeting to discuss this.”

**333.** Ms Harman concluded with the handwritten comment: “I know you share my concern on this.”

<sup>208</sup> Email Robins to Burton, 27 February 2007, ‘Seminar on Army deaths’.

<sup>209</sup> [Minute DCA \[junior official\] to Falconer, 9 March 2007, ‘Legal Representation in Military Inquests’.](#)

<sup>210</sup> [Letter Harman to Browne, 14 March 2007, ‘Legal Representation at Inquests’.](#)

**334.** Ms Harman and Mr Ingram met on 18 April to discuss legal representation at military inquests.<sup>211</sup> Ms Harman said that there were two distinct areas to consider:

- “logistical and moral” support and advice for families; and
- legal advice and representation.

**335.** Mr Ingram and Ms Harman both stated that their departments did not have the resources to fund legal representation. They agreed that:

“... the increased support for families from the MOD and the increased support for coroners as well as the work on greater disclosure of information would go a long way to providing families with the support they want at inquests.”

**336.** They also agreed to set out that increased support in a Written Ministerial Statement.

**337.** Mr Ingram undertook to ensure that families had an MOD representative with them at the inquest “to provide explanations and support”.

**338.** Mr Ingram made a Written Ministerial Statement on 7 June on improved support to bereaved families.<sup>212</sup> The Statement did not cover legal representation for bereaved families at inquests.

**339.** The Royal British Legion’s “Honour the Covenant” campaign, which was launched in September 2007, highlighted the distress caused to families by delays to and the lack of legal representation during inquests, and called for legal advice, representation and advocacy to be provided to all families at public expense.<sup>213</sup>

**340.** Ms Joan Humble, chair of the All Party Parliamentary Group on Army Deaths, wrote to Ms Prentice on 14 December seeking advice on how the Group could best engage with Government discussions on the reform of the inquest system and in particular the issue of legal representation for the families of deceased Service Personnel.<sup>214</sup> Ms Humble stated:

“To grieving families it seems a travesty of justice that MOD and Service Personnel should appear in court represented at public expense while they may have been advised they don’t require representation or [are] forced to put their life savings on the line.”

**341.** Ms Prentice replied on 19 February 2008, recalling the position that legal aid was not usually available for representation at an inquest because it was a “fact-finding

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<sup>211</sup> [Minute Tierney to DCA \[junior official\], 19 April 2007, ‘Note of meeting between Harriet Harman and Adam Ingram on legal representation at military Inquests’.](#)

<sup>212</sup> House of Commons, *Official Report*, 7 June 2007, column 26WS.

<sup>213</sup> The Royal British Legion, September 2007, *Honour the Covenant*.

<sup>214</sup> Letter Humble to Prentice, 14 December 2007, [untitled].

process” and not a trial.<sup>215</sup> Legal representation could be provided in exceptional circumstances, and the MOJ had not refused any exceptional funding applications (from the Legal Services Commission) concerning deaths in Iraq or Afghanistan.

**342.** Ms Prentice continued:

“I would also say that when I met representatives of the War Widows Association recently, they did not feel that legal representation at inquests was necessary, if the families were taken through the inquest process slowly and gently by the coroner.”

**343.** On 13 March 2008, in response to a further question from Mr Gale, Ms Harman (Leader of the House of Commons) said:

“I agree with the hon. Gentleman that if bereaved relatives with no legal representation turn up on the steps of a coroner’s court and find that the Ministry of Defence and the Army have a great battery of solicitors and QCs, they cannot help but feel that the position is unfair. The MOD is very concerned about the issue, which will be considered during debate on the Coroners Bill. We need to give bereaved relatives at inquests a real sense of fairness and support.”<sup>216</sup>

## The Coroners and Justice Act, 2009

**344.** A January 2009 briefing on the Coroners and Justice Bill advised that it would contain a number of measures to ensure that any future backlogs of inquests could be addressed more easily:

- It would create a new national head of the coronial system, the Chief Coroner, who would be able to reallocate work between coroners and request the Lord Chief Justice to appoint judges to act as coroners in complex cases. The wishes of the bereaved family would be taken into account in determining the location of the inquest.
- Coroners would have new powers to obtain information to help their investigations. “Rigid restrictions” on where inquests and post-mortems could be held would be relaxed and the power to transfer cases to prevent delays would be enhanced.<sup>217</sup>

**345.** The Bill would also give the Lord Chancellor powers to issue statutory guidance on how the coroners’ system should operate, in particular with respect to bereaved families.

**346.** The Coroners and Justice Bill was introduced to Parliament on 14 January 2009.<sup>218</sup> It did not contain any reference to public funding for legal representation at inquests.

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<sup>215</sup> Letter Prentice to Humble, 19 February 2008, ‘All Party Group on Army Deaths’.

<sup>216</sup> House of Commons, *Official Report*, 13 March 2008, column 421.

<sup>217</sup> Briefing, 28 January 2009, ‘Coroners and Justice Bill: Military inquests briefing 28 January 2009’.

<sup>218</sup> Coroners and Justice Act 2009 c.25 Explanatory Notes, paragraph 820.

**347.** On 21 October 2009, during a debate on the Bill in the House of Lords, Lord Thomas of Gresford moved an amendment which would have the effect of bringing inquests into deaths in State custody or while on active military service within the scope of legal aid.<sup>219</sup>

**348.** Lord Bach, Parliamentary Under Secretary of State for the MOJ, agreed to consider that amendment, adding:

“Obviously I cannot give any guarantees that I will be able to bring forward a suitable amendment ... but I shall certainly do my best.”<sup>220</sup>

**349.** An MOJ official provided advice to Lord Bach on 23 October on the form and cost of such an amendment.<sup>221</sup> The official identified a number of risks, including:

- The MOD was trying to reduce how often it chose to be legally represented at inquests “to tackle the perception that they have the advantage over families”. If bringing military inquests into the scope of the legal aid scheme meant that most families had legal representation, then the MOD would also want representation. The MOD had chosen to be represented at “only” 45 percent of inquests in 2008.
- Bringing military inquests into the scope of the legal aid scheme meant that decisions on whether to provide legal aid would be made by the Legal Services Commission (LSC) without reference to Ministers. That might lead to military inquests being refused legal aid, particularly where the LSC did not waive the financial eligibility limits. The official recalled that all 17 of the applications for exceptional funding in relation to military inquests which had so far been made by the LSC had been granted by the MOJ.

**350.** When the Bill reached its Third Reading in the House of Lords on 5 November, the Government tabled an amendment which made specific provision for legal representation at an inquest into the death of British Service Personnel on active service to be publicly funded.<sup>222</sup> A means test applied.

**351.** The Bill became the Coroners and Justice Act in November 2009, with the amendment included as Section 51. That Section was not brought into force immediately.

**352.** Section 51 was repealed by the Legal Aid, Sentencing and Punishment of Offenders Act 2012.<sup>223</sup> The MOJ’s consultation paper for that Act, which was published

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<sup>219</sup> House of Lords, *Official Report*, 21 October 2009, column 746.

<sup>220</sup> House of Lords, *Official Report*, 21 October 2009, column 749.

<sup>221</sup> Minute MOJ [junior official] to Bach, 23 October 2009, ‘Legal Aid – Coroners and Justice Bill – Extending Legal Aid to Death in Custody and Military Personnel Inquests’.

<sup>222</sup> Coroners and Justice Act 2009 c.25 Section 51 and Explanatory Notes, paragraphs 326 and 820.

<sup>223</sup> Standard Note, 10 March 2014, ‘Legal aid for representation at Inquests’.

in November 2010, proposed that as inquests were non-adversarial in nature, legal aid could not be justified.

**353.** Following the 2010 UK general election, the incoming Government first announced that the Office of the Chief Coroner would be abolished, because of the costs involved, and then proposed to leave the Office on the statute book but to transfer some (but not all) of the functions to other posts and institutions.<sup>224</sup>

**354.** In November 2011, following criticism in Parliament and from concerned organisations, the Government announced that it would establish the Office of the Chief Coroner.

**355.** The first post-holder, His Honour Judge Peter Thornton, took up the post in September 2012.<sup>225</sup>

### Fatal Accident Inquiries in Scotland

**356.** The Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976 provided for the Lord Advocate to instruct a procurator fiscal to investigate a death if it appeared to the Lord Advocate that an investigation would be in the public interest. This contrasted with the position in England and Wales, where coroners had a statutory duty, under the 1988 Coroners Act, to investigate deaths which were reported to them when the body was lying in their district and there was reason to believe that the death was violent or unnatural, or was a sudden death of unknown cause, or in some other circumstances.<sup>226</sup> That duty applied “whether the cause of death arose in his district or not”.

**357.** On 2 April 2003, two weeks after the start of military operations against Iraq, a Home Office official wrote to Mr Nicholas Gardiner, the Oxfordshire Coroner, proposing guidelines for transferring cases to other coroners:

“An aspect of this we had not yet addressed is the handling of fatalities where they are to be transferred to Scotland or Northern Ireland. I have had a brief word with my Northern Ireland and Scottish counterparts. In neither territory would there normally be inquests or other inquiries into deaths abroad. It would therefore seem inevitable for you to accept jurisdiction for inquests in such cases ...”<sup>227</sup>

**358.** Mr Gardiner agreed with that assessment.<sup>228</sup>

**359.** There are no indications that the issue was considered again until 2006.

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<sup>224</sup> House of Commons Library Standard Note, 24 November 2011, ‘The Office of the Chief Coroner’.

<sup>225</sup> Report of the Chief Coroner to the Lord Chancellor, 2014, *First Annual Report: 2013-2014*.

<sup>226</sup> Coroners Act 1988. The Act was replaced by the Coroners and Justice Act 2009.

<sup>227</sup> Letter Home Office [junior official] to Gardiner, 2 April 2003, ‘Section 14 and War Deaths’.

<sup>228</sup> Letter Gardiner to Home Office [junior official], 4 April 2003, ‘Section 14 etc’.

**360.** The Deepcut Review into the circumstances surrounding the deaths of four soldiers at the Princess Royal Barracks, Deepcut reported in March 2006.<sup>229</sup> The Review recommended: “There should always be an inquest, or, in Scotland, a Fatal Accidents Inquiry, into a sudden death of a soldier, wherever the death has occurred.”

**361.** The Government’s formal response to the Review, which issued in June, stated that discussions were continuing between the MOD and the DCA, with a view to responding to the recommendation in the context of the Coroners Bill.<sup>230</sup> Responsibility for legislation on inquiries into deaths in Scotland was delegated to the Scottish administration; any proposals would therefore need to be discussed with the Scottish Executive.

**362.** On 4 December, Ms Harman met relatives of Service Personnel killed in Iraq, to discuss their experience of the investigation and inquest process.<sup>231</sup> The record of the meeting reported that there was consensus that inquests should be held “more locally, including in Scotland”.

**363.** Ms Harman wrote to Mr Browne later that month summarising the conclusions of the meeting, including:

“There is a particular issue about Scottish fatalities which are repatriated to England and Wales ... unless there is an inquest in England there will be no inquiry at all in Scotland. It was suggested [at the meeting] that until such time as the Scottish Executive’s position changes, a coroner in the north of England might be able to take on inquests for Scottish families, and my officials are looking into this possibility. I am also going to discuss with the Scottish Executive the issue of extending the scope of the Fatal Accident Inquiry to cover Service deaths abroad.”<sup>232</sup>

**364.** In April 2007, Ms Harman met Mr Ingram to discuss legal representation for families at inquests.<sup>233</sup> Mr Ingram asked whether there was scope to transfer the inquest into the loss of Nimrod XV230 to Scotland. Ms Harman said that she had discussed the issue with the Scottish Lord Advocate and relevant Scottish Executive Minister, who had both confirmed that there was no scope in Scotland for an inquest or Fatal Accident Inquiry (FAI) into the incident.

**365.** Nimrod XV230 had crashed in Afghanistan on 2 September 2006, with the loss of 14 crew.<sup>234</sup> The aircraft was based at RAF Kinloss in Scotland.

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<sup>229</sup> Nicholas Blake QC, *A Review of the circumstances surrounding the deaths of four soldiers at Princess Royal Barracks, Deepcut, between 1995 and 2002*, HC795, 29 March 2006.

<sup>230</sup> Ministry of Defence, *The Government’s Response to the Deepcut Review*, Cm 6851, June 2006.

<sup>231</sup> [Report Opinion Leader, January 2007, ‘DCA meeting with families of military personnel who lost their lives in Iraq’](#).

<sup>232</sup> [Letter Harman to Browne, 18 December 2006, ‘Proposals arising from meeting with relatives of service personnel on their experience of the inquest system’](#).

<sup>233</sup> [Minute Tierney to DCA \[junior official\], 19 April 2007, ‘Note of meeting between Harriet Harman and Adam Ingram on legal representation at military inquests’](#).

<sup>234</sup> GOV.UK, 3 September 2006, *Fourteen personnel in Afghanistan Nimrod crash named*.

**366.** During Defence Questions in the House of Commons on 14 May 2007, Mr Angus Robertson asked:

“Will the Ministry of Defence work with the incoming Scottish Executive to ensure that inquiries [into the deaths of Service Personnel] can take place under Scots law? After all, that would help to reduce the backlog and to ease the inconvenience to the families.”<sup>235</sup>

**367.** Mr Ingram replied:

“The answer to that is yes ... My understanding is that there would need to be a change to primary legislation. We need to look into that, but if there is a will to change in Scotland, let us hear the propositions.”<sup>236</sup>

**368.** Mr Ingram subsequently discussed with MOD officials how he could respond to Mr Robertson’s call.<sup>237</sup>

**369.** On 2 June, Mr Ingram wrote to Mr Kenny MacAskill, Cabinet Secretary for Justice at the Scottish Executive, to open a discussion on the issue:

“Ensuring that they [inquests] are conducted in a family-friendly manner remains a priority for us and, where practical, we are allocating them to ‘home’ coroners in England and Wales. We share your concern that it has not been possible to hold them in Scotland.

“The fact that we have, so far, repatriated the bodies of Scottish Service Personnel to England ensures that there can be an inquest, albeit under the Coroner’s Court arrangements for England and Wales.

“We would favour moving towards a position where, if appropriate, Inquiries into the deaths of Service Personnel can take place in Scotland. We would be happy to work with you to achieve this. However, we believe it will require a change of law in Scotland ...”<sup>238</sup>

**370.** Ms Prentice wrote to Mr MacAskill on 25 October, asking if there had been any developments since Mr Ingram’s letter.<sup>239</sup> In the absence of an appropriate process in Scotland, the bodies of Scottish Service Personnel were repatriated to England “to ensure that there can be an inquest”. This meant that families had to travel considerable distances from their homes in Scotland to attend inquests.

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<sup>235</sup> House of Commons, *Official Report*, 14 May 2007, column 382.

<sup>236</sup> House of Commons, *Official Report*, 14 May 2007, column 382.

<sup>237</sup> Minute Baker to PS/Minister(AF) [MOD], 22 May 2007, ‘Fatal Accident Inquiries for Service Deaths Overseas’.

<sup>238</sup> Letter Ingram to MacAskill, 2 June 2007, [untitled].

<sup>239</sup> Letter Prentice to MacAskill, 25 October 2007, ‘Inquests of Scottish Service Personnel’.

**371.** Officials from the MOD, MOJ and Scottish Executive met on 14 December to consider the possibility of transferring responsibility for inquiries into the deaths of “Scottish-based” Service Personnel who were killed overseas from the coroners’ service to the Crown Office and Procurator Fiscal Service (COPFS),<sup>240</sup> “with a view to FAIs being held rather than coroners’ inquests”.<sup>241</sup> The meeting concluded that:

- The way forward might be an order under Section 30 of the Scotland Act 1998.<sup>242</sup> That possibility would be explored by the Scottish Government Legal Directorate and the Office of the Solicitor to the Advocate General (OSAG).
- There did not appear to be any “fundamental obstacles” to the proposed transfer.
- The discretionary nature of the FAI system would need to be addressed.

**372.** On 27 March 2008, in response to a letter from Mr MacAskill, Mr Browne wrote:

“Addressing these issues is ... a matter for Scottish Ministers. The answer is for you to make a commitment to amend Scots law in a way that can guarantee that Scottish-based Service families can be assured of mandatory inquiries into overseas operational deaths. If that were to happen then it would be entirely appropriate to repatriate deceased Service Personnel to Scottish bases once the law has been changed. You will understand, however, that I cannot contemplate changes without your commitment to mandatory investigations.”<sup>243</sup>

**373.** Mr Browne’s letter was copied to all Members of the Scottish Parliament, in order to inform the debate on the planned review of FAIs which would be held in the Scottish Parliament later that day.

**374.** The issue of enabling inquiries to be held in Scotland into the deaths of Service Personnel normally domiciled in Scotland featured heavily in the debate.<sup>244</sup>

**375.** Closing the debate, Mr MacAskill stated that an amendment to the Scotland Act 1998 would be necessary before Scotland could act:

“If Des Browne agrees to the making of a section 30 order, we can begin to make progress; without a section 30 order, it would be ultra vires for us to proceed – the Parliament simply could not take such action.”

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<sup>240</sup> The Crown Office and Procurator Fiscal Service is Scotland’s prosecution service.

<sup>241</sup> Report, [undated], ‘Note of meeting to discuss possibility of Fatal Accident Inquiries into deaths of Scottish-based Service personnel in St Andrews House, 14 December 2007’.

<sup>242</sup> Orders made under Section 30(2) of the Scotland Act 1998 allow for modifications to be made to Schedule 5 to the Scotland Act, which lists those matters that are reserved to the UK Parliament, and as such defines the competence of the Scottish Parliament. The order-making power allows the Scottish Parliament’s legislative competence to be altered by removing or updating existing reservations, or by adding new ones.

<sup>243</sup> Letter Browne to MacAskill, 27 March 2008, [untitled].

<sup>244</sup> Scottish Parliament, *Official Report*, 27 March 2008.

**376.** The following day, an MOJ official advised Ms Prentice that the 14 December 2007 meeting of officials, and subsequent exchanges, had identified “no simple solution”.<sup>245</sup> There were plans for officials to meet again.

**377.** On 4 November, Mr Bob Ainsworth, successor to Mr Ingram as Minister of State for the Armed Forces, informed the House of Commons that: “No reply [to Mr Browne’s letter of 27 March] has yet been received from the Scottish Executive.”<sup>246</sup>

**378.** That exchange prompted Mr Ainsworth to ask MOD officials how momentum could be regained on the FAI issue.<sup>247</sup>

**379.** An official advised Mr Ainsworth on 11 November that the Scottish Executive had given “considerable thought” to how inquiries could be held in Scotland without changing the devolution settlement, but Scottish Ministers did not appear to have come to a conclusion. The official was not sure that work was now being actively pursued. It was not satisfactory to let the issue drift.

**380.** Mr Ainsworth wrote to Ms Prentice the following day, proposing that Ministers and officials should meet to consider the way forward.<sup>248</sup> A copy of the letter was sent to Ms Ann McKechin, Parliamentary Under Secretary of State at the Scotland Office.

**381.** Mr MacAskill replied to Mr Browne’s letter of 27 March on 19 November.<sup>249</sup>

**382.** After a further exchange in January 2009, Mr Ainsworth wrote to Mr MacAskill on 29 January stating that “we do indeed have the basis for a way ahead”.<sup>250</sup> That was to use the Coroners and Justice Bill to amend the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976, so that the Chief Coroner (a new post that would be created by the Coroners and Justice Bill) could request the Lord Advocate to hold an FAI into a particular death.<sup>251</sup>

**383.** Section 12 of the Coroners and Justice Act provided for the Secretary of State or the Chief Coroner to notify the Lord Advocate that a death should be investigated under the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976.<sup>252</sup>

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<sup>245</sup> Minute MOJ [junior official] to Prentice, 28 March 2008, ‘Coroners Service in Oxfordshire’.

<sup>246</sup> House of Commons, *Official Report*, 4 November 2008, column 294W.

<sup>247</sup> Minute MOD [junior official] to PS/Minister(AF) [MOD], 11 November 2008, ‘Fatal Accident Inquiries in Scotland’.

<sup>248</sup> Letter Ainsworth to Prentice, 12 November 2008, ‘Inquiries into the Deaths of Scottish-based Service Personnel’.

<sup>249</sup> House of Commons, *Official Report*, 3 February 2009, column 1111W.

<sup>250</sup> Letter Ainsworth to MacAskill, 29 January 2009, [untitled].

<sup>251</sup> Minute Scotland Office [junior official] to Parliamentary Under Secretary of State [Scotland Office], 28 January 2009, ‘Fatal Accident Inquiries and overseas Service deaths’.

<sup>252</sup> Coroners and Justice Act 2009, Section 12(4) and (5).

**384.** The Act also amended the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976, to provide for the Lord Advocate to investigate when such a notification had been received.<sup>253</sup>

## Honouring the dead

### Repatriation ceremonies

**385.** The MOD's policy on the repatriation of the dead was set out in a paper produced by Lt Gen Palmer on 14 March 2003:

“Repatriation to UK of the dead is to take place wherever possible and as soon as practicable.”<sup>254</sup>

**386.** Before Op TELIC, repatriations were conducted with very little or no formal ceremony.<sup>255</sup>

**387.** The MOD put in place a unique arrangement for the repatriation of Service Personnel who died during Op TELIC, known as Operation KEIR. The repatriation ceremony under Op KEIR was designed to “demonstrate the highest level of respect”, and included attendance by members of the Royal Family (or their representatives) and Ministers, military pall-bearers and a military band.

**388.** In his autobiography, General Sir Mike Jackson described attending a repatriation ceremony in his capacity as Chief of the General Staff:

“We gathered before the aircraft landed, and were seated on the edge of the apron outside the terminal building to watch the C-17 aircraft land and taxi into position, coming to a rest with the nose of the aircraft facing diagonally away from the mourners. Then the ramp was lowered. A bearer party of six soldiers in parade dress advanced and marched up the ramp to take the first coffin. As they came into view down the ramp carrying the coffin, a band began playing and everyone stood. We all saluted as the bearers marched past in slow time, carrying the coffin to the waiting hearse. This simple, but profoundly moving, ceremony was repeated for each coffin on board the aircraft.”<sup>256</sup>

**389.** Lt Gen Mans told the Inquiry that a repatriation ceremony could “help the bereaved family to start closure on the whole process of losing a loved one”.<sup>257</sup>

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<sup>253</sup> Coroners and Justice Act 2009, Section 50.

<sup>254</sup> Paper Palmer, 14 March 2003, ‘UK Forces: Repatriation of the Dead’.

<sup>255</sup> Minute DDSP Pol O&M to PSO/CDS, 17 March 2004, ‘Policy for Repatriation of Deceased Personnel from Overseas’.

<sup>256</sup> Jackson M. *Soldier: The autobiography of General Sir Mike Jackson*, Bantam Press, 2007.

<sup>257</sup> Public hearing, 19 July 2010, page 63.

**390.** In February 2004, Mr Ingram agreed that, following the end of major combat operations in Iraq, the MOD should “rationalise” the repatriation process.<sup>258</sup> The MOD would adopt three levels of repatriation:

- for non-battle deaths, where repatriation would mirror the pre-Op TELIC model;
- for Service Personnel killed in action or who had died of their wounds, where repatriation would include a “degree of ceremony” including military pall-bearers; and
- for exceptional circumstances where it was appropriate to demonstrate the highest level of respect, where Op KEIR would be used. It would be for Mr Hoon to determine whether to invoke Op KEIR, taking into account factors including the circumstances surrounding the incident.

**391.** Lt Gen Palmer told the Inquiry that the issue of who should attend a repatriation ceremony quickly became “a big issue”:

“Everybody wanted to be there, to show support.

“I think what we realised early on was that this was going to be ongoing. Unfortunately, casualties were going to keep coming. We could not have everybody rushing to [RAF] Brize Norton, as it was then, [RAF] Lyneham, as it is now, every time there was a casualty. So we developed, I think, an extremely good policy, which I think has worked very well, about how repatriations are done.”<sup>259</sup>

**392.** Lt Gen Palmer added that, in planning and conducting repatriation ceremonies:

“... with Ministers and everybody in the MOD the absolute key thing was to try to be as responsive and sensitive to the families as we possibly could at this enormously difficult moment for them.”

**393.** In September 2007, a fourth level of repatriation was added, covering repatriations in the event of a mass fatality incident (defined as between 15 and 35 fatalities).<sup>260</sup>

**394.** In April 2009, the MOD amended its policy so that all deaths on operations (including non-battle deaths) received a formal repatriation ceremony, in the light of the difficulty in drawing a distinction between an individual killed by direct enemy fire and one killed in an accident in direct support of operations, and given public and familial expectations that individuals who died on operations should be honoured.<sup>261</sup>

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<sup>258</sup> Minute DDSP Pol O&M to PSO/CDS, 17 March 2004, ‘Policy for Repatriation of Deceased Personnel from Overseas’.

<sup>259</sup> Public hearing, 21 July 2010, page 40.

<sup>260</sup> Minute Fancourt to various, 17 September 2007, ‘Policy for Repatriation of Deceased Personnel from Overseas’.

<sup>261</sup> Minute DCDS(Pers) to APS/SoS [MOD], 22 April 2009, ‘Policy for Repatriation from Operations’.

## ROYAL WOOTTON BASSETT

**395.** From April 2007, due to essential repair work at RAF Brize Norton, ceremonial repatriations took place through RAF Lyneham in Wiltshire.

**396.** Corteges departing RAF Lyneham passed through Wootton Bassett. The Royal British Legion reported in June 2011 how the town had responded:

“The first [repatriation] was acknowledged by a few members of the public which included members of the Royal British Legion ...

“Over the past four years the number of people has increased and where we were once paying tribute on a more personal basis we have now come to represent the country.

“The repatriation tributes were never and are still not organised – things just happen, such as the Church Bell which started when a bell-ringing practise was taking place just before the repatriation was due, and as a mark of respect the one bell was tolled on that occasion.

...

“When the cortege is about to leave Lyneham, the police alert us here in Wootton Bassett. The Standard Bearers form an orderly line, spacing themselves at equal distances down the opposite side of the road to the War memorial ... When the cortege reaches the edge of town the bell-ringer is notified and the Church Bell starts to toll and the town falls silent. Shopkeepers close their premises and join the crowds and there is not a sound to be heard.”<sup>262</sup>

**397.** A military parade was held in Wootton Bassett in October 2008 to thank the town.<sup>263</sup>

**398.** In March 2011, Prime Minister David Cameron announced that The Queen had agreed “to confer the title ‘Royal’ upon the town, as an enduring symbol of the nation’s admiration and gratitude”.<sup>264</sup>

## Letters of condolence

**399.** In July 2002, following a meeting with the parents of a deceased Serviceman, Mr Hoon asked the MOD to consider whether he or the Prime Minister should routinely write to the next of kin of Service Personnel killed on operations.<sup>265</sup>

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<sup>262</sup> The Royal British Legion website, June 2011.

<sup>263</sup> *Daily Express*, 13 October 2008, *Military pays tribute to respectful residents of Wootton Bassett*.

<sup>264</sup> GOV.UK, 16 March 2011, *Prime Minister announces ‘Royal’ Wootton Bassett*.

<sup>265</sup> Minute McLoughlin to APS/SofS [MOD], 17 September 2002, ‘Letters to next of kin (NOK)’.

**400.** Ms Elizabeth McLoughlin, the Director General of Service Personnel Policy, responded in September, having consulted the Chiefs of Staff.<sup>266</sup> Existing practice was that, apart from letters written by those serving with the individual who had been killed, a senior officer would write one letter of condolence “on behalf of both the Sovereign and the Service”. While the Services appreciated the wish to provide additional comfort to the families of personnel killed on operations, they were concerned that:

- It would be very difficult for any letter, unless written locally by the unit commander, to be other than “bland and impersonal”. Experience had shown that it was not helpful for families to receive a large number of official condolence letters based on generic information.
- The Services (and the Chief of Defence Staff in particular) did not want to distinguish, for this purpose, between individuals killed on operations and those who died “as a result of the normal rigours of Service life”. They did not believe that the circumstances of a death made the next of kin any more or less deserving of sympathy.
- There was also a question of whether the next of kin of Reservists and MOD civilians should be included.
- In the event of mass casualties, writing to the next of kin might be difficult.

**401.** Ms McLoughlin concluded that the existing practice should continue, although the Prime Minister or the Secretary of State might in addition send a personal note in “exceptional cases where it is felt that families would benefit”. That would need to be assessed on a case-by-case basis.

**402.** In late March 2003, No.10 asked the MOD for advice on how Mr Blair should honour UK Service Personnel killed on Op TELIC, and especially whether he should write letters of condolence to the families of Service Personnel killed on operations and whether there should be a ceremony or function to commemorate deceased Service Personnel.<sup>267</sup>

**403.** Mr Hoon’s Private Office responded to Mr Blair’s Assistant Private Secretary on 27 March, advising that:

- the current policy (whereby a senior officer wrote a single letter of condolence) remained sound; and
- it would be appropriate for a ceremony to be held after the conflict had concluded.<sup>268</sup>

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<sup>266</sup> Minute McLoughlin to APS/SofS [MOD], 17 September 2002, ‘Letters to next of kin (NOK)’.

<sup>267</sup> Minute Gibson to APS/Secretary of State, 27 March 2003, ‘Request from No.10: Letters for the Families of the Bereaved and Memorial Ceremony’.

<sup>268</sup> Letter Williams to Cannon, 27 March 2003, ‘Recognition of Armed Forces Personnel who died on Operations’.

**404.** On 7 April, Mr Blair wrote to a bereaved spouse who had lost her husband on Op TELIC, to respond to her concerns about the way she was being treated by the MOD.<sup>269</sup>

**405.** On 9 May, in response to a further request for advice from No.10 on whether Mr Blair should write letters of condolence to the families of Service Personnel killed on operations, Mr Hoon's Private Office repeated the advice that the current policy (whereby a senior officer wrote a single letter of condolence) remained sound.<sup>270</sup> Mr Hoon's Private Office added that the MOD was reviewing its policy on writing letters of condolence "in the light of the specific circumstances of the operation in Iraq", but was unlikely to change it.

**406.** Mr Hoon's Private Office advised No.10 on 16 May that the review had concluded that the MOD's policy should not change:

"... you [No.10] asked if our experience during operations in Iraq had caused us to alter our position ... It has not ... The Prime Minister wrote in exceptional circumstances and in response to correspondence."<sup>271</sup>

**407.** The MOD looked again at the policy at the end of June, following a meeting between Mr Blair and General Sir Michael Walker, Chief of the Defence Staff, during which Mr Blair expressed a personal desire to write.<sup>272</sup>

**408.** Lt Gen Palmer advised Mr Hoon on 30 June that, while the Chiefs of Staff considered that the policy remained sound, given Mr Blair's desire to write and the fact that he was already corresponding with some families, their preferred option was that Mr Blair should write only to the next of kin of "those who die on Op TELIC".

**409.** Mr Hoon's Private Office wrote to No.10 later that day, to confirm that it "could be appropriate" for Mr Blair to write to the next of kin of those killed on Op TELIC (including civilians and those killed in circumstances other than in direct action with the enemy).<sup>273</sup>

**410.** On 1 August, Mr Matthew Rycroft, Mr Blair's Private Secretary for Foreign Affairs, advised Mr Blair that the MOD had, again, reviewed its policy and that Mr Hoon would now write to the next of kin of individuals who had died "while in an operational area".<sup>274</sup> Mr Rycroft recommended that Mr Blair should now write only to the next of kin of individuals who had been killed in action.

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<sup>269</sup> Letter Blair to [name redacted], 7 April 2003, [untitled].

<sup>270</sup> Letter Williams to Cannon, 9 May 2003, 'Recognition of Armed Forces Personnel who Died on Operations'.

<sup>271</sup> Letter Williams to Cannon, 16 May 2003, 'Recognition of Armed Forces Personnel who Died on Operations'.

<sup>272</sup> Minute DCDS(Pers) to PS/SoS [MOD], 30 June 2003, 'Letters of condolence from Prime Minister to Bereaved Families of Service Personnel'.

<sup>273</sup> Letter Williams to Cannon, 30 June 2003, 'Letters of Condolence from the Prime Minister to Bereaved Families of Service Personnel'.

<sup>274</sup> Minute Rycroft to Blair, 1 August 2003, 'Letters of Condolence to Bereaved Families of Service Personnel'.

**411.** The policy was reflected in the first Joint Casualty and Compassionate Policy and Procedures (JSP 751), which was published in March 2005.<sup>275</sup>

## Commemoration in Parliament

**412.** It has become established practice for the Prime Minister and Leader of the Opposition to pay tribute to fallen Service Personnel at the start of Prime Minister's Questions (PMQs). The Inquiry has considered the origins and evolution of this public commemoration.

**413.** The first time a Prime Minister offered condolences for the deaths of Service Personnel in Iraq at PMQs was 2 April 2003. On that day, Mr Blair said he was "sure that the whole House will want to pass on its sympathies to the families of British Servicemen who have tragically been killed in the service of their country in the past week. Again, we pay tribute to their courage and dignity and we pass on our condolences and sympathy to their families and their friends."<sup>276</sup>

**414.** The practice was repeated a week later, when Mr Blair offered condolences to the families of all those who had lost their lives in the intervening seven days.<sup>277</sup>

**415.** On 25 June, he paid tribute to (but did not name) the Royal Military Police (RMP) officers who had lost their lives and been injured at Majarr al Kabir the previous day.<sup>278</sup>

**416.** On 10 September, as Parliament returned from the summer recess, Mr Blair paid tribute to the British Servicemen who had lost their lives during the recess.<sup>279</sup>

**417.** On 5 November, Mr Blair paid tribute to Corporal Ian Plank of the Royal Marines who had lost his life the previous week.<sup>280</sup> That was the first time a Service person had been mentioned by name. It is not clear why the decision was taken to name Corporal Plank.

**418.** Over the next two years, Mr Blair regularly paid tribute at the beginning of PMQs to British Servicemen who had lost their lives, but only from April 2006 did the practice of naming individuals and their regiments become usual.

**419.** In June 2007, during his last PMQs, Mr Blair described those tributes as "the saddest of duties".<sup>281</sup>

**420.** The practice was continued by Mr Gordon Brown from July 2007.

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<sup>275</sup> Paper MOD, 11 July 2005, 'JSP 751: Joint Casualty and Compassionate Policy'.

<sup>276</sup> House of Commons, *Official Report*, 2 April 2003, column 908.

<sup>277</sup> House of Commons, *Official Report*, 9 April 2003, column 260.

<sup>278</sup> House of Commons, *Official Report*, 25 June 2003, column 1039.

<sup>279</sup> House of Commons, *Official Report*, 10 September 2003, column 319.

<sup>280</sup> House of Commons, *Official Report*, 5 November 2003, column 788.

<sup>281</sup> House of Commons, *Official Report*, 27 June 2007, column 323.

## Memorial services

**421.** In late March 2003, No.10 asked the MOD for advice on how Mr Blair should honour UK Service Personnel killed on Op TELIC, including whether there should be a ceremony or function to commemorate deceased Service Personnel.<sup>282</sup>

**422.** The MOD responded to No.10 on 27 March, advising that it would be appropriate for a ceremony to be held after the conflict concluded.<sup>283</sup> The MOD intended that the ceremony “would give the Prime Minister and the Government the opportunity to honour the efforts of the Services, and their dead”.<sup>284</sup>

**423.** Mr Hoon informed Parliament on 17 July that there would be a “national service of remembrance and thanksgiving for the campaign in Iraq”.<sup>285</sup>

**424.** The service took place on 10 October 2003 at St Paul’s Cathedral.<sup>286</sup> The service was attended by the families of the 51 British Service Personnel who had, at that time, lost their lives in the campaign. They were joined by members of the Royal Family including Her Majesty The Queen and His Royal Highness The Duke of Edinburgh, Government Ministers including Mr Blair, and senior military officers.

**425.** Baroness Symons, joint FCO/Department of Trade and Industry Minister of State for International Trade and Investment, wrote to Mr Hoon shortly after the service.<sup>287</sup> She had spent her time speaking to bereaved families, and reported from those conversations that:

- There was a generally positive reaction to how they had been informed of their loss (although two families had heard through the media), and to the subsequent support from the VO.
- A number of families felt that they had been “ignored” in the design and conduct of the service.
- All families appreciated the presence of The Queen and the Royal Family at the service.

**426.** Mr Hoon’s Private Office wrote to Mr Rycroft on 14 November advising that feedback from families had been “overwhelmingly positive”.<sup>288</sup> There had been a great

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<sup>282</sup> Minute Gibson to APS/Secretary of State [MOD], 27 March 2003, ‘Request from No.10: letters for the families of the bereaved and memorial ceremony’.

<sup>283</sup> Letter Williams to Cannon, 27 March 2003, ‘Recognition of Armed Forces personnel who died on operations’.

<sup>284</sup> Minute MOD [junior official] to APS/Secretary of State [MOD], 27 March 2003, ‘Request from No.10: Letters for the families of the bereaved and memorial’.

<sup>285</sup> House of Commons, *Official Report*, 17 July 2003, column 72WS.

<sup>286</sup> *BBC News*, 10 October 2003, *Service honours Iraq war dead*.

<sup>287</sup> Letter Symons to Hoon, 13 October 2003, ‘Service for Iraq: Friday October 10, 2003’.

<sup>288</sup> Letter Davies to Rycroft, 14 November 2003, ‘Iraq: service of remembrance and reception 10 October – feedback’.

deal of praise for the “obvious effort made by the Royal Family and senior members of the Government and Armed Forces to speak with as many families as possible”.

## Armed Forces Memorial

**427.** Mr Hoon advised the House of Commons in November 2000:

“I have given careful consideration to a number of ways in which the recognition of members of the Armed Forces who give their lives in the service of their country might be enhanced. In the light of discussion, I have concluded that the most appropriate would be the erection in central London of a memorial bearing the names of all those killed on duty and by terrorist attack since the end of the Second World War. In accordance with the long established custom for the erection of memorials, I would expect funds to be raised by public subscription. Further consultation will now take place with ex-Service organisations and other interested bodies.”<sup>289</sup>

**428.** Mr Hoon advised the House of Commons in March 2002 that, following that consultation and research into suitable sites, the Armed Forces Memorial (AFM) would be sited at the National Memorial Arboretum in Staffordshire.<sup>290</sup>

**429.** On 30 June 2006, following an assessment by officials that there was a significant risk that fundraising for the Memorial would not reach the total required, Mr Des Browne, the Defence Secretary, directed Mr Jeffrey that the MOD should underwrite the Memorial project “in the sum of £3.3m which represents the balance the AFM Trustees require to fully fund the project”.<sup>291</sup>

**430.** In October 2007, the Armed Forces Memorial was formally dedicated in the presence of Her Majesty The Queen at the National Memorial Arboretum in Staffordshire.<sup>292</sup>

**431.** Ministers were advised in early 2008 that the total cost of the Memorial was expected to be £7.3m.<sup>293</sup> The AFM Trustees had raised £6.7m, including £1.5m from the sale of Trafalgar Coins (announced by Mr Gordon Brown, the Chancellor of the Exchequer, in February 2006), £2.417m from the Millennium Commission (agreed in November 2006), with the balance from public subscriptions. There was no realistic prospect of significant further public contributions. Trustees had therefore asked the MOD to provide £500,000 to complete the project.

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<sup>289</sup> House of Commons, *Official Report*, 10 November 2000, column 413W.

<sup>290</sup> House of Commons, *Official Report*, 20 March 2002, column 311W.

<sup>291</sup> Minute Jeffrey to Secretary of State [MOD], 29 June 2006, ‘Armed Forces Memorial’; Minute Secretary of State [MOD] to PUS [MOD], 30 June 2006, ‘Armed Forces Memorial’.

<sup>292</sup> Armed Forces Memorial website.

<sup>293</sup> Email MOD [junior official] to Hardern, 15 May 2008, ‘SPB interest in AFM’.

**432.** AM Pocock told the Inquiry that the process of securing funding for the Memorial illustrated the difficulty of translating intent into action:

“Although the political intent was perfectly clear, we were also told there was going to be no public money for it. We were hoping to get some money from the Lottery. We did eventually, after some strong support from newspapers caused the Lottery to change the rules.

...

“We had the designs, it was in The Queen’s diary to come and open it. We actually had to let the contract but we didn’t have the money, and it wasn’t from lack of effort ... I remember going round embassies with a begging bowl and all sorts of things, but the money just wasn’t forthcoming.

“The difficulty we had in getting the guarantee from the department [the MOD] was immense. We eventually did. We were able to build it.”<sup>294</sup>

**433.** Both AM Pocock and VAdm Wilkinson felt that the Memorial provided a strong focus for remembrance. VAdm Wilkinson told the Inquiry:

“The focus for recognition and remembrance that it [the Memorial] has provided and the source of comfort to a number of bereaved families, it really is quite remarkable, perhaps, that, as a nation, we didn’t have one before 2007.”<sup>295</sup>

**434.** The Memorial also provides a home for the Basra Memorial Wall. The wall was originally built in 2006 outside the headquarters of Multi-National Division (South East) in Basra by members of 37 Armoured Engineer Squadron to commemorate those who died in or as a result of action in Iraq.<sup>296</sup>

**435.** PJHQ advised Mr Browne’s Office in June 2007 that its “current intent” was to move the Basra Memorial Wall (which comprised a collection of memorial plaques from the various bases that UK forces had occupied) to the National Memorial Arboretum when UK forces left Basra.<sup>297</sup>

**436.** The Memorial Wall was brought to the UK in April 2009, and was re-dedicated in March 2010.<sup>298</sup>

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<sup>294</sup> Public hearing, 19 July 2010, pages 59-60.

<sup>295</sup> Public hearing, 19 July 2010, page 61.

<sup>296</sup> British Army website, 11 March 2010, *Basra Memorial Wall rededicated in moving service at its new home*.

<sup>297</sup> Minute Green to APS/Secretary of State [MOD], 29 June 2007, ‘Request from Families of Dead Service Personnel to Visit Basra’.

<sup>298</sup> *BBC News*, 11 March 2010, *Service to rededicate Basra Memorial Wall*.

## The Elizabeth Cross

**437.** On 10 June 2008, Mr Browne announced the inauguration of a new award.<sup>299</sup>

**438.** The award itself had been proposed by the Chiefs of Staff, who concluded that the time was right to recognise the “families of those personnel who die on operations, or as a result of terrorist action whilst on duty”. Mr Browne confirmed that the recommendation had been welcomed by Ministers and approved by Her Majesty The Queen. Paying tribute to the bravery and courage shown by the families of all serving personnel, he hoped that the new award would “provide a more visible form of recognition from the nation for those who pay the ultimate sacrifice in the name of their country”.

**439.** VAdm Wilkinson told the Inquiry that there was “unanimity” among the Chiefs of Staff “that it was appropriate to recognise the sacrifice that bereaved families had made”.<sup>300</sup> The proposal reflected consultation with serving personnel and with bereaved families, as well as consideration of what other nations do to recognise the sacrifice that Service families make.

**440.** Mr Ainsworth, Mr Browne’s successor as Defence Secretary, set out further detail about the award and the circumstances in which it would be given in July 2009.<sup>301</sup> He confirmed that The Queen had agreed that the award should be known as the Elizabeth Cross, the first new honour to take the name of a serving monarch since the creation of the George Cross in 1940.

**441.** It would commemorate the lives of those who had died on operations or as a result of terrorism from 1948 onwards (or from 1945 in the case of service in Palestine), in order to fit with the end of the period in which deaths are officially attributed to service in World War II. He reminded Parliament that “this is not a posthumous medal for the fallen but national recognition for the family for their loss”. The award would consist of the Elizabeth Cross itself – awarded to the named next of kin – and a Memorial Scroll, copies of which could be presented to certain additional members of the deceased’s close family. Both the Cross and the Scroll would be awarded on application, as contact details for the several thousand eligible families were unlikely to be up to date.

**442.** The first presentation of the Elizabeth Cross, made by The Queen, took place in Catterick Garrison, North Yorkshire, on 12 September 2009.<sup>302</sup> Those receiving the awards included five families of soldiers killed in Iraq.

**443.** The Inquiry’s conclusions and lessons on the preparations made for repatriating the bodies of those who lost their lives serving on Operation TELIC, how their deaths were investigated, and the support provided for bereaved families are set out in Section 16.4.

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<sup>299</sup> House of Commons, *Official Report*, 10 June 2008, column 10WS.

<sup>300</sup> Public hearing, 19 July 2010, pages 58-59.

<sup>301</sup> House of Commons, *Official Report*, 1 July 2009, columns 18-21WS.

<sup>302</sup> *BBC News*, 12 September 2009, *Queen honours regiment’s fallen*.



## SECTION 16.4

### CONCLUSIONS: SERVICE PERSONNEL

#### Contents

Introduction and key findings .....	154
The pressure on Service Personnel .....	155
Medical care .....	157
Planning and preparation .....	157
Improvements in the provision of care .....	158
Investigations into the deaths of Service Personnel .....	160
Service Police investigations .....	160
Boards of Inquiry .....	160
The concerns of bereaved families .....	161
Inquests .....	163
Support for bereaved families .....	166
Support for Service Personnel and their families .....	166
The Operational Welfare Package .....	167
Support for Reservists .....	167

## Introduction and key findings

1. This Section addresses analysis and findings in relation to the evidence set out in Sections 16.1 to 16.3, including:

- the pressures on Service Personnel, and the welfare support provided to them and their families;
- the arrangements for providing medical care to Service Personnel; and
- the arrangements for investigating the deaths of Service Personnel who lost their lives on Operation TELIC and the support provided for bereaved families.

2. The provision of military equipment is addressed in Sections 6.3 and 14.

### Key findings

- In 2002, the UK military was already operating at, and in some cases beyond, the limits of the guidelines agreed in the 1998 *Strategic Defence Review*. As a result, the Harmony Guidelines were being breached for some units and specialist trades.
- The Government's decision to contribute a military force to a US-led invasion of Iraq inevitably increased the risk that more Service Personnel would be put in breach of the Harmony Guidelines. The issue of the potential pressure on Service Personnel was not a consideration in the decision.
- The MOD planned and prepared effectively to provide medical care in support of Operation TELIC.
- There were major improvements in the provision of medical care, mental healthcare and rehabilitative care available to Service Personnel over the course of Op TELIC.
- Most of the contacts between the MOD and bereaved families were conducted with sensitivity. In a few cases, they were not. The MOD progressively improved how it engaged with and supported bereaved families, in part driven by consistent public and Ministerial pressure.
- The Government's decision in 2006 to deploy a second medium scale force to Helmand province in Afghanistan further increased the pressure on Service Personnel, on elements of the MOD's welfare, medical and investigative systems, and on the coronial system.
- Much of the MOD's and the Government's effort from 2006 was focused on addressing those pressures.
- The MOD should have planned and prepared to address those pressures, rather than react to them.
- The Government should have acted sooner to address the backlog of inquests into the deaths of Service Personnel. The support it did provide, in June 2006, cleared the backlog.
- The MOD made a number of improvements to the Board of Inquiry process, but some proposals for more substantive reform (including the introduction of an independent member) were not fully explored. The MOD significantly improved the way it communicated with and supported bereaved families in relation to military investigations and inquests.

- The MOD was less effective at providing support to Service Personnel who were mobilised individually (a category which included almost all Reservists) and their families, than to formed units.

## The pressure on Service Personnel

**3.** In 2002, the UK military was already operating at, and in some cases beyond, the limits of the guidelines agreed in the 1998 *Strategic Defence Review*. As a result, the Services' Harmony Guidelines (which defined how much time a member of a particular Service should spend away from home and the period between tours) were being breached for some units and specialist trades.

**4.** The Government's decision to contribute a military force to a US-led invasion of Iraq inevitably increased the risk that the Harmony Guidelines would be breached.

**5.** There are no indications that the potential pressure on Service Personnel was a consideration in the Government's decision to contribute a military force, and in particular a large scale land force (a division), to a US-led invasion of Iraq.

**6.** The Inquiry concludes in Section 9.8 that, throughout 2004 and 2005, it appears that senior members of the Armed Forces reached the view that there was little more that would be achieved in southern Iraq and that it would make more sense to concentrate UK military effort on Afghanistan where it might have greater effect.

**7.** In July 2005, Ministers agreed in principle proposals presented by Dr John Reid, the Defence Secretary, both for the transfer to Iraqi control of the four provinces in southern Iraq for which the UK had security responsibility, and for the redeployment of the UK effort in Afghanistan from the north to Helmand province in the south (see Section 9.4). The proposals were based on high-risk assumptions about the capability of the Iraqi Security Forces to take the lead for security.

**8.** In January 2006, Cabinet approved the deployment of a UK military force to Helmand.

**9.** The MOD's formal advice to Dr Reid was that this deployment was "achievable without serious damage to Harmony", although certain units and specialists would be "placed under increased, but manageable, stress".<sup>1</sup>

**10.** There were different views within the MOD over the effect of the deployment on personnel. Lieutenant General Anthony Palmer, Deputy Chief of the Defence Staff (Personnel) from 2002 to August 2005, told the Inquiry that, as he left post, he expressed his concern that deploying two brigades simultaneously (to Iraq and

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<sup>1</sup> Minute Hutton to APS/SofS [MOD], 17 January 2006, 'Afghanistan Deployments'.

Afghanistan) would breach the Harmony Guidelines and the Defence Planning Assumptions, and was “too big a risk”.<sup>2</sup>

**11.** Sir Kevin Tebbit, MOD Permanent Under Secretary from 2001 to 2005, told the Inquiry:

“I was apprehensive [about the deployment of UK forces to Helmand] and I made my concerns known to my planning staff and to the Chiefs of Staff. I think their view was that they could do it and it was manageable ... since it was [the Chiefs of Staff] who would actually have to ensure they could do this, I did not press my objections fully.”<sup>3</sup>

**12.** The impact of the decision on the availability of key equipment capabilities for Iraq is addressed in Section 14.1.

**13.** The force began to deploy to Helmand in May 2006.

**14.** At the end of August, General Sir Richard Dannatt, Chief of the General Staff, advised Mr Des Browne, the newly appointed Defence Secretary, that “as an Army, we are running hot”.<sup>4</sup> With operational deployments well above the levels set out in the 1998 *Strategic Defence Review* and the MOD’s own Harmony Guidelines, the Army’s demands on soldiers were greater than its ability to look after them.

**15.** Gen Dannatt told the Inquiry that the military covenant had “fallen out of balance ... as a consequence of decisions taken to stay in Iraq until we had successfully completed our operations there, but also take on Afghanistan as well”.<sup>5</sup>

**16.** The MOD’s assessment that the Helmand deployment was achievable without causing a substantial number of personnel to breach the Harmony Guidelines reflected overly optimistic assumptions about the intensity and duration of operations in Iraq and Afghanistan.

**17.** The twin deployments challenged the planning assumption agreed in the 1998 *Strategic Defence Review* that the UK should be able to undertake two medium scale deployments simultaneously but would not expect both to involve war-fighting or to be maintained simultaneously for longer than six months.

**18.** It would only have been possible to manage the established Iraq commitment and the new Helmand commitment, without significantly increasing the pressure on Service Personnel, if the former was wound down on schedule and the latter was contained. In the event, it proved difficult to withdraw from Iraq as quickly as hoped while Helmand developed into a more substantial combat operation than originally envisaged, pushing up force levels.

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<sup>2</sup> Public hearing, 21 July 2010, page 80.

<sup>3</sup> Public hearing, 3 February 2010, pages 15 and 16.

<sup>4</sup> Letter Dannatt to Browne, 31 August 2006, [untitled].

<sup>5</sup> Public hearing, 28 July 2010, page 98.

**19.** In addition to increasing the pressure on Service Personnel, the decision to deploy a second medium scale force increased the pressure on the MOD's medical, welfare and investigative systems, and in particular on:

- the air bridge between Iraq and the UK;
- Selly Oak hospital;
- Headley Court and other rehabilitation facilities; and
- the Army's capacity to investigate fatalities and support bereaved families.

**20.** It also increased the pressure on the coronial system.

**21.** From 2006, the efforts of the MOD and the Government would increasingly be focused on addressing those pressures.

**22.** The MOD should have been aware of the potential impacts on its medical, welfare and investigative systems, and made the necessary contingency plans to increase their capacity.

## Medical care

**23.** Op TELIC was the first major military operation after the closure of the military hospitals in the 1990s and therefore the first test of the new medical arrangements. Under the new arrangements, many medical Service Personnel (including a large number of Reservists) were deployed from NHS Trusts for operations in Iraq and Afghanistan, and military casualties were treated in NHS Trusts.

## Planning and preparation

**24.** In early September 2002, the MOD estimated that between 31 and 48 Service Personnel would be killed in action during the initial combat phase of operations of an attack on Iraq, and that between 157 and 241 Service Personnel would be admitted to Role 3 hospitals<sup>6</sup> (figures exclude possible casualties from chemical and biological warfare). The MOD regularly updated its casualty estimates as the military plan developed. The estimates did not consider casualties beyond the initial combat phase of operations.

**25.** The Chiefs of Staff concluded on 5 February 2003 that a Casualty Estimate paper including estimated casualty figures, which had been produced by the MOD, would need to be shown to Ministers before any decision to commit UK troops was made.

**26.** In response to a question from Mr Blair on the possible number of casualties arising from an attack on Iraq, the MOD advised No.10 on 24 February that there would be between 30 and 60 British and between 500 and 1,200 Iraqi "land battle" fatalities.<sup>7</sup>

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<sup>6</sup> Role 3 (Echelon 3) medical support is generally provided at field hospitals and on hospital ships.

<sup>7</sup> [Letter Watkins to Rycroft, 24 February 2003, 'Iraq: Political and Military Questions'](#).

**27.** Lord Boyce, Chief of the Defence Staff from 2001 to April 2003, told the Inquiry that Ministers would have been informed of the MOD's casualty estimates, as part of the routine briefing process.

**28.** Although the Inquiry has seen no evidence that the Casualty Estimate paper was shown to Ministers, it accepts that Ministers were informed of the MOD's casualty estimates.

**29.** The MOD established an effective medical capability in theatre to support Op TELIC by 14 March 2003.

**30.** By 1 May, when President Bush declared that major combat operations in Iraq had ended, 33 British Service Personnel had died serving on Op TELIC and 81 had been admitted to Role 3 hospitals.

**31.** Casualties would have been much higher if chemical and biological weapons had been used.

**32.** The MOD planned and prepared effectively to provide medical care in support of Op TELIC. Although some of the medical equipment and supplies procured by the MOD arrived in theatre shortly after military operations began, there are no indications that the quality of clinical care was compromised.

### **Improvements in the provision of care**

**33.** There were a number of significant improvements to the care provided to Service Personnel over the course of Op TELIC.

**34.** From June 2006, the MOD, working closely with a number of charities, progressively enhanced the rehabilitation facilities at Headley Court.

**35.** In August 2006, following visits by MOD Ministers and senior military officers to injured Service Personnel recovering on civilian wards, the MOD began planning to establish a Military Managed Ward (MMW) at Selly Oak hospital. The MOD assessed that, while the quality of clinical care at Selly Oak was excellent, injured Service Personnel would recover better in what Lieutenant General Louis Lillywhite, the Surgeon General from 2006 to 2009, described as a "military bubble".<sup>8</sup>

**36.** The MMW was established in December 2006 and was fully staffed by July 2007.

**37.** In his evidence to the Inquiry, Lt Gen Lillywhite highlighted the advances during Op TELIC in the military's understanding of how to save life at the point of injury, how to sustain the quality of life of seriously injured individuals into the long term, and pain management.

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<sup>8</sup> Public hearing, 20 July 2010, pages 33-34.

- 38.** The advances in the provision of medical care during Op TELIC meant that more individuals with very serious and complex injuries survived.
- 39.** A number of injured veterans shared with the Inquiry their concern that they might not continue to receive the same quality of care over the long term, and in particular when they left the military.
- 40.** Lt Gen Lillywhite told the Inquiry that, in recognition of their service and on clinical grounds, individuals with very serious injuries should be treated by the Government as a group with specific clinical needs, to enable specialist care to be arranged and provided more consistently.
- 41.** The Government will need to consider how to address the issue of providing whole-life care to individuals with very serious injuries.
- 42.** There were also significant advances in the provision of mental healthcare.
- 43.** In April 2003, the MOD commissioned a large-scale, long-term programme of research on the physical and psychological health of personnel deployed on Op TELIC. The findings of that programme identified a number of important mental health issues and informed the MOD's response to them.
- 44.** The Inquiry recommends that the MOD commissions similar studies for future major operational deployments. In addition to the direct benefits for Service Personnel and the MOD, mental health is an area of significant public concern. It is important that the MOD is able to demonstrate that the effects of deployments are properly monitored and managed.
- 45.** The major developments in the provision of mental healthcare over the period covered by the Inquiry were:
- There was increased use of a period of decompression at the end of an operational tour, as part of post-operational stress management.
  - In November 2006, in response to the findings of the King's Centre study that a number of Reservists were experiencing increased mental health effects as a result of deployment, the MOD launched the Reserves Mental Health Programme (RMHP). The RMHP provided enhanced mental healthcare to current and former Reservists who had been demobilised since 1 January 2003 following deployment on an overseas operation.
  - In November 2007, the MOD launched six community NHS mental health pilot programmes to provide mental health assessment and treatment for veterans. The programmes were led by a mental health therapist with an understanding of the issues faced by veterans.
  - In 2008, the MOD rolled out Trauma Risk Management (TRiM) in all three Services. TRiM is a form of debriefing after a traumatic event, undertaken in peer groups rather than with an external counsellor.

## Investigations into the deaths of Service Personnel

**46.** Investigations by the MOD and coroners into the deaths of Service Personnel serving on Op TELIC could be very slow, and in one case lasted for more than four years.

**47.** The Inquiry considered how the three major elements of the investigative process – Service Police investigations, Boards of Inquiry (BOIs), and inquests – changed after 2003.

### Service Police investigations

**48.** The earliest concerns about the military’s investigative process emerged in September 2003. Mr Adam Ingram, Minister of State for the Armed Forces, expressed his concern that the next of kin of deceased Service Personnel increasingly perceived that the MOD’s investigations lacked focus and were too slow, and that the MOD did not keep them informed of progress.

**49.** The following month, Lt Gen Palmer advised that the Army’s Royal Military Police (RMP) was “swamped” with the volume of work in Iraq.<sup>9</sup> The major challenge was the difficult working environment, including the need for force protection for Service Police and a potentially hostile population. The Army’s policy of holding investigations into all fatalities added to the pressure on the RMP.

**50.** Reviews of Service Police investigations in October 2004 and April 2005 found that there were still delays in Service Police investigations, but did not recommend any substantial changes to the investigative process. The October 2004 review concluded that investigations could be complex and “speed must not be at the expense of quality”.<sup>10</sup>

### Boards of Inquiry

**51.** The purpose of a military BOI was to establish the facts about an event and to make recommendations to prevent a recurrence.

**52.** In response to Mr Ingram’s concern over the MOD’s investigative process, the MOD had, by June 2004:

- shortened the time allowed for completing BOIs to 14 weeks;
- strengthened the role of the BOI President;
- introduced measures to improve the management of BOIs by each Service; and
- introduced a series of measures to improve communications with bereaved families on progress with the entire Service Police investigation and BOI process.

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<sup>9</sup> Minute Palmer to VCDS, 17 October 2003, ‘TELIC Incidents: Investigations’.

<sup>10</sup> [Report Loudon, 12 October 2004, ‘Review of Service Police Investigations on Operations’.](#)

**53.** MOD Ministers remained closely engaged. From June 2004, Mr Geoff Hoon, the Defence Secretary, received regular briefings on progress on BOIs and the reasons for any delays.

**54.** The possibility of adding an independent member to a BOI was raised by Mr Hoon in June 2004 and by Mr Browne in December 2007. On neither occasion was the idea considered seriously by the MOD.

**55.** The Inquiry recommends that the MOD consider whether an independent member should sit on BOIs, in particular in order to assure families that the process is as rigorous and transparent as possible.

**56.** The MOD, and in particular the Army (through the work of the Army Inquiries and Aftercare Support Cell and Army Inquest Cell), continued to improve the management of the Service Police investigation and BOI processes, the support provided for bereaved families, and the support provided for coroners. The Army Inquest Cell provided the model for the tri-Service Defence Inquests Unit, which was established in May 2008.

**57.** By early 2008, the Army had appointed permanent Presidents to lead high-profile Army BOIs, and the Royal Navy and Royal Air Force had taken steps to establish pools of expertise from which Presidents could be selected.

**58.** The Inquiry recommends that the MOD consider providing BOI Presidents with access to expert advisers on process and standards, who would play a role analogous to Court Clerks, in order to help establish consistency and best practice.

## THE CONCERNS OF BEREAVED FAMILIES

**59.** A number of families shared with the Inquiry their concerns over the MOD's process for investigating fatalities. The concerns were:

- Military investigations were not sufficiently rigorous, in particular in relation to incidents where there were suspicions of friendly fire or equipment failure.
- No action appeared to be taken against individuals as a result of military investigations (this concern also applied to inquests).
- Material had been redacted from the version of the BOI report that families received, which made the content harder to understand. Some family members thought that text had been redacted to protect individuals criticised in reports or to hide failings by the MOD.

**60.** The Inquiry reviewed 25 percent of BOI investigations into Op TELIC fatalities, including those that attracted the most controversy. The Inquiry also reviewed the 15 BOI reports into Op TELIC fatalities that are in the public domain.

**61.** The BOI reports reviewed by the Inquiry were not consistent in approach or quality. Areas of particular variance were:

- the extent to which the reports considered what happened to the individual(s) who died (as well as the wider incident in which it happened); and
- the extent to which the reports recorded and addressed the concerns of the deceased's family and next of kin.

**62.** The Inquiry does not believe that any of the BOI reports it reviewed were deliberately produced in such a way as to protect the MOD. In at least two cases, the BOI revealed that an incident might have been caused by friendly fire when the earlier Service Police investigation had concluded otherwise.

**63.** However, some practices apparent in the BOI reports reviewed by the Inquiry could create a mistaken impression of a "cover-up". They were:

- interview transcripts which switch between on and off the record;
- the difficulty in taking evidence, for example from Iraqi witnesses;
- restrictions on using US material;
- the use of defensive or euphemistic language, which can give the impression that serious failings are being dismissed; and
- heavy redaction.

**64.** A recurring theme raised by families with the Inquiry was frustration at being denied visibility of action taken against those who were shown to have done something wrong (for example, where an individual had not provided truthful evidence to a BOI) or who a family believed to have been in some way negligent.

**65.** A BOI is not intended to apportion blame. The MOD defended that position, on the basis that it was the best way to ensure maximum disclosure and, therefore, the best chance to prevent a recurrence of the incident.

**66.** That position is not unique to BOIs. The right not to incriminate oneself is common to other investigative processes (such as inquests) where the main objective is to establish the facts of a case.

**67.** Very few of the BOI reports considered by the Inquiry led to disciplinary measures.

**68.** In order to respond to the concerns regarding the redaction of material from BOI reports, the Inquiry reviewed a sample of BOI reports relating to Op TELIC, comparing the full and redacted versions. The Inquiry considered whether the substance justified redaction, and how the redaction was made.

**69.** The Inquiry concludes that:

- There were no indications that information was redacted by the MOD in order to cover up wrong-doing, either by individuals or the MOD.

- The use of redaction was not consistent between BOIs.
- Not all redactions were justified. In some cases, whole passages were redacted when only a few details were sensitive. In others, material had been redacted when it was already in the public domain (for example, the name of a Commanding Officer or pathologist).
- In many cases, no attempt was made to explain the nature of the redacted material to the reader.
- There were some improvements in practice during the course of Op TELIC. In general, the most recent BOI reports contained fewer redactions and were easier to follow.

**70.** The Inquiry recognises that some redactions will be required in almost all such reports but recommends that the MOD take steps to ensure consistency of practice, in line with the Information Commissioner’s guidance.<sup>11</sup> Good practice seen by the Inquiry includes:

- including a clear statement of redaction policy at the start of a document;
- providing a short overarching description of events described in text which has been redacted;
- adding a description which tells the reader the nature of the text has been redacted (for example, ‘Personal medical information’);
- assigning each individual a unique number or other cipher and attaching a description of their role to it; and
- leaving in ranks where names are redacted, so that command relationships are clear.

**71.** Many of the concerns shared by families in relation to the rigour of the BOI process and its transparency could be addressed by adding an independent member to a BOI.

## Inquests

**72.** From January 2003, the MOD and the Home Office (the department then responsible for coronial policy) worked with Mr Nicholas Gardiner, the Coroner for Oxfordshire, to refine the arrangements for receiving UK military fatalities from Iraq. The majority of fatalities were expected to be repatriated to RAF Brize Norton, which fell within his area of responsibility.

**73.** During those initial exchanges, Home Office officials highlighted a number of issues that would later become problematic: the need for Mr Gardiner’s office to secure additional resources (from Oxfordshire County Council) to cover the cases it was taking

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<sup>11</sup> Information Commissioner’s Office, *Anonymisation: Managing Data Protection Risk Code of Practice*, November 2012.

on; the desirability of transferring cases to coroners who were local to the families of the deceased; and how to handle cases where the deceased was based in Scotland.

**74.** The day before the beginning of military operations against Iraq, Mr Gardiner wrote to Home Office officials:

“There are a few matters outstanding but, generally, I think we are reasonably well prepared, although there are bound to be things we have not thought of.”<sup>12</sup>

**75.** There are no indications that the Government put in place any contingency plans to support Mr Gardiner’s office, or that the Government maintained contact with Mr Gardiner’s office after those initial exchanges.

**76.** The Inquiry recommends that for any future major operational deployment, the Chief Coroner, the department responsible for coronial policy (currently the Ministry of Justice) and the MOD should develop contingency plans to increase the capacity of the coronial system to handle fatalities. Those plans should include the identification of funding in the event that it becomes necessary to increase the capacity of the coronial system.

**77.** In May 2006, in response to growing concern over delays in holding inquests into the deaths of Service Personnel, Ms Harriet Harman, Minister of State for the Department for Constitutional Affairs (DCA), was charged with resolving the problem.

**78.** By early June, Ms Harman had brokered an agreement with the MOD to provide a substantial package of support to Mr Gardiner’s office, including the recruitment of three Assistant Deputy Coroners.

**79.** Although the package was announced in Parliament in June 2006, discussions continued between the DCA, the MOD and the Treasury until February 2007 on how much the MOD would contribute. The discussions concluded with the DCA reluctantly accepting the MOD’s initial offer of £125,000.

**80.** While the discussions did not delay the provision of support to Mr Gardiner’s office (as the DCA bore the costs as they were incurred), a disproportionate amount of senior officials’ and Ministers’ time was consumed in inter-departmental wrangling over a relatively small amount of money.

**81.** The additional resources provided in June 2006 allowed Mr Gardiner’s office to clear the existing backlog of inquests by October 2007, much sooner than it would otherwise have done.

**82.** From July 2006, the Government pursued a number of initiatives to make the inquest process more responsive to the needs of the families of deceased Service Personnel. The Inquiry commends Ms Harman’s efforts in pursuing those initiatives.

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<sup>12</sup> Letter Gardiner to Home Office [junior official], 18 March 2003, [untitled].

**83.** Between July 2006 and February 2007, Ms Harman pressed the US Government, through the US Embassy London, to provide classified US material and US representatives to support inquests into the deaths of UK Service Personnel. The US declined to provide that support.

**84.** Following a meeting with the families of Service Personnel killed on Op TELIC in December 2006 and representations in Parliament, including from Mr Roger Gale, Ms Harman explored the possibility of providing legal representation at inquests for the families of Service Personnel, in particular at inquests where the MOD chose to have legal representation.

**85.** The Government did not provide that support. In 2009, the Government agreed an amendment to the Coroners and Justice Bill to provide legal representation at inquests into the death of British Service Personnel on active service. However, that provision was not brought into force and was subsequently repealed.

**86.** From June 2007, MOD Ministers pressed the Scottish Executive to make provision for Fatal Accident Inquiries to be held into the deaths overseas of Service Personnel normally domiciled in Scotland.

**87.** The Government made provision for such Inquiries in the 2009 Coroners and Justice Act.

### **Delays in military investigations and civilian inquests**

It could take several years for the MOD and the coronial system to conclude investigations into the deaths of Service Personnel.

The Inquiry considered why the investigative process should take so long. The four main factors were:

- the difficulty of conducting Service Police investigations in a hostile environment, which was exacerbated by a lack of qualified military investigators; the MOD set no deadlines for the conclusion of Service Police investigations;
- the Army's policy, at the beginning of Op TELIC, to hold an investigation into all deaths, and only to launch a BOI after the investigation had concluded; this policy changed in 2004;
- the time taken to complete BOIs, and in particular to receive comments from senior officers and advisers on draft BOI reports; and
- the backlog of inquests which built up in the Oxfordshire Coroner's office.

## Support for bereaved families

**88.** Most of the contacts between the MOD and bereaved families were conducted with sensitivity. In a few cases, they were not.

**89.** In April 2003, prompted by concern over the insensitive treatment of a bereaved spouse, and at the direction of Mr Hoon, the MOD initiated a comprehensive review of bereavement procedures. By the middle of May, it had introduced new guidelines for communicating with bereaved families, begun work to make the guidance on the support available to bereaved families more accessible, and amended its policy to allow bereaved spouses to remain in Service accommodation for as long as they required it.

**90.** Mr Ingram attributed the MOD's failings at the beginning of Op TELIC to a continuing view within the military that bereavement was "just something that happened".<sup>13</sup> Mr Ingram added that, in the context of "a big sea change" in public attitudes and the experience of Op TELIC, the MOD moved quickly to improve the bereavement and welfare support it provided to families.

**91.** The creation, in 2005, of the Joint Casualty Co-ordination Cell (JCCC) and the production of a joint policy covering the support for bereaved families reduced the inconsistency between the Services and individual units in the support they offered to bereaved families.

**92.** The experiences shared with the Inquiry by bereaved families suggest that the creation of the JCCC led to an improvement in the quality of the notification process.

**93.** Being a Casualty Notifying Officer (CNOs) and a Visiting Officer (VOs) was (and remains) an extremely difficult role: a small number fell below the standard required. The training and support provided to CNOs and VOs remained an issue of concern for the MOD throughout the period covered by the Inquiry.

## Support for Service Personnel and their families

**94.** The MOD progressively improved the allowances and support provided to Service Personnel and their families over the course of Op TELIC.

**95.** The most substantial development was the introduction of the Operational Allowance in October 2006. The Allowance, initially set at £2,400 for all Service Personnel who completed a six-month tour in Iraq, Afghanistan, the Balkans or on certain other operations, was designed "to reflect the current, high operational tempo".<sup>14</sup>

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<sup>13</sup> Public hearing, 16 July 2010, pages 36-42.

<sup>14</sup> Letter PS/Secretary of State [MOD] to Phillipson, 9 October 2006, 'A Package for Service Personnel on Operations'.

## The Operational Welfare Package

**96.** The Inquiry heard mixed reports about the Operational Welfare Package (OWP) from families and veterans of Op TELIC. Limited access to telephones early in the campaign and the fragility of the air bridge between Iraq and the UK – which reduced the time available for rest and recuperation – were particular sources of frustration.

**97.** While these were undoubtedly real frustrations, the Inquiry considers that the MOD delivered most elements of the OWP as quickly as could reasonably have been expected. A key challenge, recognised by the MOD, was managing and meeting rising expectations.

## Support for Reservists

**98.** Over 5,000 Reservists were mobilised for Op TELIC 1 (comprising some 12 percent of total UK forces). Lt Gen Palmer told the Inquiry that Reservists “performed magnificently during the operation, and we simply could not have done without them”.<sup>15</sup>

**99.** The MOD’s policy was that deployed Reservists, and their families, should receive the same welfare support as Regular Service Personnel.

**100.** The MOD found it difficult to provide support to the families of deployed Reservists. It was the responsibility of the unit to which a Reservist was attached to provide that support, but the families of Reservists were often spread across the country, some distance from that unit. A Reservist’s family might have had little or no previous contact with the unit to which the Reservist was attached, and find it difficult to access the support that was available.

**101.** The MOD introduced a number of measures to improve the support provided to Reservists in theatre and in the UK. It also sought to ensure that Reservists benefited from new initiatives, such as decompression, alongside their Regular colleagues.

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<sup>15</sup> Public hearing, 21 July 2010, pages 84-85.

## SECTION 17

# CIVILIAN CASUALTIES

### Contents

Introduction and key findings .....	170
Consideration of Iraqi civilian casualties before the conflict .....	171
Statements on the human cost of not intervening in Iraq .....	171
Assessments of Iraqi civilian casualties during initial combat operations .....	176
Civilian casualties during initial combat operations .....	179
Provision of medical care to Iraqi citizens .....	179
Reports on civilian casualties .....	180
Case study of a bombing in a Basra suburb, 5 April 2003 .....	182
Responding to demands to count civilian casualties .....	186
Witness comment .....	213
Records and estimates of the number of Iraqi fatalities .....	214
Non-Iraqi civilian fatalities .....	216
Conclusions .....	217

## Introduction and key findings

### 1. This section addresses:

- the statements issued by the Government before the conflict on the human rights abuses committed by Saddam Hussein's regime and the human cost of not intervening in Iraq;
- the assessments made by the Government before and during initial combat operations of the number of Iraqi civilian casualties;
- reports of the number of Iraqi civilian casualties during initial combat operations; and
- how the Government responded to demands that it should count the number of Iraqi casualties attributable to the conflict, and to estimates of the number of casualties.

2. As this Section shows, there have been a number of studies to determine the civilian death toll in Iraq after the Coalition invasion. The numbers vary considerably. What is not in doubt is that, in both the military operation to overthrow the Iraqi regime and the subsequent violence, many tens of thousands of Iraqi citizens, most of them civilians, lost their lives. Many more were displaced or injured, or lost members of their families.

3. It is beyond the scope and abilities of this Inquiry to establish independently the number of fatalities caused by conflict in Iraq, or the broader human cost of the conflict to the Iraqi people. The Inquiry is, however, very conscious of the extent of the suffering in Iraq resulting from the conflict and this has informed its approach to its analysis of the course of the conflict and to drawing lessons for the future.

### Key findings

- The Inquiry considers that a Government has a responsibility to make every reasonable effort to understand the likely and actual effects of its military actions on civilians.
- In the months before the invasion, Mr Blair emphasised the need to minimise the number of civilian casualties arising from an invasion of Iraq. The MOD's responses offered reassurance based on the tight targeting procedures governing the air campaign.
- The MOD made only a broad estimate of direct civilian casualties arising from an attack on Iraq, based on previous operations.
- With hindsight, greater efforts should have been made in the post-conflict period to determine the number of civilian casualties and the broader effects of military operations on civilians. More time was devoted to the question of which department should have responsibility for the issue of civilian casualties than it was to efforts to determine the actual number.
- The Government's consideration of the issue of Iraqi civilian casualties was driven by its concern to rebut accusations that coalition forces were responsible for the deaths of large numbers of civilians, and to sustain domestic support for operations in Iraq.

4. The Inquiry received a number of substantive submissions relating to the human cost of the conflict in Iraq, including from:

- Mr Hamit Dardagan and Professor John Sloboda for the Iraq Body Count (IBC) project.<sup>1</sup> The IBC project aims to record the violent civilian deaths that have resulted from the 2003 military intervention in Iraq. In its submission to the Inquiry, IBC argued that the Inquiry should take full and proper account of Iraqi casualties resulting from the conflict and the subsequent breakdown in security. It continued: “One of the most important questions in situations of armed conflict and in the laws of war is whether the use of force has been a proportionate response to the threat that prompted it ... It is impossible to establish the wisdom of actions taken ... if the full consequences in human welfare are not taken into account. Casualty data are perhaps the most glaring indication of the full costs of war.”
- Action on Armed Violence (AOAV).<sup>2</sup> AOAV is a non-governmental organisation (NGO) which aims to reduce the incidence and impact of global armed violence. In its submission to the Inquiry, AOAV argued that the UK Government actively sought to maintain a position of ignorance regarding measurements of death, injury and deprivation resulting from violence in Iraq. It proposed that the UK Government should establish a structured process to undertake transparent measurement and monitoring of the impact of armed violence where its Armed Forces are active.

5. The Inquiry is grateful for these, and other, submissions, and has taken account of them in preparing its Report.

## Consideration of Iraqi civilian casualties before the conflict

### Statements on the human cost of not intervening in Iraq

6. The UK Government dossier *Iraq’s Weapons of Mass Destruction. The Assessment of the British Government* was published on 24 September 2002.<sup>3</sup> The dossier is considered in detail in Section 4.2.

7. Eight of the dossier’s 50 pages considered life in Iraq under Saddam Hussein, describing his security apparatus, internal repression, external wars and abuse of human rights.

8. The dossier’s Executive Summary indicated the purpose of that material:

“But the threat from Iraq does not depend solely on the [Weapons of Mass Destruction – WMD] capabilities we have described. It arises also because of the

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<sup>1</sup> Dardagan and Sloboda, 26 August 2006, *Iraqi casualties must form part of Britain’s Iraq Inquiry*.

<sup>2</sup> Action on Armed Violence, July 2010, *A State of Ignorance*.

<sup>3</sup> *Iraq’s Weapons of Mass Destruction. The Assessment of the British Government*, 24 September 2002.

violent and aggressive nature of Saddam Hussein's regime. His record of internal repression and external aggression gives rise to unique concerns about the threat he poses."

**9.** The dossier stated:

- Saddam Hussein used patronage and violence to motivate his supporters and to control or eliminate opposition. He had pursued a long-term programme of persecuting the Iraqi Kurds, including through the use of chemical weapons. Amnesty International had estimated that more than 100,000 Kurds had been killed or had disappeared during the 1987 to 1988 "Anfal" campaign of attacks on Kurdish villages. Thousands of Iraqi Shia had also been killed.
- Saddam Hussein had led Iraq into two wars of aggression, against Iran and Kuwait. The Iran-Iraq War was estimated to have caused one million casualties.
- Human rights abuses continued within Iraq: "People continue to be arrested and detained on suspicion of political or religious activities or often because they are related to members of the opposition. Executions are carried out without due process of law. Relatives are often prevented from burying the victims in accordance with Islamic practice. Thousands of prisoners have been executed."

**10.** Mr Blair addressed those issues in his opening statement in the 24 September 2002 Parliamentary debate:

"People say, 'But why Saddam?' ... two things about Saddam stand out. He has used these weapons in Iraq itself – thousands dying in those chemical weapons attacks – and in the Iran-Iraq war, started by him, in which one million people died; and his is a regime with no moderate elements to appeal to.

"Read the chapter on Saddam and human rights in this dossier. Read not just about the 1 million dead in the war with Iran, not just about the 100,000 Kurds brutally murdered in northern Iraq, not just about the 200,000 Shia Muslims driven from the marshlands in southern Iraq, and not just about the attempt to subjugate and brutalise the Kuwaitis in 1990 that led to the Gulf war. I say, 'Read also about the routine butchering of political opponents, the prison 'cleansing' regimes in which thousands die, the torture chambers and the hideous penalties supervised by him and his family and detailed by Amnesty International.' Read it all and, again, I defy anyone to say that this cruel and sadistic dictator should be allowed any possibility of getting his hands on chemical, biological and nuclear weapons of mass destruction."<sup>4</sup>

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<sup>4</sup> House of Commons, *Official Record*, 24 September 2002, column 5.

**11.** Amnesty International issued a press release two days later, urging the UN Security Council to consider:

“... not only the security and political consequences of its action, but also the inevitable human rights and humanitarian toll of war ... concern for the life, safety and security of the Iraqi people is sorely missing from the debate, as is any discussion on what would be their fate in the aftermath of conflict ...”<sup>5</sup>

**12.** On 2 December, the FCO published a report on Saddam Hussein’s crimes and human rights abuses.<sup>6</sup> The report is addressed in more detail in Section 6.4.

**13.** The FCO report was “based on the testimony of Iraqi exiles, evidence gathered by UN rapporteurs and human rights organisations, and intelligence material”. It examined “Iraq’s record on torture, the treatment of women, prison conditions, arbitrary and summary killings, the persecution of the Kurds and the Shia, the harassment of opposition figures outside Iraq and the occupation of Kuwait”.

**14.** Mr Jack Straw, the Foreign Secretary, told the BBC that the report was being published “because it is important that people understand the comprehensive evil that is Saddam Hussein”.<sup>7</sup>

**15.** The report was criticised by some as an attempt to influence public opinion in favour of war.<sup>8</sup>

**16.** Amnesty International responded to that report, stating that the human rights situation in Iraq should not be used selectively; the US and other Western Governments had ignored previous Amnesty International reports of widespread human rights violations in Iraq.<sup>9</sup> Amnesty International continued:

“As the debate on whether to use military force against Iraq escalates, the human rights of the Iraqi people, as a direct consequence of any potential military action, is sorely missing from the equation.”

**17.** In his speech to the Labour Party Spring Conference in Glasgow on 15 February 2003, Mr Blair said:

“Yes, there are consequences of war. If we remove Saddam by force, people will die and some will be innocent. We must live with the consequences of our actions, even the unintended ones.

“But there are also consequences of ‘stop the war’ ...”<sup>10</sup>

<sup>5</sup> Amnesty International, 26 September 2002, *Iraq: human rights in the balance*.

<sup>6</sup> Foreign and Commonwealth Office London, *Saddam Hussein: crimes and human rights abuses*, November 2002.

<sup>7</sup> *BBC*, 2 December 2002, *UK unveils ‘torture’ dossier*.

<sup>8</sup> *The Guardian*, 3 December 2002, *Anger over Straw’s dossier on Iraqi human rights*.

<sup>9</sup> Amnesty International, 2 December 2002, *Iraq: UK Government dossier on human rights abuses*.

<sup>10</sup> *Scoop Independent News*, 17 February 2003, *Prime Minister Tony Blair’s Glasgow Party Speech*.

**18.** Mr Blair said that those consequences would include Saddam Hussein remaining in power in Iraq:

“A country that in 1978, the year before he seized power, was richer than Malaysia or Portugal. A country where today, 135 out of every 1,000 Iraqi children die before the age of five – 70 percent of these deaths are from diarrhoea and respiratory infections that are easily preventable. Where almost a third of children born in the centre and south of Iraq have chronic malnutrition.

“Where 60 percent of the people depend on Food Aid.

“Where half the population of rural areas have no safe water.

“Where every year and now, as we speak, tens of thousands of political prisoners languish in appalling conditions in Saddam’s jails and are routinely executed.

“Where in the past 15 years over 150,000 Shia Moslems in Southern Iraq and Moslem Kurds in Northern Iraq have been butchered, with up to four million Iraqis in exile round the world, including 350,000 now in Britain ...

“If there are 500,000 on that [Stop the War] march, that is still less than the number of people whose deaths Saddam has been responsible for.

“If there are one million, that is still less than the number of people who died in the wars he started.”

### **Child mortality in Iraq under Saddam Hussein’s regime**

The figure for child mortality in Iraq under Saddam Hussein’s regime used by Mr Blair in his speech to the Labour Party Spring Conference in February 2003, and in subsequent public statements, has been questioned. The Inquiry therefore considered the origin of that figure.

On 14 February, the day before Mr Blair’s speech, Ms Clare Short, the International Development Secretary, wrote to Mr Blair setting out key humanitarian issues in Iraq (see Section 6.5).<sup>11</sup> Ms Short advised that the humanitarian situation in the centre and the south of Iraq, which was under Saddam Hussein’s control, was worse than the situation in the north. To demonstrate that point, she attached statistics, attributed to the UN Children’s Fund (UNICEF), on child and maternal mortality in Iraq. Child mortality in central and southern Iraq was 135 per 1,000 (“worse than the Democratic Republic of Congo or Mozambique”) compared with 72 per 1,000 in northern Iraq.

On the same day, No.10 asked the FCO for material on a number of issues in preparation for Mr Blair’s speech to the Conference, including how many Iraqi children under the age of five died each month.<sup>12</sup>

<sup>11</sup> [Letter Short to Blair, 14 February 2003, ‘Iraq: Humanitarian Planning and the Role of the UN’.](#)

<sup>12</sup> [Minute Rycroft to Owen, 14 February 2003, ‘Iraq: Prime Minister’s Speech’.](#)

The FCO's reply, which had been agreed with DFID, stated that there were no truly reliable figures for child mortality in Iraq.<sup>13</sup> The only figures available were from a 1999 UNICEF report which claimed that child mortality had risen from 56 per 1,000 in 1989 to 131 per 1,000 in 1999 in "Baghdad-controlled Iraq" and fallen from 80 per 1,000 to 72 per 1,000 over the same period in "UN-controlled" northern Iraq. However, those figures had been questioned. The household surveys on which the figures were based had been "conducted with the Iraqi regime's 'help' and relied on some Iraqi figures".

A No.10 official passed the figures for Baghdad-controlled Iraq (but not northern Iraq) to Mr Blair.<sup>14</sup> The official did not make any reference to the reliability of those figures.

The Inquiry concludes that the figures provided to Mr Blair in February 2003 by Ms Short and FCO officials were drawn from UNICEF's Iraq Child and Maternal Mortality Survey (ICMMS), published in August 1999.<sup>15</sup> That survey received extensive coverage in the media, in particular on whether there was a connection between the apparent rise in child mortality and the sanctions regime that was then in force.<sup>16</sup>

The level of child mortality in Iraq estimated by the ICMMS was significantly higher than that estimated by later surveys. The Child Mortality Estimates website, which presents the work of the UN Inter-Agency Group on Child Mortality Estimation, charts the estimates of major surveys of under-five mortality in Iraq.<sup>17</sup>

The UN Inter-Agency Group on Child Mortality Estimation estimates that the under-five mortality rate in Iraq was 55 per 1,000 in 1989, 46 per 1,000 in 1999, 42 per 1,000 in 2003, and 37 per 1,000 in 2010 (when Mr Blair gave his evidence to the Inquiry).<sup>18</sup>

In September 2010, Professor Michael Spagat reported that the child mortality estimates reported by the ICMMS were between two and three times higher than those reported by three other major UN-sponsored surveys (the Iraq Living Conditions Survey 2005, the Multiple Indicator Cluster Survey in Iraq 2007 and the Iraq Family Health Survey 2008).<sup>19</sup> He suggested that the high and rising child mortality rates reported by the ICMMS could be explained by:

- the manipulation of the sanctions regime by Saddam Hussein, in order to exacerbate the suffering caused by that regime for political purposes; and
- the manipulation of data by Saddam Hussein's regime, to exaggerate the suffering caused by sanctions.

<sup>13</sup> [Fax Owen to Rycroft, 14 February 2003, 'PM's Speech Question'](#).

<sup>14</sup> [Minute Rycroft to Prime Minister, 14 February 2003, 'Iraq: Scotland Speech – Additional Points'](#).

<sup>15</sup> UNICEF, 12 August 1999, *Iraq Child and Maternal Mortality Survey*.

<sup>16</sup> *BBC*, 12 August 1999, *Iraqi child death rates soar*.

<sup>17</sup> Child Mortality Estimates website, *Under-five mortality rate: Iraq*. Child Mortality Estimates (CME) Info is a database containing the latest child mortality estimates based on the research of the UN Inter-agency Group for Child Mortality Estimation. The UN Inter-agency Group comprises UNICEF, WHO, the World Bank, and the UN DESA Population Division.

<sup>18</sup> Child Mortality Estimates website, *Under-five mortality rate: Iraq*.

<sup>19</sup> Spagat M. Truth and death in Iraq under sanctions. *Significance* **7(3)**: 116-120 (2010).

**19.** On 19 March, in response to a question from Mr Martin Caton in the House of Commons, Mr Blair said:

“Of course, I understand that, if there is conflict, there will be civilian casualties ... However ... civilian casualties in Iraq are occurring every day as a result of the rule of Saddam Hussein. He will be responsible for many, many more deaths even in one year than we will be in any conflict.”<sup>20</sup>

**20.** The Coalition began military action against Iraq later that day.

### **Assessments of Iraqi civilian casualties during initial combat operations**

**21.** In the second half of 2002, the Joint Intelligence Committee (JIC) produced four Assessments which identified the possibility of significant civilian casualties in the event of a Coalition attack on Iraq.

**22.** In August 2002, the JIC assessed Saddam Hussein’s diplomatic and military options to deter, avert or limit the scope and effectiveness of a US attack.<sup>21</sup> The JIC’s Key Judgements included:

“Saddam would order the use of CBW [chemical and biological weapons] against Coalition forces at some point, probably after a Coalition attack had begun. Once Saddam was convinced that his fate was sealed, he would order the unrestrained use of CBW against Coalition forces, supporting regional states and Israel.”

**23.** The Assessment also identified a number of “unorthodox options” that Saddam Hussein might pursue, including:

“... a ‘scorched earth’ policy ... with the aim of creating a humanitarian or environmental catastrophe ...”

**24.** In September, the JIC assessed how Iraq might use chemical and biological weapons.<sup>22</sup> Its Key Judgements included:

“If not previously employed, Saddam will order the indiscriminate use of whatever CBW weapons remain available late in a ground campaign or as a final act of vengeance.”

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<sup>20</sup> House of Commons, *Official Report*, 19 March 2003, column 934.

<sup>21</sup> [JIC Assessment, 21 August 2002, ‘Iraq: Saddam’s Diplomatic and Military Options’.](#)

<sup>22</sup> [JIC Assessment, 9 September 2002, ‘Iraqi Use of Chemical and Biological Weapons – Possible Scenarios’.](#)

**25.** In October, the JIC assessed the likely reaction of the Kurdish and Shia population of Iraq to any US-led attack.<sup>23</sup> It stated that:

“... **spontaneous uprisings**, without any clear central leadership, are likely in both southern and northern Iraq ... should the regime’s control collapse quickly ... In both areas there could be violent score settling.”

**26.** In December, the JIC assessed Iraq’s military options during Coalition air strikes and a ground attack.<sup>24</sup> Its Key Judgements included:

“Saddam [Hussein] would use chemical and biological weapons (CBW) if he faced defeat. He might also use them earlier in a conflict, including against coalition forces, neighbouring states and his own people. Israel could be his first target.

...

“Other Iraqi responses might include seizing hostages as ‘human shields’; using non-lethal BW agents in a deniable manner; suicide attacks; or a ‘scorched earth’ policy with the aim of creating a humanitarian or environmental catastrophe. At some point, motivated by revenge, Saddam would seek to inflict the maximum damage on his enemies, whether Iraqis or outsiders.”

**27.** Sections 6.1 and 6.2 consider UK military planning for the invasion of Iraq, including the development of the UK’s Targeting Directive.

**28.** On 15 January 2003, Mr Blair met Mr Geoff Hoon, the Defence Secretary, the Chiefs of Staff and others to discuss military planning for Iraq.<sup>25</sup> Mr Blair asked how many civilian casualties there might be, and for a list of the targets which UK air forces might be asked to attack, along with a commentary on their military importance and the risk of casualties.<sup>26</sup>

**29.** On 3 February, the MOD produced a Casualty Estimate paper for the Chiefs of Staff.<sup>27</sup> The estimates of UK military casualties are described in Section 16.3.

**30.** The MOD advised that, although detailed assessments of civilian casualties resulting from the air campaign could be produced on a “target-by-target” basis, the target set was not yet sufficiently well defined to allow an estimate to be produced for the air campaign as a whole. Analysis based on estimated civilian casualties during operations over Iraq between 1998 and 1999 suggested that the civilian casualties for an air campaign would be around 150 killed and 500 injured.

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<sup>23</sup> [JIC Assessment, 23 October 2002, ‘Iraq: The Kurds and Shia’.](#)

<sup>24</sup> [JIC Assessment, 6 December 2002, ‘Iraq: Military Options’.](#)

<sup>25</sup> Email PJHQ-DCJO(Ops)-MA to PJHQ-CJO/MA, 15 January 2003, ‘Readout of the Brief to PM – Wed 15 Jan’.

<sup>26</sup> [Letter Rycroft to Watkins, 15 January 2003, ‘Iraq: Military Planning’.](#)

<sup>27</sup> Minute Fry to COSSEC, 3 February 2003, ‘Casualty Estimates – Op TELIC’ attaching Paper MOD, 3 February 2003, ‘Casualty Estimates for Op TELIC Based on Operational Analysis’.

**31.** No assessment had been produced of civilian casualties arising from “urban operations in Basra”. Experience from World War II suggested that between 200 and 2,000 civilians could be killed in urban operations in Basra, depending on “circumstances, duration and the degree to which civilian casualties are minimised”.

**32.** Mr Blair was briefed on the targeting aspects of an air campaign by Mr Hoon, Admiral Sir Michael Boyce (Chief of the Defence Staff (CDS)) and Air Commodore Mike Heath (MOD Head of the Directorate of Targeting and Information Operations) on 6 February.<sup>28</sup>

**33.** At the meeting, Mr Blair underlined the importance of “minimising the number of civilian casualties and ensuring that all targets were appropriate and proportionate” and that consideration should be given to “how best to explain publicly the scale and nature of the campaign”.

**34.** On 19 February, at the request of the Overseas and Defence Secretariat in the Cabinet Office, the JIC provided an Assessment of the situation in southern Iraq and what might happen before, during and after any Coalition military action.<sup>29</sup> The JIC assessed that the “relative weakness of Iraq’s conventional forces in the south, and the fact that those forces will face the brunt of a Coalition ground attack” meant that southern Iraq was “**the most likely area for the first use of CBW against both Coalition forces and the local population**”.

**35.** The JIC identified a number of factors that could undermine popular support for any post-Saddam Hussein administration, including major civilian casualties.

**36.** In mid-February Mr Blair read the Adelphi Paper *Iraq at the Crossroads: State and Society in the Shadow of Regime Change*, published by the International Institute for Strategic Studies (IISS).<sup>30</sup>

**37.** Several contributors to the Adelphi Paper warned of the potential for violent disorder in post-conflict Iraq.<sup>31</sup> The Paper is addressed in detail in Section 6.5.

**38.** The Adelphi Paper prompted Mr Blair to ask a number of detailed questions about the military campaign and post-conflict issues, including:

“What is our military’s assessment of the likely consequences of an attack on Iraq; i.e. how many casualties; how quickly the collapse?”<sup>32</sup>

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<sup>28</sup> [Letter Rycroft to Watkins, 6 February 2003, ‘Iraq: Prime Minister’s Meeting, 6 February’.](#)

<sup>29</sup> [JIC Assessment, 19 February 2003, ‘Southern Iraq: What’s in Store?’.](#)

<sup>30</sup> [Letter Rycroft to McDonald, 20 February 2003, ‘Iraq: Political and Military Questions’.](#)

<sup>31</sup> Dodge T & Simon S (eds). *Iraq at the Crossroads: State and Society in the Shadow of Regime Change*. IISS Adelphi Paper 354. Oxford University Press, January 2003.

<sup>32</sup> [Minute Rycroft to McDonald, 20 February 2003, ‘Iraq: Political and Military Questions’.](#)

**39.** General Tommy Franks, Commander in Chief US Central Command (CENTCOM), met Mr Blair on 25 February.<sup>33</sup> The record of the meeting written by a No.10 official reported that Mr Blair asked if Gen Franks had “any idea” of the scale of likely civilian casualties.

**40.** Adm Boyce stated that civilian casualties were likely to be in the “low hundreds”. Gen Franks stated that ways to minimise civilian casualties were being explored.

**41.** Mr Blair concluded that “we must set out our strategy: to destroy the regime but minimise civilian casualties”.

**42.** Mr Peter Watkins, Mr Hoon’s Principal Private Secretary, sent the MOD’s response to Mr Blair’s questions to No.10 on 24 February.<sup>34</sup> Mr Watkins advised that the MOD estimated that the UK “land battle” casualties would be in the order of 30–60 killed, and that Iraqi land battle casualties would be in the order of 500–1,200 killed. Detailed assessments of likely casualties from the air campaign, including civilian casualties, could only be done on a “target-by-target” basis and this work was “in hand”.

Mr Watkins stated:

“Iraqi civilian casualties from anything other than the air campaign are likely to be relatively few, unless Coalition forces become engaged in fighting in urban areas.”

**43.** Mr Watkins’ letter did not refer to the broad estimates of civilian casualties that had been submitted to the Chiefs of Staff on 3 February.

## Civilian casualties during initial combat operations

### Provision of medical care to Iraqi citizens

**44.** Section 16.2 addresses the provision of medical care to UK Service Personnel.

**45.** The MOD recognised before the invasion that, under the Geneva Convention, it was obliged to provide Iraqi citizens (both military personnel and civilians) with the medical care that they required within the UK’s means and capabilities.<sup>35</sup>

**46.** That obligation was reflected in military planning for Operation TELIC. The MOD’s policy was that initial treatment would take place in theatre, with transfer to other countries in the region if transfer was required and if those countries agreed to accept Iraqi citizens for treatment. If those countries did not agree to accept them, the UK would evacuate the very seriously injured to the UK for specialist care.

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<sup>33</sup> Letter Cannon to Owen, 25 February 2003, ‘Iraq: Prime Minister’s Meeting with General Franks’.

<sup>34</sup> [Letter Watkins to Rycroft, 24 February 2003, ‘Iraq: Political and Military Questions’](#); [Minute Rycroft to Prime Minister, 26 February 2003, ‘Political and Military Questions on Iraq’](#).

<sup>35</sup> Minute PJHQ [junior official] to APS/Mr Hoon, 14 May 2003, ‘Operation TELIC: Aeromedical Evacuation of Iraqi Civilians to the UK for Treatment’.

**47.** The Permanent Joint Headquarters (PJHQ) advised Mr Hoon on 14 May 2003, two weeks after the end of major combat operations, that only seven Iraqi citizens had so far been evacuated to the UK, predominantly for severe burns (PJHQ had planned for the evacuation of 20 Iraqi citizens).

**48.** The MOD reported in July 2003 that around 200 Iraqi Prisoners of War and 200 Iraqi civilians had been treated in British medical facilities during the deployment and combat phases of Op TELIC.<sup>36</sup>

## Reports on civilian casualties

**49.** On 31 March, Mr Hoon and Adm Boyce briefed Mr Blair on progress on military operations.<sup>37</sup> Mr Blair asked for an estimate of civilian casualties. Mr Hoon replied: “Hundreds.”

**50.** As major combat operations continued, the Government came under sustained pressure in the House of Commons to provide estimates of Iraqi and civilian casualties and to minimise civilian casualties and damage to infrastructure.

**51.** On 2 April, in response to a question from Mr John MacDougall, Mr Adam Ingram, Minister of State for the Armed Forces, stated:

“We have no means of ascertaining the numbers of military or civilian lives lost during the conflict in Iraq to date, although we make every effort to keep any impact upon the Iraqi civilian population to an absolute minimum. All our military planning is conducted in full accordance with our obligations under international law to employ the minimum necessary use of force to achieve military effect, and to avoid injury to non-combatants or civilian infrastructure. Practically, this is achieved through a combination of an extremely careful targeting process and highly accurate precision guided weapons.”<sup>38</sup>

**52.** The following day, in response to a question from Ms Caroline Spelman regarding the number of Iraqi civilians who had been injured and killed as a result of the conflict, Mr Ingram stated:

“... it is impossible to know for sure how many civilians have been injured, or killed and subsequently buried.”<sup>39</sup>

**53.** IBC reported in July 2005 that 7,299 non-combatant civilians had been killed between 20 March 2003 and 30 April 2003.<sup>40</sup> Of those deaths, 6,882 had been caused by US-led forces, 206 by “anti-Occupation forces, unknown agents and crime”, and 211 by both US-led and anti-Occupation forces.

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<sup>36</sup> Ministry of Defence, *Operations in Iraq: First Reflections*, July 2003.

<sup>37</sup> Minute Rycroft to Powell, 31 March 2004, ‘Iraq: Military Briefing, 31 March 2003’.

<sup>38</sup> House of Commons, *Official Report*, 2 April 2003, column 738W.

<sup>39</sup> House of Commons, *Official Report*, 3 April 2003, column 783W.

<sup>40</sup> Iraq Body Count, July 2005, *A Dossier of Civilian Casualties 2003 – 2005*.

## Battle Damage Assessment

Section 6.2 describes the main principles of International Humanitarian Law (IHL), also known as the Law of Armed Conflict (LOAC) or the Law of War, how they were disseminated to those engaged in military action, and how they were reflected in the UK's Targeting Directive and Rules of Engagement (ROEs).

The key elements of IHL which apply to targeting of military objectives during a conflict are set out in the 1977 Protocol Additional to the Geneva Conventions of 1949 (Protocol I).

The main principles can be summarised as:

- **Distinction.** The parties to the conflict must at all times distinguish between the civilian population and combatants, and between civilian objects and military objectives, and shall direct their operations only against military objectives (Article 48).
- **Proportionality.** Military objectives must not be attacked if the attack is likely to cause civilian casualties or damage which would be excessive in relation to the concrete and direct military advantage anticipated (Article 57:2:b).
- **Military Necessity.** Offensive operations must be limited to those which are necessary (Article 57:3).
- **Feasible Precautions.** In the conduct of military operations, constant care shall be taken to spare the civilian population, civilians and civilian objects.

Those who plan or decide upon an attack must take a number of specified precautions, focusing on the principles outlined above (Article 57).

The Battle Damage Assessment (BDA) process in place at the beginning of Op TELIC was set out in the UK's 2001 'Joint Targeting and Battle Damage Assessment for UK Forces'.<sup>41</sup>

The paper stated that the purpose of BDA was:

"... to evaluate the overall effectiveness of an attack. It is also required to determine collateral and additional damage in order to provide an authoritative statement about the proportionality and legality of the attack, and on the absence or presence of collateral or additional damage when required for rebuttal purposes."<sup>42</sup>

The paper defined "collateral damage" as unintentional or incidental damage affecting facilities, equipment or personnel that were not justifiable military objectives. It defined "additional damage" as unintentional or incidental damage affecting facilities, equipment or personnel that were justifiable military objectives.

The paper did not describe how, after an attack, the number of civilian casualties should be determined.

The MOD told the Inquiry that, during Op TELIC 1, civilian casualty incidents were classed as "serious incidents" for which investigation was mandated by the Commanding Officer and a "higher authority".<sup>43</sup> The process was formalised in June 2003, so that any incident judged to have potentially fallen outside the UK's ROEs was fully investigated by the Service Police.

<sup>41</sup> Paper, January 2001, 'Joint Targeting and Battle Damage Assessment for UK Forces'.

<sup>42</sup> Paper, January 2001, 'Joint Targeting and Battle Damage Assessment for UK Forces, Annex G: BDA – Phases and Definitions'.

<sup>43</sup> Paper MOD, [undated], 'Iraq Inquiry Request for Evidence on the Assessment of Civilian Casualties Sustained during Military Operations'.

## Case study of a bombing in a Basra suburb, 5 April 2003

**54.** The deaths of 10 members of the Hamoudi family in a Coalition air strike on houses in a residential area of Basra in early April 2003 attracted significant media attention.

**55.** The Inquiry has considered, as a case study, the Government's role in and response to the air strike.

**56.** The UK military undertook a Rapid Collateral Damage Assessment on 4 April 2003 for a possible attack on a small group of residential houses in Basra that were expected to be visited by General Ali Hasan Al-Majid (also known as Chemical Ali).<sup>44</sup> Gen Al-Majid was described as responsible for co-ordinating resistance to the Coalition within southern Iraq and therefore as a combatant.<sup>45</sup>

**57.** The Assessment concluded that seven houses (not including those targeted) might suffer collateral damage, and that there would be additional casualties in the open, resulting in 39 civilian casualties in a day attack and 51 in a night attack (again, not including casualties in the targeted houses).<sup>46</sup> No separate estimate had been made of damage to or casualties in the targeted buildings.

**58.** Given the number of expected civilian casualties (more than 30), approval for the attack was referred from HQ 1st (UK) Armoured Division to Air Marshal (AM) Brian Burridge, the UK's National Contingent Commander, and hence to Mr Hoon.<sup>47</sup>

**59.** AM Burridge advised Mr Hoon that:

“... the expected civilian casualties ... would not be excessive in relation to the direct and concrete military advantage anticipated should Al-Majid be successfully targeted. The attack is therefore capable of being assessed as proportional by the Commander.”<sup>48</sup>

**60.** On 4 April, Mr Hoon agreed that the attack should proceed.<sup>49</sup> However, Gen Al-Majid was reported to have left the location before the attack could be carried out.

**61.** In the expectation of Gen Al-Majid's return, AM Burridge also sought approval for the attack from CENTCOM.<sup>50</sup>

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<sup>44</sup> Minute NCHQ OA to NCHQ J3 Targets, 4 April 2003, 'Rapid Collateral Damage Estimate Residential Houses (Loc: 303121.8N 474904.0E)'.

<sup>45</sup> TST Log Sheet, [undated], [untitled].

<sup>46</sup> Minute NCHQ OA to NCHQ J3 Targets, 4 April 2003, 'Rapid Collateral Damage Estimate Residential Houses (Loc: 303121.8N 474904.0E)'.

<sup>47</sup> Minute BMRA to NC HQ, 15 April 2003, 'Civilian Casualties – Coalition Engagement in Basrah – 05 April 2003'; Minute HQ NCC to PJHQ, 16 April 2003, 'Time Sensitive Target – Gen Ali Hasan Al Majid'.

<sup>48</sup> TST Log Sheet, [undated], [untitled].

<sup>49</sup> Minute HQ NCC to PJHQ, 16 April 2003, 'Time Sensitive Target – Gen Ali Hasan Al Majid'.

<sup>50</sup> Minute HQ NCC to PJHQ, 16 April 2003, 'Time Sensitive Target – Gen Ali Hasan Al Majid'.

**62.** CENTCOM agreed the attack early on 5 April, subject to a reduction in the ordnance to be used from 500lb and 1,000lb bombs to 500lb bombs only, in order to minimise collateral damage.<sup>51</sup>

**63.** At 0530 local time on 5 April, following reports that Gen Al-Majid had returned to the location, US forces dropped seven bombs on the target.<sup>52</sup> The US reported immediately after the attack that:

- four bombs had hit the target and detonated;
- two bombs had missed the target; and
- one bomb had hit the target but failed to detonate.

**64.** Mr Abed Hassan Hamoudi wrote to the “Head of Coalition Forces” in Basra on 12 April, informing him that 10 members of his family had been killed when a number of rockets from Coalition aircraft had hit his house.<sup>53</sup> He had received no expression of condolence or explanation for the attack. Mr Hamoudi indicated that he would seek compensation for the attack and said that he had authorised his son, Mr Sudad Hamoudi, to pursue the case.

**65.** The Joint Air Reconnaissance Intelligence Centre (JARIC) produced a Phase 1 Battle Damage Assessment (BDA) for the attack on Gen Al-Majid on 14 April.<sup>54</sup> It stated that no collateral damage had been observed.

**66.** By 15 April, HQ 1st (UK) Armoured Division had associated the attack on Gen Al-Majid with the deaths reported by Mr Hamoudi.<sup>55</sup>

**67.** HQ 7 Armoured Brigade (then responsible for the Basra battlespace) issued a consolidated BDA for the Basra urban area on 19 April.<sup>56</sup> The BDA covered 15 targets which had been engaged by precision guided munitions, including the 5 April attack on Gen Al-Majid. The BDA for that attack reported that the target residence had been completely destroyed, but Gen Al-Majid was believed to have escaped. The attack had damaged other properties and caused civilian casualties; one neighbour had claimed that 10 members of his family including four children had been killed, and another neighbour had claimed that an additional seven children had been killed.

**68.** The consolidated BDA made no mention of civilian casualties in its reports on any of the other attacks.

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<sup>51</sup> Minute BMRA to NC HQ, 15 April 2003, ‘Civilian casualties – Coalition Engagement in Basrah – 05 April 2003’.

<sup>52</sup> Report 524 Expeditionary Fighter Squadron, 5 April 2003, [untitled]. Minute HQ NCC to PJHQ, 16 April 2003, ‘Time Sensitive Target – Gen Ali Hasan Al Majid’.

<sup>53</sup> Letter Hamooudi to Head of Coalition Forces, 12 April 2003, [untitled].

<sup>54</sup> Report JARIC, 14 April 2003, ‘MRNXXHACIZ/0248’.

<sup>55</sup> Minute BMRA to NC HQ, 15 April 2003, ‘Civilian casualties – Coalition Engagement in Basrah – 05 April 2003’.

<sup>56</sup> Report 7 Armoured Brigade, 19 April 2003, ‘Battle Damage Assessment Report for the Al Basrah Urban Area and Immediate Hinterland’.

**69.** The consolidated BDA considered the contribution that pre-planned strikes had made to the campaign, and concluded that:

“... PGMs [precision guided munitions] shortened the battle ... and as a result, reduced loss of life on both sides.”

**70.** An MOD official advised Mr Ingram on 23 April that an investigation into Coalition activity on 5 April, the BDA of the attack on Gen Al-Majid, and other evidence indicated that Mr Hamoudi’s claim was true.<sup>57</sup> Two of the bombs had missed their target “and we suspect therefore that these bombs caused the collateral damage to Mr Hamoudi’s house”.

**71.** The official also advised that although the MOD had not yet developed a policy on compensation, it was unlikely that Mr Hamoudi would have a claim. There was no legal obligation on the Coalition to compensate civilians affected by hostilities. In line with previous operations, the MOD would not expect to offer compensation for damages resulting from legitimate targeting during hostilities.

**72.** Mr Ingram wrote to Mr Sudad Hamoodi on 4 June. Mr Ingram advised that the UK had “looked into” the circumstances surrounding the event and could confirm that the deaths were:

“... likely to have been the result of Coalition bombing aimed at General ... Al Majid. There as no deliberate targeting of your father’s home and the losses suffered by your family were quite unintended. I appreciate that this may be of very little comfort to you now.

“... the Coalition does take every care to ensure that our military action avoids injury to civilian populations. That said it is not possible to eliminate the risk to civilians entirely, but I hope you will understand that when civilians are injured or killed in this way, this is a tragic accident rather than a deliberate event.”<sup>58</sup>

**73.** Mr Sudad Hamoudi replied to Mr Ingram on 8 June, posing a number of questions including:

- Was the intelligence that had placed Gen Al-Majid at the location (in a residential district) reliable?
- Why had the family not been warned about the possibility of an attack, so that they could have taken action to ensure their own safety?
- Whether it was correct to describe the deaths as an accident, when they had resulted from a deliberate action.<sup>59</sup>

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<sup>57</sup> Minute MOD [junior official] to PS/Minister(AF) [MOD], 23 April 2003, ‘OP TELIC: Hamoodi Family: Civilian Fatalities’.

<sup>58</sup> Letter Ingram to Hamoodi, 4 June 2003, [untitled].

<sup>59</sup> Letter Hamoodi to Ingram, 8 June 2003, [untitled].

**74.** Mr Sudad Hamoudi concluded that there had to be “some kind of accountability” for the loss of civilian lives.

**75.** An MOD official provided Mr Ingram with a draft reply to Mr Sudad Hamoudi’s letter on 20 June.<sup>60</sup> The official advised that further analysis of the attack suggested that the damage to Mr Abed Hamoudi’s house had not been caused by one of the two bombs that had missed their target, as had been suggested in the 23 April minute to Mr Ingram, but had instead been “an unavoidable consequence of an accurate strike on the target house”. The official continued:

“The targeting planning process identified that collateral damage was likely in neighbouring properties to the target area. If the Hamoudi house was one of these, it therefore seems possible it was damaged as an expected and unavoidable consequence of the strike on the building believed to contain General ‘Chemical’ Ali Hassan Al-Majid, although at the moment we cannot say this with certainty.

“Although we can say with complete certainty that the Hamoudi house was not deliberately targeted by the Coalition ... it becomes difficult in this particular instance to sustain with any confidence the line that this was an accident.”

**76.** The MOD official stated that there was nevertheless no doubt as to the legitimacy of the attack.

**77.** The official also stated: “In line with previous operations we would not expect to offer compensation for damages resulting from legitimate targeting during hostilities.”

**78.** Mr Ingram replied to Mr Sudad Hamoudi on 23 June.<sup>61</sup> He reiterated his sorrow at the deaths caused by the attack and set out the UK Government’s position on its legality:

“As the Commander of the Southern Region [of Iraq] ... Al-Majid was a key Iraqi military figure whose removal from command was expected to deliver considerable military advantage ... thus ultimately minimising casualties on both sides. The attack on the place where he was believed to be located was therefore entirely lawful.”

**79.** Mr Ingram was advised on 10 July – over three months after the attack – that the UK’s “research” into the incident remained “incomplete, and the information available ambiguous”.<sup>62</sup> PJHQ was trying to confirm the address of Mr Hamoudi’s house, and that the strike on Gen Al-Majid was “actually accurate and directed against the correct co-ordinates”.

**80.** Members of the Iraq Inquiry Committee met members of the Hamoudi family in 2010.

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<sup>60</sup> Minute MOD [junior official] to APS/Mr Ingram, 20 June 2003, ‘Op TELIC: Hamoodi Family: Civilian Fatalities’.

<sup>61</sup> Letter Ingram to Hamoodi, 23 June 2003, [untitled].

<sup>62</sup> Minute MOD [junior official] to MOD [junior official], 10 July 2003, ‘Op TELIC: Hamoodi family: civilian fatalities’.

## Responding to demands to count civilian casualties

**81.** From early June 2003, and throughout the summer, there were signs that security in both Baghdad and the South was deteriorating.

**82.** The Government continued to face pressure in Parliament to provide estimates of the numbers of Iraqi citizens who had died during the conflict. The Government's line remained that the UK had no means of ascertaining the number of Iraqi Service Personnel or civilians who had been killed during the conflict.

**83.** On 14 October 2003, in response to a question from Mr Adam Price regarding the number of Iraqi civilians who had been killed by UK or US forces in Iraq since the end of the conflict, Mr Hoon said:

“We make every effort to minimise the impact of military operations on the Iraqi civilian population.

“We have no reliable means of ascertaining the numbers of civilians killed by United Kingdom Forces since the conflict ended.”<sup>63</sup>

**84.** FCO and MOD officials discussed that response.

**85.** On 12 November, an FCO official reported to Mr John Buck, FCO Director Iraq, that according to MOD officials:

“... notwithstanding this answer, records are kept of all significant incidents involving UK forces. A significant incident would include ... a soldier wounding or killing a civilian. At present, this information is not collated, although PJHQ accept that it could be.”<sup>64</sup>

**86.** That collated information would not necessarily be “fully reliable”, as UK forces could not always be sure if someone had been killed or wounded in an incident, and whether that person was a civilian.

**87.** On the same day, PJHQ sent Mr Hoon a report on the death of two Iraqi adults and the injury of an Iraqi child in an incident involving UK forces.<sup>65</sup>

**88.** The report prompted Mr Hoon to ask PJHQ for “further advice on the total numbers of civilians killed by UK forces since the end of major combat operations”.<sup>66</sup>

**89.** On 13 November, in response to a question from Mr Price in the House of Commons, Mr Ingram confirmed that the Special Investigation Branch (SIB) of the Royal

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<sup>63</sup> House of Commons, *Official Report*, 14 October 2003, column 22W.

<sup>64</sup> Minute FCO [junior official] to Buck, 12 November 2003, ‘Iraq – Civilian Casualties’.

<sup>65</sup> Minute PJHQ to PS/Secretary of State [MOD], 12 November 2003, ‘Iraqi Civilian Shooting in Basrah’.

<sup>66</sup> Minute APS/Secretary of State to PJHQ, 13 November 2003, ‘Iraqi Civilian Shooting in Basrah’.

Military Police (RMP) had begun investigations into 17 civilian fatalities allegedly caused by UK forces.<sup>67</sup>

**90.** Mr Straw wrote to Mr Hoon on 18 November to ask that the MOD examine whether it would be viable to collate information on post-conflict civilian casualties inflicted lawfully and in accordance with the UK's Rules of Engagement by UK forces (and other troop contributors) in the UK's Area of Responsibility.<sup>68</sup> Mr Straw recalled recent media and NGO reporting on the "allegedly high levels of civilian casualties inflicted by Coalition forces" and the level of Parliamentary and public interest, and continued:

"I recognise fully the difficulties involved in compiling accurate statistics about civilian casualties, particularly during combat operations. But I am concerned that the current UK/US position – that 'there is no reliable means of ascertaining the number of civilian casualties, even in post-conflict Iraq' – leaves the field entirely open to our critics and lets them set the agenda ...

"We need to find ways of countering the damaging perception that civilians are being killed needlessly, and in large numbers, by Coalition forces."

**91.** Mr Straw referred to the work of IBC, which he described as having "some credibility (within the sourcing limitations)".

**92.** Mr Hoon's Private Office passed Mr Straw's letter to PJHQ, asking for a draft reply.<sup>69</sup> Mr Hoon's Private Office commented that they had already asked PJHQ to identify the total number of civilians killed by UK forces since the end of major combat operations.

**93.** PJHQ replied to Mr Hoon's Private Office on 25 November.<sup>70</sup> It confirmed that assessment reports (ASSESSREPs) recorded the detail of contacts and incidents in the UK's Area of Operations, including details of civilian "casualties or deaths". It would take two weeks to review all ASSESSREPs produced since 1 May 2003, to determine the number of Iraqi civilian casualties. The number produced would not be "definitive or entirely comprehensive"; ASSESSREPs would only cover incidents which were witnessed by or involved UK forces.

**94.** PJHQ also advised:

"The current line, that there is no reliable way of knowing how many casualties there have been ... was perfectly reasonable during the decisive combat phase of Op TELIC ... as long-range attacks meant that there was no source on the ground to verify ... casualty numbers.

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<sup>67</sup> House of Commons, *Official Report*, 13 November 2003, column 433W.

<sup>68</sup> Letter Foreign Secretary to Defence Secretary, 18 November 2003, 'Iraq: Civilian Casualties'.

<sup>69</sup> Minute APS/Secretary to State [MOD] to PJHQ J9 Hd PI/Ops, 18 November 2003, 'Iraq – Civilian Casualties'.

<sup>70</sup> Minute PJHQ J9 to APS/Secretary of State [MOD], 25 November 2003, 'OP TELIC: Civilian Casualties'.

“Since ... the end of decisive combat operations, this line has become more difficult to defend as confirmed cases of civilian casualties where UK forces are involved are recorded locally.”

**95.** Mr Hoon replied to Mr Straw the following day, advising that neither Iraqi ministries nor Coalition Forces currently had the capacity to collate definitive statistics on the causes of death or injury to civilians.<sup>71</sup> He nevertheless shared Mr Straw’s desire to be able to produce accurate casualty statistics “to be able to refute some of the more wild speculation”. The SIB was investigating 17 civilian fatalities allegedly caused by UK forces. The MOD was “seeking to analyse” incident reports produced since 1 May 2003 in order to determine the likely number of “additional Iraqi civilian deaths”. That process would take some time; Mr Hoon undertook to write to Mr Straw with the results.

**96.** Mr Price secured an Adjournment Debate on “military operations and civilian deaths in post-war Iraq”, which was held in Westminster Hall on 7 January 2004.<sup>72</sup> Mr Price had previously tabled 17 Parliamentary Questions on civilian casualties in post-war Iraq and had sent his paper *Can Kill, Won’t Count* to Mr Hoon and the Attorney General.

**97.** Mr Ingram’s briefing for the debate advised that the review of ASSESSREPs which had been initiated the previous month had been completed. In addition to the 17 civilian deaths which were subject to investigation by SIB/RMP, the review had identified a further 17 civilians who had been killed by UK forces; one in an (unspecified) accident and 16 in circumstances where force was deemed to have been used in accordance with the UK’s Rules of Engagement.

**98.** Opening the debate, Mr Price asked Mr Ingram how many civilian casualties had been reported by UK forces.<sup>73</sup> In his response, Mr Ingram referred to the 17 deaths that were being investigated by SIB/RMP, but not to the 17 further deaths that the MOD review had identified.

**99.** Mr Ingram rejected the charge that the UK was refusing to keep records of civilian casualties:

“That is not true ... Although we record all such incidents, it would be wrong to claim that we have an exhaustive record, because we cannot always be certain of the number of fatalities that result. In some incidents ... those who have been attacking UK forces and who have been injured or killed are removed from the scene ...

“There have also been incidents in which UK forces have been forced to withdraw from an engagement with no reliable means of ascertaining the number of fatalities ... Finally, gun battles have taken place in which our forces were not involved, but there have been claims that they were responsible for casualties none the less.”

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<sup>71</sup> Letter Hoon to Straw, 26 November 2003, [untitled].

<sup>72</sup> Minute PJHQ to APS/Minister(AF) [MOD], 23 December 2003, ‘Adjournment Debate on 7 January: Military Operations and Civilian Deaths in Post-War Iraq – Adam Price’.

<sup>73</sup> House of Commons, *Official Report*, 7 January 2004, columns 135WH to 141WH.

**100.** Mr Ingram also clarified the MOD’s definition of a civilian:

“For our purposes, the term ‘civilian’ applies to all Iraqis. Besides peaceful law-abiding men, women and children, it includes those former regime loyalists who have since April continued to bomb, kill and maim their fellow Iraqi countrymen and women and Coalition troops.”

**101.** On 6 February, in response to a written Parliamentary Question from Mr Price, Mr Ingram stated:

“As at 2 February, since the end of major combat operations 37 alleged fatalities had been reported by British units of which 18 have been the subject of investigations. All those not subject to investigation involved assailants attacking British forces and in defending themselves the soldiers involved were acting clearly within their Rules of Engagement.”<sup>74</sup>

**102.** That was the first public statement, of which the Inquiry is aware, of the number of civilians killed by UK forces in Iraq.

**103.** IBC reported on 7 February 2004 that the number of “non-combatant civilian” deaths in Iraq during 2003 “as a result of the US/UK-led invasion and Occupation of Iraq” might have passed 10,000.<sup>75</sup>

**104.** IBC commented:

“Pushing the total past the 10,000 mark were recent reports of Iraqi policemen killed since Saddam’s fall in April. It is unsurprising that, as the CPA [Coalition Provisional Authority] and Occupying forces bunker themselves behind concrete fortresses, their most exposed and least well-protected front-line defence, members of the ‘new’ Iraqi civil defence and police forces, have suffered disproportionately.”

**105.** On 23 April, at his request, Mr Blair received 19 “unvarnished accounts” of progress on security, the political process and reconstruction in Iraq (see Section 9.2).

**106.** In his response to those accounts, Mr Blair asked for answers to four specific questions, including:

“How many civilians have been killed in Iraq, and how? The figure of 15,000 is out there as a fact – is it accurate?”<sup>76</sup>

**107.** The Cabinet Office responded to that question on 30 April, as part of a detailed update on the capabilities of the Iraqi Security Forces.<sup>77</sup> It advised that there were no accurate estimates of the number of Iraqi casualties since the start of combat

<sup>74</sup> House of Commons, *Official Report*, 6 February 2004, column 1104W.

<sup>75</sup> Iraq Body Count, 7 February 2004, *Civilian deaths in ‘noble’ Iraq mission pass 10,000*.

<sup>76</sup> [Letter Rycroft to Owen, 26 April 2004, ‘Iraq: 15 Reports for the Prime Minister’](#).

<sup>77</sup> [Minute Dodd to Quarrey, 30 April 2004, ‘Iraqi Security Force Capabilities’](#).

operations; figures ranged from 5,000 to 20,000. The MOD's public line had been that it was not possible to determine the number of civilian casualties, and that UK forces took every effort to minimise the impact of military operations on the civilian population.

**108.** An "initial assessment" undertaken by the MOD in February 2004 had indicated that 36 civilians had died as a result of UK actions since 1 May 2003.<sup>78</sup> The MOD was now undertaking a "comprehensive assessment" of unit records to produce a more accurate estimate; the outcome of that assessment would be shared with Ministers in May.

**109.** On 21 May, No.10 asked the FCO to "look again" at the question of civilian casualty figures, and for a weekly "digest" of casualty figures.<sup>79</sup>

**110.** The FCO replied on 26 May. It stated that CPA advisers to the Iraqi Ministry of Health (MOH) had told the FCO that the MOH did not have reliable figures for civilian deaths or their causes. The MOH was gradually re-establishing standard practices and procedures, but those were still "very basic".

**111.** The FCO concluded that the UK did not have reliable figures for overall civilian casualties. As the MOH improved its systems, it might be possible for the Iraqi Interim Government (IIG) to determine numbers and causes of civilian deaths and injuries: "But, for now, we are primarily reliant on NGO websites whose reliability we cannot easily assess."

**112.** The Inquiry has seen no indications that the FCO provided a weekly digest on civilian casualties to No.10.

**113.** In response to a written question from Lord Lester of Herne Hill on whether the CPA had access to hospital records detailing Iraqi civilian deaths and injuries and their causes, Baroness Symons, FCO Minister of State, stated on 7 June:

"Coalition Provisional Authority advisers to the Iraqi Ministry of Health (MOH) do have access to some figures on civilian deaths. However these statistics are not reliable, as Iraqis often bury their deceased relatives without official notification/ registration. This has been particularly true during periods of heightened conflict. The MOH does not therefore have accurate figures for civilian deaths or their causes for the past year. The MOH is gradually re-establishing standard practices and procedures, although these are basic. In the longer term the Iraqi Interim Government may be able to evaluate the causes of civilian deaths and injuries."<sup>80</sup>

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<sup>78</sup> President Bush declared on 1 May 2003 that major combat operations in Iraq had ended.

<sup>79</sup> Letter FCO [junior official] to Quarrey, 26 May 2004, 'Iraq Casualty Figures'.

<sup>80</sup> House of Lords, *Official Report*, 7 June 2004, column WA1.

**114.** Lord Lester followed up that reply by asking the UK Government to publish the MOH statistics on Iraqi civilian deaths and injuries. Baroness Symons replied on 24 June:

“There are no reliable figures for Iraqi civilian deaths since March 2003. The Iraqi Ministry of Health has informed us that the number of civilians killed in security incidents is 1,203 and 3,992 wounded dating from when statistics began on 5 April 2004. However they reflect only hospital admissions and may not be comprehensive. It is not possible to break these down into how they were killed or who may have been responsible. It includes casualties caused by terrorist action.”<sup>81</sup>

**115.** The Occupation of Iraq formally came to an end on 28 June. Power was transferred from the CPA and Iraqi Governing Council to the IIG.<sup>82</sup>

**116.** On 6 October, the US media reported that the Iraqi MOH had recorded 3,487 insurgency-related deaths between 5 April, when the MOH began compiling data, and 19 September.<sup>83</sup> According to (unnamed) Iraqi officials, between 10 June (when the MOH began compiling data on cause of death) and 10 September, 1,295 Iraqis had been killed by “multinational forces and police” and 516 by “terrorist operations”. The MOH defined terrorist operations as explosive devices in residential areas, car bombs and assassinations.

**117.** The US media reported that the MOH was “convinced” that nearly all of those reported dead were civilians or police and Iraqi national guardsmen, rather than insurgents; family members would often not report the death of a relative who had died fighting for an insurgent group.

**118.** No.10 wrote to the FCO on 11 October:

“The Prime Minister [Mr Blair] has asked for an updated assessment of civilian casualties in Iraq. This should include our best estimate of civilian casualties since military action was launched last year, what the US are saying, and a comparison with figures being produced by other bodies (e.g. NGOs, Brookings) and/or quoted in the media.

“The Prime Minister is concerned that we are not getting the message across effectively enough about the extent of insurgent/foreign terrorist responsibility for civilian deaths.”<sup>84</sup>

**119.** Mr Robin Cook (Labour) asked Mr Straw in the House of Commons on 12 October whether he had seen the MOH figures highlighted in the US media reports, which

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<sup>81</sup> House of Lords, *Official Report*, 24 June 2004, column WA138.

<sup>82</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>83</sup> *The Seattle Times*, 6 October 2004, *Iraq Ministry Says Coalition Kills More Civilians than Insurgents do*.

<sup>84</sup> Letter Quarrey to PS/Straw, 11 October 2004, ‘Iraq: Civilian Casualties’.

showed that “two thirds of the civilians killed in the last six months died as a result of coalition bombing”.<sup>85</sup>

**120.** Mr Straw said that he had not seen those figures.<sup>86</sup>

**121.** An MOD official provided a contribution to the FCO’s response to No.10 on 13 October.<sup>87</sup> The MOD official confirmed that the MOD did not estimate civilian casualties because it believed that there was no reliable method for doing so, adding:

“This is not merely our public line but our genuine judgement.”

**122.** The official dismissed the suggestion, made by the FCO, that the civilian casualty figures that were reported to the weekly Chiefs of Staff meeting could serve as a reliable estimate of total civilian casualties. Those figures were compiled by the US based on incomplete “reporting of incidents” to US Corps HQ. The figures were reported to Chiefs of Staff as trends in them indicated whether the security situation was improving or deteriorating.

**123.** The official concluded by re-stating:

“... the MOD does not produce an estimate of civilian casualties, either within our own area of operation or across Iraq. We have no methodology which would enable us to do this; nor do we believe it possible to define a methodology that would produce figures meaningful enough to alleviate No.10’s concern about public presentation.”

**124.** The FCO replied to No.10 on 14 October, having consulted UK advisers in the Iraqi MOH.<sup>88</sup> The FCO recommended that the UK should not take any ownership of figures of civilian casualties; none of the estimates available were reliable, and the UK Government would have difficulty in defending the methodology behind them to the media and Parliament.

**125.** The UK would also have difficulty in compiling its own statistics:

“We rarely have our own people on the ground following terrorist attacks, often relying on press statistics. But their figures result in widely varying estimates ...”

**126.** The FCO advised that it regarded hospital and mortuary admissions collated by the Iraqi MOH as the “most reliable” figures available, although there were a number of deficiencies:

- Monthly and six-monthly MOH reports were not consistent.

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<sup>85</sup> House of Commons, *Official Report*, 12 October 2004, column 160.

<sup>86</sup> House of Commons, *Official Report*, 12 October 2004, column 162.

<sup>87</sup> Minute MOD [junior official] to FCO [junior official], 13 October 2004, [untitled].

<sup>88</sup> [Letter Owen to Quarrey, 14 October 2004, ‘Iraq: Civilian Casualty Figures’](#); Minute FCO [junior official] to Owen, 13 October 2004, ‘Iraq: Civilian Casualty Figures’.

- Civilians who were taken to hospital injured and subsequently died were counted as injured.
- Hospital staff had come under (unspecified) pressure to inflate casualty figures.

**127.** The FCO also advised that the Iraqi MOH had publicly estimated that 3,617 Iraqi civilians had been killed and 14,554 injured in the period from 5 April 2004 to 25 September 2004. An unpublished MOH estimate indicated that of those casualties, 516 had been killed and 2,016 injured in “terrorist attacks”.

**128.** The FCO reported that the UK’s Joint Terrorism Analysis Centre (JTAC) gave “a very different estimate” of 1,125 fatalities caused by “foreign fighters” since the beginning of 2004. Of those casualties, nearly 1,000 were civilians.

**129.** The FCO concluded that the UK should be “wary” about being drawn into a debate on which of those figures was accurate. Another unpublished MOH estimate indicated that 1,295 Iraqi citizens had been killed and 5,479 injured in the period from 16 June 2004 to 10 September 2004 “in military action”:

“This is more than double the number they [the Iraqi MOH] estimate were killed by terrorists. Although the figures include insurgents as well as civilians, the Iraqi figures as they stand now will not help us make the case that more civilians have been killed by terrorists than by military action.”

**130.** The FCO continued:

“In sum, if we produce a figure that differs from the Iraqi Government figures, we will have to defend it – and the way it was arrived at – before Parliament and the media ... We recommend that for the moment we continue to put our public emphasis on specific atrocities against civilians ...”

**131.** Mr David Quarrey, a Private Secretary to Mr Blair, passed the FCO’s advice to Mr Blair the following day.<sup>89</sup> Mr Quarrey commented:

“You asked for an assessment of civilian casualties in Iraq, noting that we cannot let figures of 10–15,000 go unchallenged as if we are responsible for all of them ...

“The FCO recommend that we stick to publicising terrorist responsibility for civilian casualties in individual incidents. Underlying this is concern that any overall assessment of civilian casualties will show that MNF [Multi-National Force – Iraq] are responsible for significantly more than insurgents/terrorists.

“But we should be able to handle this better ...”

**132.** Mr Quarrey advised Mr Blair that he intended to ask the Cabinet Office to convene a meeting of departments to initiate a trial period of monitoring daily statistics

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<sup>89</sup> Minute Quarrey to Prime Minister, 15 October 2004, ‘Iraq: Civilian Casualties’.

on fatalities, drawing on whatever information was available. The Government could then assess how “credible (and helpful) the information would be publicly”. Mr Quarrey concluded:

“If the trial is successful, we could look at outsourcing to a credible external organisation (e.g. a think-tank or academics).”

**133.** Mr Blair agreed that approach.<sup>90</sup>

**134.** Mr Quarrey wrote to the MOD on 18 October, to confirm that he had asked the Cabinet Office to convene a meeting to discuss how to take forward a trial monitoring period “in order to demonstrate more effectively the harm being inflicted by terrorism in Iraq”.<sup>91</sup> Copies of Mr Quarrey’s letter were sent to the FCO and other departments.

**135.** A Cabinet Office official chaired a meeting on 22 October to plan how to take forward the trial monitoring period.<sup>92</sup> During the meeting, officials stated that there was a risk that the UK might come under pressure to disclose publicly any conclusions that were reached. Mr Quarrey told the meeting that No.10 believed that the UK needed to make a “serious attempt to quantify what is happening”.

**136.** Officials agreed that:

- The “headline task” was to quantify, as precisely as possible, the number of civilian deaths caused by a) insurgents and b) coalition military action (both MNF – I and the Iraqi Security Forces).
- The best way to do that was to break the task down. The FCO would report from open sources, the MOD would report from Multi-National Division (South-East) (MND(SE))<sup>93</sup> using existing military reporting systems, and JTAC/PJHQ would analyse US statistics on casualties.
- The trial period would run for the month of November.

**137.** An MOD official wrote to the Cabinet Office on 28 October, setting out the MOD’s concerns about the trial process.<sup>94</sup> The MOD’s position remained that it did not believe it was possible to establish an accurate methodology for estimating the total number of civilian casualties. Although incident reports could be analysed, there was a danger that:

“... once we have adopted a methodology, Parliament and the public would in future expect us to apply this no matter what the intensity of the operation.”

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<sup>90</sup> Email Quarrey to Bowen, 18 October 2004, ‘Iraq Civilian Casualties’.

<sup>91</sup> Letter Quarrey to Naworynsky, 18 October 2004, ‘Iraq’.

<sup>92</sup> Letter Cabinet Office [junior official] to Ad Hoc Cabinet Office Group on Civilian Casualties in Iraq, 25 October 2004, ‘Iraq: Civilian Casualties’.

<sup>93</sup> MND(SE) comprised the four provinces in southern Iraq for which the UK had security responsibility.

<sup>94</sup> Letter MOD [junior official] to Cabinet Office [junior official], 28 October 2004, [untitled].

**138.** The official recalled the limitations of the incident-reporting process, and concluded:

“... if HMG [Her Majesty’s Government] really does wish to get into the business of challenging media and NGO statistics, we would need to open up discussions with the US and other coalition partners on how to change the incident reporting process in order that – in future – it attributed blame for civilian killings.”

**139.** An FCO official wrote to the Cabinet Office on the same day, setting out how the FCO intended to contribute to the trial.<sup>95</sup> It would report figures compiled by NGOs and the media but not amend them in any way. To do so would suggest that those NGO and media figures had some reliability, when the UK’s public line was that they did not. Any amendments would also make the figures releasable under the Freedom of Information Act (which would come into effect the following year). The FCO concluded:

“The focus of our work will instead be on the figures produced by the Iraqi Ministry of Health (MOH) ... these too have their limitations. However, we will work with the MOH during the next few weeks to see if these statistics can be improved.”

**140.** On 29 October, as the Government’s trial monitoring period got under way, *The Lancet* published a study by the Johns Hopkins Bloomberg School of Public Health entitled *Mortality before and after the 2003 invasion of Iraq: cluster sample survey* (the *Lancet* study).<sup>96</sup>

**141.** The study was based on a survey of 988 households in 33 clusters. It found that there had been 98,000 more deaths from all causes in Iraq than expected in the 18 months since the invasion (95 percent confidence interval 8,000–94,000) outside of Fallujah. There would be “far more” deaths if data from the Fallujah cluster were included.

**142.** The study stated that violence accounted for most of the excess deaths, that violent deaths were “mainly attributed” to coalition forces, and that most individuals reportedly killed by coalition forces were women and children. On the causes of death, the study stated:

“The major causes of death before the invasion were myocardial infarction, cerebrovascular accidents, and other chronic disorders whereas after the invasion violence was the primary cause of death.”

**143.** There had been an increase in the infant mortality rate, from 29 deaths per 1,000 live births to 57 deaths per 1,000 live births.

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<sup>95</sup> Letter FCO [junior official] to Cabinet Office [junior official], 28 October 2004, ‘Iraq: Civilian Casualties’.

<sup>96</sup> Roberts L, Lafta R, Garfield R, Khudhairi J and Burnham G. Mortality before and after the 2003 invasion of Iraq: cluster sample survey. *The Lancet* **364**: 1857-1864 (2004).

**144.** The study stated that there had been 53 deaths in the Fallujah cluster when only 1.4 had been expected. That indicated that there had been about 200,000 excess deaths in Fallujah. However, the uncertainty in that estimate was “substantial”.

**145.** On the same day, following a discussion with the MOD’s Director of News, Professor Sir Roy Anderson, the MOD’s Chief Scientific Adviser (CSA), “quickly reviewed” the study.<sup>97</sup> His Private Secretary sent his conclusions to Mr Hoon’s Private Office and senior MOD officials:

“CSA has concluded that the design of the study is robust ... He therefore believes that the paper is a sensible one ... and that the results are probably as robust as one could have achieved in the very difficult circumstances. He therefore recommends that we should proceed with caution in publicly criticising the paper.

“He would, however, add three caveats. First, extrapolation from a very small sample size to the whole of Iraq is a weakness ... Second, there are weaknesses in the way that deaths have been recorded ... in many cases the only evidence of a death having occurred, and of the cause of death, was the verbal information provided from (not necessarily disinterested) family members. And finally ... there were excess of deaths amongst males, possibly indicating that some of those who died were combatants rather than civilians.”

**146.** The Iraq Policy Unit (IPU) sent a copy of the minute to Mr Straw’s Private Office on 4 November.<sup>98</sup>

**147.** The Iraqi Minister of Health issued a statement on 29 October, offering his Ministry’s own figures of civilian casualties:

“Every hospital reports daily the number of civilians (which may include insurgents) who have been killed or injured in terrorist incidents or as a result of military action. All casualties are likely to be taken to hospital in these circumstances except for some insurgents (who may fear arrest) and those with minor injuries. The figures show that between 5 April 2004 and 5 October 2004, 3,853 civilians were killed and 15,517 were injured. I am satisfied that this information is the most reliable available.”<sup>99</sup>

**148.** The *Lancet* study, and the interest shown in it by the media and MPs, prompted a discussion between Mr Hoon and Mr Straw over whether the MOD or the FCO should have responsibility for the issue of civilian casualties.<sup>100</sup> That discussion would continue, between senior officials, until December.

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<sup>97</sup> Minute PS/CSA to MOD Director News, 29 October 2004, ‘Iraqi Civilian Deaths: Lancet Article’.

<sup>98</sup> Minute IPU [junior official] to PS/Straw, 4 November 2004, ‘Civilian Casualties in Iraq: Letter to Geoff Hoon’.

<sup>99</sup> House of Commons, *Official Report*, 17 November 2004, column 94WS.

<sup>100</sup> Letter Hoon to Straw, 2 November 2004, [untitled].

**149.** On 3 November, Mr Blair told the House of Commons that “we do not accept the figures released by *The Lancet* ... at all”.<sup>101</sup> Mr Blair went on to cite the figures released by the Iraqi Minister of Health.

**150.** The following day, Mr Straw said on *Today* that “our people are still looking into it [the *Lancet* study], the epidemiologists and statisticians”.<sup>102</sup> Mr Straw also said that he would make the Government’s assessment available to Parliament.

**151.** An IPU official provided advice to Mr Straw’s Private Secretary on 4 November on how Mr Straw might respond to Mr Hoon’s letter of 2 November, which had proposed that the FCO should have responsibility for the issue of civilian casualties.<sup>103</sup>

**152.** In that context, the official reported on the options for producing the assessment of the *Lancet* study that Mr Straw had promised to provide to Parliament:

“One option ... is that we rely on assessments from the Iraqi Ministry of Health; another is that we draw on the help of MOD experts. We already have the views of the MOD Chief Scientific Adviser ... It is not a promising start. We are awaiting a report from the Iraqi Ministry of Health setting out their assessment of civilian casualties; we believe this will be a better line of response.”

**153.** Mr Quarrey passed a transcript of a *Newsnight* discussion on the *Lancet* study to Mr Blair on 5 November.<sup>104</sup>

**154.** Mr Blair commented: “We must get robust lines on numbers killed since the war and on number of airstrikes.”<sup>105</sup>

**155.** Mr Quarrey wrote to Mr Straw’s Private Secretary on 8 November to confirm that the FCO should lead on the issue of civilian casualties.<sup>106</sup> Mr Quarrey reported that Mr Blair remained concerned that the UK was not getting across its message about “the extent of insurgent/foreign terrorist responsibility for civilian deaths”, and that Mr Blair wanted the FCO to develop a “quicker and more forceful response to claims about civilian deaths that we regard as unfounded (e.g. the *Lancet* claims)”.

**156.** Mr Dominic Asquith, FCO Director Iraq, advised Mr Straw later that day that he should challenge that allocation of responsibility.<sup>107</sup>

**157.** Mr Asquith said that MNF-I produced a daily update on operations which included details of civilian casualties (killed and wounded). The MOD itself produced the figures

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<sup>101</sup> House of Commons, *Official Report*, 3 November 2004, column 301.

<sup>102</sup> *The Today Programme*, 4 November 2004.

<sup>103</sup> Minute IPU [junior official] to FCO [junior official], 4 November 2004, ‘Civilian Casualties in Iraq: Letter to Geoff Hoon’.

<sup>104</sup> Minute Quarrey to Prime Minister, 5 November 2004, ‘Iraq: Update’.

<sup>105</sup> Manuscript note Blair on Minute Quarrey to Prime Minister, 5 November 2004, ‘Iraq: Update’.

<sup>106</sup> Letter Quarrey to PS/Straw, 8 November 2004, ‘Iraq: Civilian Casualties’.

<sup>107</sup> [Minute Asquith to PS/Straw, 8 November 2004, ‘Iraq: Civilian Casualties’.](#)

for MND(SE). PJHQ collated the daily MNF-I reports for the weekly Chiefs of Staff meeting.

**158.** The Cabinet Office was currently overseeing a trial to determine civilian casualties in MND(SE). The MOD was, however, arguing that it could not provide either the MNF-I or its own MND(SE) casualty figures to the exercise, as the US military did not allow publication of country-wide information on civilian casualties on security grounds. The MNF-I figures would in any case be unlikely to be comprehensive and did not show who was responsible for civilian casualties.

**159.** The UK's current line was to rely on Iraqi MOH figures, though that might not be sustainable in the face of increasing Parliamentary, NGO and media demands that the UK release its own statistics. The current military operation in Fallujah was increasing pressure on MNF-I to prove that it was making every effort to minimise civilian casualties, and:

“There will be seen to be a certain plausibility in the argument that we can only do so if we can provide credible (i.e. our own) figures for casualties.”

**160.** Mr Asquith concluded that any estimate of casualties, other than from MOH and NGO sources, would have to come from MNF-I, which was deployed throughout Iraq. But the MOD had ruled out the use of the MNF-I figures. If the MOD felt there were good reasons for holding back its own figures for MND(SE), it (rather than the FCO) should explain those reasons to Parliament and to the public.

**161.** Mr Asquith continued that if the FCO did accept the lead on handling civilian casualty issues, it should be on three conditions:

- “(a) MOD to explore with DoD [the US Department of Defense] reverting to the practice at the time of the first Gulf War when civilian casualties were released into the public domain.
- (b) If DoD refuses, MOD to explain publicly (to Parliament) why it is not possible to produce estimates from MNF-I sources.
- (c) FCO to lead on the handling of civilian casualties ... But Ministers should be clear that, in the absence of releasable data from military sources, we will be heavily dependent on figures from the Iraqi MOH which will not be comprehensive ...”

**162.** Mr Asquith advised Mr Straw in a separate minute on the same day:

“Legal Advisers say there are no obligations to report civilian casualties in the Fourth Geneva Convention ... or under any other provision of international humanitarian law.

“While it is essential in advance of any particular attack to assess the likely civilian casualties, there is no obligation after the event to make any assessment of either

the civilian casualties resulting from the attacks or of the overall civilian casualties of a conflict.”<sup>108</sup>

**163.** Also on 8 November, Mr Straw chaired a meeting with FCO officials including Mr Creon Butler, the FCO’s Chief Economist, to discuss the scope of a Written Ministerial Statement that he would make on 17 November, responding to the *Lancet* study.<sup>109</sup>

**164.** After the meeting, Mr Butler sent Mr Straw’s Private Secretary his “initial thoughts” on the *Lancet* study.<sup>110</sup> Mr Butler stated that “the statistical methodology appears sound” and concluded:

“In commenting on the study we should certainly continue to emphasise the considerable uncertainty around the central estimate [of 98,000 excess deaths] (reflecting the small sample size), as well as the lack of corroborating evidence – particularly evidence of injured in the numbers one might expect. We could also highlight some of the factors which might bias the study towards an over-estimate of deaths. However, there are as many reasons why the study might be biased in the other direction (so probably safer not to go down this road).”

**165.** Mr Butler stated that the “lack of corroborating evidence” related in particular to the apparent mismatch between the central estimate of 98,000 excess deaths and the much lower estimates based on press reporting and the lack of anecdotal evidence for large numbers of injured Iraqi citizens attending Iraqi hospitals. The latter mismatch was “much harder to explain”.

**166.** Mr Butler considered how the estimates presented in the *Lancet* study might be validated and refined using data from other sources. He concluded:

“In the absence of a detailed census (impossible in the current security environment), the best way of narrowing down the uncertainty ... is likely to be to conduct a similar survey with a significantly larger sample.”

**167.** On 9 November, the MOD sent the Cabinet Office a summary of incident reports for MND(SE) for the seven days up to 7 November, as part of the trial monitoring period.<sup>111</sup> There had been no incidents involving civilian fatalities; two civilians had been injured in an (unspecified) accident.

**168.** On 11 November, Mr Blair, Mr Straw and Mr Hoon discussed which department should be responsible for work on casualty figures.<sup>112</sup> After the meeting, Mr Straw’s Private Secretary asked Sir Michael Jay, the FCO Permanent Under Secretary, to liaise

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<sup>108</sup> [Minute Asquith to PS/Straw, 8 November 2004, ‘Iraq: Civilian Casualties’](#).

<sup>109</sup> Email Owen to Asquith, 8 November 2004, ‘Iraq: Casualties’.

<sup>110</sup> [Minute Butler to PS/Foreign Secretary, 8 November 2004, ‘Counting Iraqi Casualties’](#).

<sup>111</sup> Letter MOD [junior official] to Cabinet Office [junior official], 9 November 2004, ‘Civilian Casualties’.

<sup>112</sup> Letter PS/Straw to PS/PUS [FCO], 15 November 2004, ‘Iraq: Casualty Figures’.

with Sir Kevin Tebbit, MOD Permanent Under Secretary, to secure the MOD's agreement to take on that responsibility.

**169.** At Cabinet on 11 November, Mr Straw told colleagues that he would be making a Written Ministerial Statement on the estimate of civilian casualties published by *The Lancet*, and that he proposed to make more use of the Iraqi MOH figures, which were “more reliable”.<sup>113</sup>

**170.** On 12 November, the Iraq Senior Officials Group agreed that there was “potential advantage” in making more use of the Iraqi MOH's figures, but the UK needed to recognise the presentational difficulties of using those figures while “using US figures for internal planning purposes without publicly acknowledging their existence”.<sup>114</sup> It would be useful to compare the MOH figures with those produced for the Chiefs of Staff by PJHQ.

**171.** Mr Straw issued a Written Ministerial Statement on 17 November, responding to the *Lancet* study.<sup>115</sup> Mr Straw stated that during the period of major combat operations, the Coalition had made every effort to minimise civilian casualties. He continued:

“Casualties – civilian and military – which have occurred since major combat operations ended on 1 May 2003 have done so directly as a result of those determined to undermine the political process.”

**172.** Mr Straw rejected the suggestion in the *Lancet* study that there was a legal obligation (deriving from Article 27 of the fourth Geneva Convention) for the MNF-I to assess civilian casualties.

**173.** Mr Straw stated that the UK Government shared the Iraqi Minister of Health's view, expressed in his 29 October statement, that the MOH's information was the most reliable available. The “running estimate” provided by IBC “suggested” that between 14,284 and 16,419 Iraqi civilians had died since March 2003. While that was “an estimate relying on media reports, and which we do not regard as reliable”, IBC's figures did show that the Iraqi MOH's figures were not the only ones to differ widely from those presented in the *Lancet* study.

**174.** Mr Straw stated that the methodology used in the *Lancet* study had passed *The Lancet's* peer review process and was similar to that used in other cases, but questioned the data that the survey had produced and hence the findings of the study.

**175.** Dr John Reid, the Health Secretary, sent an assessment of the *Lancet* study to Mr Straw on 29 November.<sup>116</sup> The assessment, which Dr Reid said he had personally

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<sup>113</sup> Cabinet Conclusions, 11 November 2004.

<sup>114</sup> Record, 12 November 2004, Iraq Senior Officials Group.

<sup>115</sup> House of Commons, *Official Report*, 17 November 2004, column WS61.

<sup>116</sup> [Letter Reid to Straw, 29 November 2004, \[untitled\], attaching Paper, \[undated\], 'Mortality Before and After the 2003 Invasion of Iraq: Cluster Sample Survey'](#).

commissioned, had been produced by Dr Bill Kirkup, one of the Department of Health's Regional Directors of Public Health and its lead on health in Iraq.

**176.** Dr Kirkup's assessment was more detailed and more critical of the *Lancet* study than the assessments undertaken earlier by Professor Anderson and Mr Butler. He stated:

"Less than a thousand [households] ... is a small number on which to base death rates ... The confidence intervals are correspondingly very wide ... A confidence interval this large makes the meaning of the estimate very difficult to interpret ...

"Cluster sampling may not be appropriate when there is a large element of discontinuity in the population experience. Clearly, some parts of Iraq have seen much more violence than others ..."

**177.** Dr Kirkup stated that, according to his calculations, the study's conclusion that "violence accounted for most of the excess deaths" was only true if the "bizarre" Fallujah cluster was included (the study stated that that cluster was not included in its central estimate of 98,000 excess deaths). Dr Kirkup calculated that if the Fallujah cluster was not included, just over 23,000 of the 98,000 estimated excess deaths were due to violence.

**178.** Dr Kirkup stated that it was not possible, from the data provided in the study, to confirm the study's conclusion that "air strikes from coalition forces accounted for most violent deaths".

**179.** Dr Kirkup explained his characterisation of the Fallujah projection as "bizarre". The study estimated that there had been 200,000 excess deaths in Fallujah (using the same techniques as for other areas). That would represent a loss of nearly 28 percent of the population of Fallujah in just 14 months. Dr Kirkup commented: "Something has plainly gone so badly wrong with the estimates in Fallujah that it must cast doubt on the validity of the rest of the findings."

**180.** Dr Kirkup concluded:

"... the paper suffers from wide confidence intervals, dubious methodology, the likelihood of significant respondent bias and results that are disastrously skewed by the Fallujah outlier. The authors have been tempted into extrapolations based on shaky data that lack face validity, and in two cases are not even borne out by their own results."

### Indirect effects of conflict on public health

The health charity Medact considered the direct and indirect effects of the conflict in Iraq in its November 2003 report *Continuing collateral damage: the health and environmental costs of war on Iraq 2003*.<sup>117</sup> That report outlined the indirect effects on health arising from:

- damage to the environment, including through the use of depleted uranium ammunition;
- damage to Iraq's water and sanitation and power infrastructure;
- the continuing risk of malnutrition and food insecurity;
- damage to housing; and
- damage to health services.

The report stated that 7 percent of hospitals had been damaged during the major combat phase of operations, and 12 percent had been looted. UNICEF had reported that the conflict had led to the breakdown of the cold chain system for storing vaccines, which meant that some 210,000 newborns had had no immunisations and were at risk from preventable diseases such as measles.

The report also outlined the physiological and social impacts of the war, and suggested that Iraq would experience a rise in behavioural and emotional disorders.

Although the report did not attempt to quantify those indirect effects, many of which would only become apparent over the long term, it concluded that they could prove to be more significant than the direct effects.

The report made a number of recommendations, including:

- “Establish health information systems to monitor disease incidence and examine disease patterns in order to plan effective public health interventions.
- Carry out an assessment of the country's chemical risks and levels of contamination in addition to surveillance of health effects of environmental risk factors including depleted uranium.
- Fund and rapidly implement the clear-up of all unexploded ordnance.
- Study long-term effects of the war on mental health and trends in domestic and criminal violence, and develop effective health care and social policy interventions.
- Fund independent academic institutions or UN agencies to continue monitoring the health effects of war.”

**181.** Discussions continued between senior officials in the FCO and MOD over who should have responsibility for answering questions on civilian casualties.

**182.** The “Count the Casualties” campaign was launched by Medact and IBC on 8 December, through an open letter to Mr Blair.<sup>118</sup> The letter stated that without counting

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<sup>117</sup> Medact, November 2003, *Continuing collateral damage: the health and environmental costs of war on Iraq 2003*.

<sup>118</sup> Letter Medact to Blair, 8 December 2004, [untitled].

the dead and injured, it was not possible to know whether the UK was meeting its obligations under international humanitarian law to protect the civilian population in Iraq. It urged the Government to commission a comprehensive, independent inquiry to determine how many Iraqi citizens had died or been injured since March 2003, and the cause of those casualties.

**183.** The campaign also argued that information on casualties was needed to plan healthcare in Iraq.<sup>119</sup>

**184.** At Prime Minister's Questions on the same day, Mr Blair said that he did not agree that the UK needed to hold a full, independent inquiry into civilian casualties to comply with its international legal obligations, and stated that the figures from the Iraqi MOH were the most accurate available.<sup>120</sup> He continued:

“... those who are killing innocent people in Iraq today ... are the terrorists and insurgents ... Any action that the multinational force or the Iraqi Army is taking in Iraq is intended to defeat those people ...”

**185.** The IPU provided the Cabinet Office with a contribution to the Cabinet Office trial on 13 December.<sup>121</sup> The IPU analysis captured casualty figures for the five weeks from 1 November, sourced from the Iraqi MOH, the BBC, IBC, the Iraq Coalition Casualty Count project and Sky News. The casualty figures were broken down into two categories: killed by insurgents; and killed by coalition forces.

**186.** The total casualty figures produced by the Iraqi MOH were the highest among the five sources in four of the five weeks.

**187.** The figures produced by the Iraqi MOH showed that casualties caused by the coalition were higher than casualties caused by insurgents in four of the five weeks. Figures from all other sources showed that casualties caused by insurgents were higher than casualties caused by the coalition in all five weeks.

**188.** The IPU commented that, apart from the Iraqi MOH, the sources were “of no real value”. The comparison of the figures did suggest, however, that the Iraqi MOH figures were incomplete. This could be due to delayed reporting of deaths at hospitals or bodies not being taken to hospitals. The Iraqi MOH had reported that its figures did not include the Kurdish provinces.

**189.** The IPU also commented that the analysis would not answer the demands from MPs and others that the UK should produce its own estimate of Iraqi civilian casualties. The only way a proper comparative analysis of the Iraqi MOH figures could be made was to set them alongside figures produced by the US and UK military.

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<sup>119</sup> Count the Casualties, 8 December 2004, *46 prominent figures call on Prime Minister to commission independent inquiry into Iraqi casualties*.

<sup>120</sup> House of Commons, *Official Report*, 8 December 2004, column 1164.

<sup>121</sup> Letter IPU [junior official] to Cabinet Office [junior official], 13 December 2004, ‘Iraq: Civilian Casualties’.

**190.** The Inquiry has seen no indications that the Cabinet Office trial was taken further.

**191.** A detailed brief on civilian casualties produced for Mr Blair on 18 December in advance of his visit to Iraq made no mention of the trial or its conclusions.<sup>122</sup>

**192.** An IPU official informed Mr Straw's Private Office on 15 December that the MOD was now ready to "step forward and explain why it is impossible for us to use our military assets in Iraq to get an estimate [of civilian casualties]".<sup>123</sup> The official commented that this was welcome. It would force the MOD to take some responsibility for managing one of the "bear-traps" in the UK's existing policy:

"... although we say there are no reliable estimates of civilian casualties in Iraq, there are estimates of a kind that are made by MND(SE) and others made by the Pentagon. They're unreliable but are used for military planning purposes as evidence of trends ..."

**193.** Mr Ingram made that statement on 27 January 2005, in response to a question from Mr Peter Kilfoyle.<sup>124</sup> Mr Ingram stated that an analysis of incident reports between 1 May 2003 and 26 November 2004 indicated that 200 Iraqi citizens believed to have been enemy combatants had died, and 80 had been injured, in incidents where military force had been deliberately applied by UK forces. Five Iraqi citizens believed not to have been enemy combatants had died, and a further 13 had been injured, in incidents during the course of which military force had been deliberately applied by UK forces. These figures did not necessarily indicate that UK forces caused the casualties, only that they recorded them during the course of incidents in which deliberate military force was applied.

**194.** Mr Ingram also stated that 17 Iraqi citizens believed to have been enemy combatants had died, and 22 had been injured, during the course of other incidents, and 144 Iraqi citizens believed not to have been enemy combatants had died, and 192 had been injured, during the course of other incidents. This included the full range of incidents in which UK forces had been involved but where no deliberate military force had been applied, for example Improvised Explosive Device attacks by insurgent forces on civilian targets, road traffic accidents and in one case the discovery in May 2003 of a mass grave, thought to date back to 1991, containing 32 bodies.

**195.** Mr Ingram stated that those figures should not be taken as an accurate estimate of Iraqi casualties; they captured only those casualties which were witnessed or discovered by UK forces. The figures did not include the major combat operations phase of Op TELIC, prior to 1 May 2003, for which incident reports were not routinely submitted when casualties were "discovered".

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<sup>122</sup> Minute Quarrey to Prime Minister, 18 December 2004, 'Your Visit to Iraq' attaching Briefing, [undated], 'Civilian Casualties'.

<sup>123</sup> Email IPU [junior official] to PS/Straw, 15 December 2004, 'Civilian Casualties: MOD Line'.

<sup>124</sup> House of Commons, *Official Report*, 27 January 2005, column 541W.

**196.** Ms Short (who had resigned as International Development Secretary in May 2003) wrote to Mr Straw on 13 January 2005 to express her support for the Count the Casualties campaign.<sup>125</sup>

**197.** Mr Straw replied on 3 March:

“We have never made our own assessment of Iraqi casualties ... This is because, after careful consideration of the different means of calculating casualties, we decided that the current circumstances would prevent a valid assessment by the UK ...”<sup>126</sup>

**198.** Mr Straw advised that the MOD had now published overall casualty figures drawn from military incident reports. The UK military aimed to minimise civilian casualties by using careful targeting procedures. Target clearance procedures considered targets on an individual basis; the MOD did not believe that an estimate of casualties in Iraq as a whole would help them to evaluate those targeting procedures.

**199.** Mr Asquith discussed civilian casualties with Dr Kirkup on 21 March.<sup>127</sup> Dr Kirkup “rebutted” the suggestion that an accurate assessment of casualties would be “an essential element of assessing and improving the current health situation in Iraq”. He confirmed that the Iraqi MOH’s figures provided “the most reliable assessment [of casualties] currently available”.

**200.** Dr Kirkup identified four sources of information on casualties:

- the Iraqi MOH’s systems for recording deaths, which had been reasonably sound before the conflict but had “taken a serious hit” and were only now recovering;
- civil registration (death certificates): there was no reliable civil registration system;
- surveys: the security situation was not conducive to effective research, in particular by limiting the scope to obtain the necessary range of data and by introducing interviewee bias; and
- figures from the military: “[those] would help to provide a more complete picture of the causes of death and whether deaths had actually occurred. When dealing with incomplete data it is important to have as many sources as possible.”

**201.** Mr Asquith and Dr Kirkup also considered possible areas of assistance to the Iraqi health service, including data collection and analysis.

**202.** The record of the meeting concluded: “Our position on assessing Iraqi casualty figures reinforced.”

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<sup>125</sup> Letter Short to Straw, 13 January 2005, ‘Count the Call’.

<sup>126</sup> Letter Straw to Short, 3 March 2005, [untitled].

<sup>127</sup> Minute FCO [junior official] to Asquith, 22 March 2005, ‘Iraq Casualties: Director Iraq’s Meeting with Dr Bill Kirkup, 21 March 2005’.

**203.** IBC published *A Dossier of Civilian Casualties 2003 – 2005* in July 2005.<sup>128</sup>

The dossier stated that 24,865 civilians had been reported killed in the two years from 20 March 2003 to 19 March 2005, almost all of them as a direct result of violence.

**204.** Of the 13,811 fatalities for which IBC had age and gender information, 11,281 (81.7 percent) had been male (including the elderly) and 1,198 (8.7 percent) had been female (including the elderly). A total of 1,281 (9.3 percent) had been children and 51 (0.4 percent) babies.

**205.** The dossier also provided a breakdown of who had killed those civilians. That breakdown is reproduced in the table below.

Table 1: Civilian fatalities by category

	<b>Killers by category</b>	<b>Number killed</b>	<b>Percentage of total</b>
1	US-led forces alone	9,270	37.3
2	Anti-occupation forces alone	2,353	9.5
3	Both US-led and anti-occupation forces involved	623	2.5
4	Iraqi MOH-defined “military actions”	635	2.5
5	Iraqi MOH-defined “terrorist attacks”	318	1.3
6	Predominantly criminal killings	8,935	35.9
7	Unknown agents	2,731	11.0
	<b>Total deaths</b>	<b>24,865</b>	<b>100.0</b>

**206.** The “unknown agents” category included attacks which apparently targeted only civilians and lacked any identifiable military objective – for instance suicide bombs in markets and mosques, or attacks apparently motivated by personal or inter-group vendettas. The category also included 334 individual killings where media reports provided no clear information about the killer. This category was likely to overlap with others.

**207.** The dossier reported that 98.5 percent of deaths caused by US-led forces were attributable to the US and 1.5 percent of deaths were attributable to other coalition forces including the UK.

**208.** The dossier also stated that in incidents for which both death and injury information was available, it had recorded 42,500 injuries (of all kinds) against 13,424 deaths, a ratio of over 3 to 1.

<sup>128</sup> Iraq Body Count, July 2005, *A Dossier of Civilian Casualties 2003 – 2005*.

**209.** IBC stated in the introduction to the dossier that:

“Assurances that military forces ‘make every effort to avoid civilian casualties’ are no substitute for real data-gathering and analysis, and can have no basis without it. On the eve of the invasion Tony Blair stated that ‘[Saddam Hussein] will be responsible for many, many more deaths even in one year than we will be in any conflict’. Only data such as presented here will allow a realistic evaluation of such predictions.”

**210.** The US Government was required under the Emergency Supplemental Appropriations Act 2005 to provide quarterly reports to Congress on political, economic and security progress in Iraq.<sup>129</sup>

**211.** The second quarterly report, in October 2005, included a graph showing the average daily number of coalition and Iraqi casualties caused by insurgents since 1 January 2004.<sup>130</sup> The report did not provide the data used to produce that graph.

**212.** On the basis of that graph, *The New York Times* estimated that over 25,000 Iraqi civilians and members of the Iraqi Security Forces had been killed and wounded by insurgents since 1 January 2004.<sup>131</sup> *The New York Times* stated that that was fewer than reported by the Iraqi MOH and IBC.

**213.** A Pentagon spokesperson stated that the figures were compiled from reports filed by coalition military units after they responded to attacks. Those reports did not provide a comprehensive account of Iraqi casualties, but did provide information on trends in casualties resulting from insurgent attacks.

**214.** *The New York Times* reported that the graph had been included in the quarterly report as a result of specific questions posed by Congressional staff, and commented that its disclosure was significant as it showed that the US military was tracking Iraqi casualties, having “previously avoided virtually all public discussion of the issue”.

**215.** In subsequent quarterly reports to Congress, the Pentagon updated that graph and added a breakdown of casualties by province.<sup>132</sup>

**216.** In June 2006, the UK Government signed the Geneva Declaration on Armed Violence and Development.<sup>133</sup> Signatories resolved to take action to reduce armed violence and its negative impact on socio-economic and human development, including by supporting initiatives “to measure the human, social and economic costs of armed violence, to assess risks and vulnerabilities, to evaluate the effectiveness of armed violence reduction programmes, and to disseminate knowledge of best practices”.

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<sup>129</sup> Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005.

<sup>130</sup> Report to Congress, October 2005, ‘Measuring Stability and Security in Iraq’.

<sup>131</sup> *The New York Times*, 30 October 2005, *US quietly issues estimate of Iraqi civilian casualties*.

<sup>132</sup> Report to Congress, May 2006, ‘Measuring Stability and Security in Iraq’.

<sup>133</sup> Geneva Declaration on Armed Violence and Development, 7 June 2006.

**217.** The UK became one of 15 members of the “Core Group” charged with steering the Geneva Declaration process and guiding its implementation.<sup>134</sup>

**218.** *The Lancet* published the second Johns Hopkins Bloomberg School of Public Health cluster sample survey of excess mortality in Iraq (direct and indirect, violent and non-violent deaths) on 12 October 2006.<sup>135</sup> The first Johns Hopkins study had been published by *The Lancet* in October 2004.

**219.** The second study used the same (cluster sample survey) methodology as the first study, but was based on a larger sample (1,849 households as against 988 in the first study).

**220.** The study estimated that between March 2003 and June 2006, there had been 654,965 excess Iraqi deaths and 601,027 excess violent Iraqi deaths as a consequence of the war. The study attributed 31 percent of violent excess deaths to the coalition, 24 percent to “other” and 45 percent to “unknown”. The study also concluded that levels of violence were increasing.

### Criticisms of the *Lancet* studies

The 2004 and 2006 Johns Hopkins Bloomberg School of Public Health studies published by *The Lancet* have been subject to several criticisms. The most significant are:

- That the baseline pre-invasion mortality rate used by the studies was lower than the actual pre-invasion mortality rate, leading to an over-estimation of excess mortality in the post-invasion period. The second study used a pre-invasion mortality rate of 5.5 deaths per thousand people.<sup>136</sup> The 2008 Iraq Family Health Survey (IFHS) used a figure of nine deaths per thousand.<sup>137</sup>
- That the sample sizes were too small. The 2004 *Lancet* study (central estimate 98,000 excess deaths) surveyed 988 households and the 2006 *Lancet* study (central estimate 655,000 excess deaths) surveyed 1,849 households. The 2008 IFHS (central estimate 151,000 excess violent deaths) surveyed 9,345 households. The IFHS team highlighted the implications of that difference in scale: “The estimated number of deaths in the IFHS is about three times as high as that reported by the Iraq Body Count. Both sources indicate that the 2006 study by Burnham et al [the second *Lancet* study] considerably overestimated the number of violent deaths. For instance, to reach the 925 violent deaths per day reported by Burnham et al for June 2005 through June 2006, as many as 87 percent of violent deaths would have been missed in the IFHS and more than 90 percent in the Iraq Body Count. This level of underreporting is highly improbable, given the internal and external consistency of the data and the much larger same size and quality-control measures taken in the implementation of the IFHS.”

<sup>134</sup> Geneva Declaration on Armed Violence and Development website, *How does it work*.

<sup>135</sup> Burnham G, Lafta R, Doocy S and Roberts L. Mortality after the 2003 invasion of Iraq: a cross-sectional cluster sample survey. *The Lancet* **368**: 1421-1428 (2006).

<sup>136</sup> Roberts L, Lafta R, Garfield R, Khudhairi J and Burnham G. Mortality before and after the 2003 invasion of Iraq: cluster sample survey. *The Lancet* **364**: 1857-1864 (2004).

<sup>137</sup> Iraq Family Health Survey Study Group. Violence-Related Mortality in Iraq from 2002 to 2006. *The New England Journal of Medicine* **358**: 484-493 (2008).

**221.** An Iraqi Government spokesperson commented on 12 October that “these figures [in the study] are unrealistic and give a very exaggerated picture”.<sup>138</sup>

**222.** A DFID Statistics Adviser provided advice on the study to IPU on 12 October, at their request.<sup>139</sup> He concluded that “in essence, the method is tried and tested”.

**223.** Professor Anderson provided his views on the study the following day.<sup>140</sup> He stated that he had received comments on the study from an independent expert on statistical epidemiology and demography. Professor Anderson advised:

“... the study design is robust and employs methods that are regarded as close to ‘best practice’ in this area, given the difficulties of data collection and verification in the present circumstances in Iraq ... The methods are an improvement on those used in the 2004 *Lancet* article by the same author ...”

**224.** Professor Anderson advised that deaths were much more prevalent among adolescent to middle-aged men and suggested that bias might remain with respect to the level of non-combatant mortality.

**225.** Professor Anderson concluded that, given the reasonably robust study design and appropriate analysis methods, the UK Government should be cautious in publicly criticising the *Lancet* study.

**226.** An IPU official produced a brief on the study for Mr Blair later on 13 October.<sup>141</sup> The brief summarised the advice from the DFID Statistics Adviser and Professor Anderson, and identified several “key points”:

- “• ... People are dying at the hands of those who choose violence to pursue their aims ...
- There are conflicting estimates [of the number of civilian casualties] from a number of sources, and no comprehensive or accurate figures;
- The numbers that the *Lancet* has extrapolated are a substantial leap from other figures. There is no reason to assume the *Lancet* figure is any more accurate than any other is.”

**227.** The same IPU official wrote to colleagues on 16 October:

“... we do not (not) accept that the figures quoted in the *Lancet* survey are accurate ... The figures are extraordinarily high and significantly larger than the figures quoted by the Iraq Body Count or Iraqi Government – however the survey methodology used here cannot be rubbish, it is a tried and tested way of

<sup>138</sup> Briefing IPU, 13 October 2006, ‘*The Lancet*: Iraq: a Cross-Sectional Cluster Survey Sample’.

<sup>139</sup> Email DFID [junior official] to FCO [junior official], 12 October 2006, ‘Foreign Secretary Comment on the *Lancet* Report’.

<sup>140</sup> [Minute APS/CSA to DJC-Sec10, 13 October 2006, ‘Iraq – Mortality After the 2003 Invasion of Iraq: a Cross-Sectional Cluster Sample Survey – \*Lancet\* October 2006’.](#)

<sup>141</sup> Briefing IPU, 13 October 2006, ‘*The Lancet*: Iraq: a Cross-Sectional Cluster Survey Sample’.

measuring mortality in conflict zones. The overriding message is that there are no accurate or reliable figures of deaths in Iraq.”<sup>142</sup>

**228.** On 18 October, in response to a Parliamentary Question from Sir Menzies Campbell, Mr Blair stated:

“It is correct that innocent civilians are dying in Iraq. But they are not being killed by British soldiers. They are being killed by terrorists and those from outside who are supporting them ...”<sup>143</sup>

**229.** Researchers at Oxford University (Mr Sean Gourley and Professor Neil Johnson) and Royal Holloway, University of London (Professor Spagat) issued a press release on 19 October, claiming that there were “serious flaws” in the methodology used by the *Lancet* study which acted to inflate its casualty estimate.<sup>144</sup>

**230.** In response to a question from Mr Jeremy Corbyn on 6 November, Mr Ingram set out the Government’s position on the *Lancet* study:

“Maintaining records of civilian deaths in Iraq is ultimately a matter for the Government of Iraq and we believe they are best placed to monitor the situation. The *Lancet* report is one of a number of recent studies ... none of which can be regarded as definitive. The figures in the *Lancet* report are significantly higher than other casualty estimates.”<sup>145</sup>

**231.** Professor Anderson revisited the *Lancet* study in March 2007, following Mr Straw’s request for further advice on the study in the light of the public exchanges since its publication.<sup>146</sup> Professor Anderson wrote to Mr Straw on 19 March, stating that while there was “clearly a possibility of [sampling] bias”:

“I reiterate my earlier advice, which acknowledged that bias and moderate confidence bounds remain in the study, and that at this stage I see no value in either criticising the study or engaging in the public debate.”

**232.** Later that month, following the release of papers relating to the *Lancet* study under the Freedom of Information Act, the Government was asked how it could accept the *Lancet* study’s methodology but reject its findings.<sup>147</sup> A Government spokesperson responded:

“The [*Lancet* study] methodology has been used in other conflict situations, notably the Democratic Republic of Congo. However, the *Lancet* figures are much higher

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<sup>142</sup> Email FCO [junior official] to FCO [junior official], 16 October 2006, ‘PMQs Deaths of Iraqis’.

<sup>143</sup> House of Commons, *Official Report*, 18 October 2006, column 869.

<sup>144</sup> Oxford University/Royal Holloway, University of London, 19 October 2006, *Lancet study fundamentally flawed: death toll too high*.

<sup>145</sup> House of Commons, *Official Report*, 6 November 2006, column 810W.

<sup>146</sup> Minute Anderson to Hickey, 19 March 2007, ‘Iraq: Mortality After the 2003 Invasion of Iraq: a Cross-Sectional Cluster Sample Survey – *Lancet* October 2006’.

<sup>147</sup> BBC, 26 March 2007, *Newshour special investigation – Iraq civilian casualties*.

than statistics from other sources, which only goes to show how estimates can vary enormously according to the method of collection. There is considerable debate amongst the scientific community over the accuracy of the figures.”

**233.** General David Petraeus, Commanding General MNF-I, presented Congress with his assessment of the US troop surge on 10 September 2007.<sup>148</sup> He highlighted the “considerable data collection and analysis ... using a methodology that has been in place for well over a year and that has benefitted over the past seven months from the increased presence of our forces living among the Iraqi people” which underpinned his assessment, and offered Congress statistics on the number of violent civilian deaths and “ethno-sectarian” deaths.

**234.** Colonel Steven Boylan, Gen Petraeus’ spokesman, provided details of that methodology to *The Washington Post* later that month.<sup>149</sup> Col Boylan reported that the statistics quoted by Gen Petraeus drew on data which combined “unverified” Iraqi reports and coalition Significant Activities reports (SIGACTS).

**235.** A 2008 RAND report, sponsored by the Office of the US Secretary of Defense, considered the argument for documenting civilian casualties.<sup>150</sup> The report stated:

“Because protecting the population is one of the central tenets of US COIN [counter-insurgency] doctrine, it can be surmised that trends related to Iraqi civilian fatalities should be a chief concern for the U.S. military.”

**236.** RAND reviewed a number of studies of civilian casualties, including the two *Lancet* studies, the 2008 Iraq Family Health Survey (IFHS) Study Group and IBC. RAND went on to present its own dataset, which combined the RAND Terrorism Knowledge Base with the IBC dataset. RAND drew a number of observations and conclusions from the consolidated dataset, including that:

- The US military had devoted considerable effort to defeating Improvised Explosive Device (IEDs), yet IEDs accounted for only 5 percent of civilian fatalities in 2006. Firearms accounted for 58 percent of civilian deaths in 2006. RAND concluded that while measures to defeat IEDs might save coalition lives, they might not be useful for reducing civilian fatalities; the coalition and the Iraqi Government needed to implement measures to counter the types of attacks that were claiming civilian lives.
- The insurgency was specifically targeting the Iraqi Government and the Iraqi economy. Over 30 percent of insurgent attacks were aimed at these two aspects of the Iraqi polity.

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<sup>148</sup> Gen David H. Petraeus, Commander, MNF-I, *Report to Congress on the Situation in Iraq*, Washington, D.C.: U.S. House of Representatives, Committee on Foreign Affairs and the Committee on Armed Services, 10-11 September 2007.

<sup>149</sup> *The Washington Post*, 22 September 2007, *Statement by Colonel Steven A. Boylan, spokesman for General David Petraeus, commander, Multi-National Force-Iraq, to the Fact Checker.*

<sup>150</sup> RAND, 2008. *An Argument for Documenting Casualties: Violence Against Iraqi Civilians 2006.*

- Most violence was directed at “for lack of a better word, the common Iraqi civilian”. For over 50 percent of the individuals killed in 2006 there was “... no identifying data, no apparent or recorded reason, and no discernible affiliation or target. All we know of these people is that they were killed; this fact alone suggests that our capacity to understand, analyze, and effectively respond to the bloodshed is limited by a lack of information.”

**237.** In April 2009, researchers from King’s College London, Royal Holloway, University of London and IBC used IBC’s record of Iraqi non-combatant civilian deaths to analyse the nature and effects of various weapons.

**238.** The researchers concluded that in events with at least one Iraqi non-combatant civilian casualty, the methods that killed the most non-combatant civilians per event were aerial bombing (17 per event), combined use of aerial and ground weapons (17 per event) and suicide bombers on foot (16 per event). Aerial bombs killed on average nine more non-combatant civilians per event (17) than aerial missiles (8). The team commented:

“It seems clear from these findings that to protect civilians from indiscriminate harm, as required by international humanitarian law ... military and civilian policies should prohibit aerial bombing in civilian areas unless it can be demonstrated – by monitoring of civilian casualties for example – that civilians are being protected.”

### The WikiLeaks Iraq War Logs

On 22 October 2010, WikiLeaks released 391,832 US Army Field Reports, covering the period from 1 January 2004 to 31 December 2009 (except for the months of May 2004 and March 2009).<sup>151</sup> WikiLeaks stated that the Field Reports detailed 109,032 deaths in Iraq over that period, comprising:

- 66,081 “civilian” deaths;
- 23,984 “enemy” deaths (“those labelled as insurgents”);
- 15,196 “host nation” deaths (Iraqi Government forces); and
- 3,771 “friendly” deaths (coalition forces).

IBC reported that, based on an “early analysis”, the Field Reports contained 15,000 previously unreported civilian deaths.<sup>152</sup> Once a full analysis was complete, casualty data would be integrated into IBC’s record.

IBC stated that the majority of the previously unreported deaths came from small incidents comprising one to three deaths. That was not unexpected, as larger incidents attracted more media coverage than smaller incidents.

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<sup>151</sup> WikiLeaks, 22 October 2010, *Iraq War Logs*.

<sup>152</sup> Iraq Body Count, 22 October 2010, *15,000 previously unknown civilian deaths contained in the Iraq war Logs released by WikiLeaks*.

## Witness comment

**239.** The Inquiry asked Mr Ingram, Minister for the Armed Forces from June 2001 to June 2007, why the UK Government had been unable to produce an estimate of civilian casualties when other organisations including NGOs and academic organisations had done so, in particular given the public interest on the issue.<sup>153</sup>

**240.** Mr Ingram told the Inquiry:

“The idea that somehow or other an NGO is the fount of all wisdom and knowledge and accuracy I don’t think stands up.

“So if we were going to take the figures from external sources, then we would have had to put effort and verification into that. Should we have done so? Perhaps, yes, and I’m not so sure it wasn’t being done ...”

**241.** Mr Ingram added that establishing the number of civilian casualties would not have changed the reality on the ground:

“... the concept of ground truth is absolutely vital in this and, by establishing that fact, wouldn’t have altered where we were. Because we couldn’t, in one sense, easily have stopped the civilian casualties because it wasn’t being carried out by us on the civilians, it was being carried out by the tribal wars, the family feuds, by the Sunni/Shia factionalism that was taking place, by the Shia on Shia factionalism that was taking place, but we ... were being vilified, attacked and criticised that we had precipitated all of this.

“I have to say I believe that to be a false logic, because that may have happened at any time under Saddam Hussein and, therefore, the establishment of the facts perhaps should have been carried out by – elsewhere in Government. I don’t really think it was an MOD function in that sense.”

**242.** The Inquiry asked Mr Ingram whether the Government would not have been better placed than external organisations to develop credible estimates of civilian casualties, and asked which department within government should have been responsible for producing such estimates. Mr Ingram told the Inquiry:

“You [the responsible department] have then to go to the hospitals. You then have to put civilians or a military person at that hospital counting the bodies in and the bodies out. So you need force protection to do that. You put people at risk to do that. Is that what people wanted, soldiers or civilians being killed at hospitals? Because they would have been at risk.

“... the UN may have been the mechanism by which we’d establish true facts, but they were withdrawn.

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<sup>153</sup> Public hearing, 16 July 2010, pages 30-34.

“So there were points at which, yes, it would have been desirable, but how do you achieve that objective? Do you put other lives at risk to do that? I would say no.”

**243.** The Inquiry asked if it was the MOD’s function to develop estimates of civilian casualties, or that of another department. Mr Ingram told the Inquiry:

“Unquestionably. Is it something that DFID could have funded? Is it something the FCO should have taken ownership care of? The UN had become engaged – it was still engaged, but not in terms of presence on the ground – is it a role that they should have played? Yes. Of course the answer to that is yes.

“But what – the very establishment of the facts would not have changed what was happening. It would have confirmed what everyone knew, but it wouldn’t have led to a solution ...”

## Records and estimates of the number of Iraqi fatalities

### Approaches to determining fatalities due to conflict

There are two broad approaches to determining the number of fatalities attributable to a conflict:

- Incident, or passive, reporting. This approach, which aims to capture direct conflict deaths, typically involves the collation of reports from the media, other non-government and government sources. Its accuracy depends in part on the accuracy and completeness of those reports. Access to conflict-affected areas (or to particular communities) may be difficult, and there may be pressure to distort information. Incident reporting frequently undercounts the number of direct conflict deaths.
- Estimates derived from a survey of part of a population. This approach typically aims to estimate the number of excess deaths caused by conflict, by extrapolating from the data produced by a survey. Those excess deaths would include both direct deaths (caused by war-related injuries) and indirect deaths (caused by the worsening of social, economic and health conditions in a conflict-affected area). The accuracy of such estimates can be undermined by a lack of detailed, baseline mortality data (and conflicts often occur in areas without such information, or lead to the disintegration of the systems which provide it), the selection of an unrepresentative sample, the methodology used, and the conduct of the survey.

**244.** The IBC project, founded in 2003 by UK and US volunteers, aims to record the violent civilian deaths resulting from the 2003 military intervention in Iraq.<sup>154</sup> It draws its evidence from cross-checked media reports of violent events or of bodies being found, supplemented by the review and integration of hospital, morgue, NGO and

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<sup>154</sup> Iraq Body Count website.

official figures. Further details of the methodology and inclusion criteria used by IBC are available on its website.

**245.** IBC has publicly stated that while its database cannot provide a complete record of violent civilian deaths, it does provide an “irrefutable baseline of certain and undeniable deaths based on the solidity of our sources and the conservativeness of our methodology”.<sup>155</sup>

**246.** IBC continually updates its figures as new information becomes available. As at April 2016, IBC had recorded between 156,531 and 175,101 violent civilian deaths since January 2003.<sup>156</sup>

**247.** As apparent from the material addressed earlier in this Section, estimates of the number of fatalities caused by conflict in Iraq after 2003 vary substantially.

**248.** In October 2004, *The Lancet* published a study by the Johns Hopkins Bloomberg School of Public Health entitled *Mortality before and after the 2003 invasion of Iraq: cluster sample survey*.<sup>157</sup> The study was based on a survey of 988 households in 33 clusters. It estimated that there had been 98,000 more deaths from all causes in Iraq than expected in the 18 months since the invasion (95 percent confidence interval 8,000–94,000). That estimate did not include data from one cluster in Fallujah.

**249.** In October 2006, *The Lancet* published a second study by the Johns Hopkins Bloomberg School of Public Health.<sup>158</sup> The study used the same (cluster sample survey) methodology as the first study but was based on a larger sample.

**250.** The study estimated that between March 2003 and June 2006, there had been 654,965 excess Iraqi deaths and 601,027 excess violent Iraqi deaths as a consequence of the conflict.

**251.** The IFHS was undertaken in 2006 and 2007 by the Iraqi Government in collaboration with the World Health Organization (WHO); the results were published in *The New England Journal of Medicine* in January 2008.<sup>159</sup> The IFHS collected data from 9,345 households across Iraq on a number of issues, including mortality.

**252.** The IFHS Study Group estimated that, between March 2003 and June 2006 (the period covered by the second *Lancet* study), there were 151,000 violent deaths in Iraq.

**253.** In a September 2008 report, the Geneva Declaration on Armed Violence and Development pooled a number of datasets, including IBC, to provide a consolidated

<sup>155</sup> Iraq Body Count, April 2006, *Speculation is no substitute: a defence of Iraq Body Count*.

<sup>156</sup> Iraq Body Count, 13 April 2016, *Documented civilian deaths from violence*.

<sup>157</sup> Roberts L, Lafta R, Garfield R, Khudhairi J and Burnham G. Mortality before and after the 2003 invasion of Iraq: cluster sample survey. *The Lancet* **364**: 1857-1864 (2004).

<sup>158</sup> Burnham G, Lafta R, Doocy S and Roberts L. Mortality after the 2003 invasion of Iraq: a cross-sectional cluster sample survey. *The Lancet* **368**: 1421-1428 (2006).

<sup>159</sup> Iraq Family Health Survey Study Group. Violence-Related Mortality in Iraq from 2002 to 2006. *The New England Journal of Medicine* **358**: 484-493 (2008).

estimate of violent (direct) deaths in Iraq.<sup>160</sup> It estimated that, between 2003 and 2007, at least 87,000 direct conflict deaths had occurred.

**254.** The report also considered indirect deaths, and commented on the difference between the figures reported by the two *Lancet* studies and the IFHS:

“At first glance, such a wide range seems to imply that the exact number of deaths due to violence remains unknown. But the quality and reliability of these surveys is not equal. The most recent study (2008) [the IFHS] surveyed 9,345 households, and was conducted under the auspices of the World Health Organization. The previous two studies [the *Lancet* studies], both conducted under difficult circumstances and with limited resources, surveyed 990 (2004) and 1,849 (2006) households. The gain in precision with greater numbers of households surveyed in the 2008 study is obvious ...”

**255.** The report estimated that there had been more than 150,000 indirect deaths in Iraq between March 2003 and March 2008 (with a wide possible range between 80,000 and 234,000).

**256.** A further analysis was undertaken in 2013 by a team of American, Canadian and Iraqi researchers, based on a sample of 2,000 households.<sup>161</sup> Unlike earlier studies, this was undertaken when the situation on the ground was relatively calm. The study concluded that there had been 461,000 excess deaths from 2003 to 2011. Most excess deaths were due to direct violence but about a third resulted from indirect causes, such as the failures of health, sanitation, transportation, communication and other systems.

**257.** About a third of the deaths due to direct violence were attributed to coalition forces (some 90,000), and a third to militias. The study reported that at the peak of the conflict men faced a 2.9 percent higher risk of death than they did before the war and women a 0.7 percent higher risk of death.

**258.** The majority (63 percent) of violent deaths were the result of gunshot with 12 percent attributed to car bombs.

## Non-Iraqi civilian fatalities

**259.** The Inquiry is not aware of any comprehensive list of non-Iraqi civilian casualties, or of UK civilian casualties in Iraq. The UK Government did not maintain a record of deaths and injuries to UK civilians in Iraq.

**260.** The Brookings Iraq Index, drawing on a partial list of contractors killed in Iraq maintained by the Iraq Coalition Casualty Count (ICCC), reported that by October 2009

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<sup>160</sup> Geneva Declaration on Armed Violence and Development, September 2008, *Global Burden of Armed Violence*.

<sup>161</sup> Hagopian A et al. Mortality in Iraq Associated with the 2003–2011 War and Occupation: Findings from a National Cluster Sample Survey by the University Collaborative Iraq Mortality Study. *PLOS Medicine* **10(10)** (2013).

(the end of the period covered by this Inquiry) 523 non-Iraqi civilians had been killed in Iraq.<sup>162</sup> The Index did not offer any breakdown of that total.

**261.** The ICCC reported 464 contractors killed in Iraq by October 2009, of whom it identified 45 as British.<sup>163</sup> Of those, the ICCC identified 37 as security contractors or security guards.

**262.** The US Special Inspector General for Iraq Reconstruction (SIGIR) reported in July 2012 that 321 US civilians had died during Operation Iraqi Freedom from 1 May 2003 (the end of major combat operations) to 31 August 2010.<sup>164</sup>

**263.** The Committee to Protect Journalists recorded that 191 Iraqi and international journalists and other media workers were killed in Iraq between 19 March 2003 and October 2009 (the end of the period covered by this Inquiry).<sup>165</sup>

## Conclusions

**264.** In a series of Assessments in the second half of 2002, the Joint Intelligence Committee identified the possibility of significant civilian casualties in the event of a Coalition attack on Iraq, in particular as a result of Iraqi use of chemical and biological weapons, the implementation of a scorched earth policy, and disorder after the end of major combat operations.

**265.** The MOD made only a broad estimate of direct civilian casualties arising from an attack on Iraq, based on previous operations.

**266.** In the months before the invasion, Mr Blair emphasised the need to minimise the number of civilian casualties arising from an invasion of Iraq. He repeatedly asked the MOD for details on the accuracy of the weapons that the UK would use, the targeting policy and guidelines, and the estimated number of civilian casualties.

**267.** Sections 6.1 and 6.2 consider the MOD's responses, which offered reassurance based on the tight targeting procedures governing the air campaign. Admiral Sir Michael Boyce, Chief of the Defence Staff, advised Mr Blair on 25 February 2003 that civilian casualties were likely to be in the "low hundreds".<sup>166</sup>

**268.** In his public statements before the invasion, Mr Blair suggested that the number of civilians who would be killed in any conflict should be set in the context of the number of civilians who had been killed by Saddam Hussein's regime or were dying as a result of its policies. On the eve of the invasion, Mr Blair stated that Saddam Hussein "will

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<sup>162</sup> The Brookings Institution, 13 October 2009, *Iraq Index*.

<sup>163</sup> Iraq Coalition Casualty Count website.

<sup>164</sup> Report SIGIR, July 2012, *The human toll of reconstruction and stabilization during Iraqi Freedom*.

<sup>165</sup> Committee to Protect Journalists website.

<sup>166</sup> Letter Cannon to Owen, 25 February 2003, 'Iraq: Prime Minister's Meeting with General Franks'.

be responsible for many, many more deaths even in one year than we will be in any conflict".<sup>167</sup>

**269.** In November 2003, in response to media and NGO reporting on the high levels of civilian casualties, the Government began to consider whether and how it should respond to demands for information on the number of civilians killed in Iraq, including the number killed by UK forces.

**270.** That consideration was driven by the Government's concern to sustain domestic support for operations in Iraq. Mr Straw and Mr Hoon agreed in November 2003 that the Government needed to produce accurate casualty figures to rebut claims that Coalition Forces were killing large numbers of civilians; in October 2004, Mr Blair stated that the Government needed an estimate of civilian casualties which showed the extent of insurgent responsibility.

**271.** With hindsight, greater efforts should have been made in the post-conflict period to determine the number of civilian casualties and the broader effects of military operations on civilians. A trial monitoring exercise initiated by No.10 in November 2004 was not completed. Much more Ministerial and senior official time was devoted to the question of which department should have responsibility for the issue of civilian casualties than to efforts to determine the actual number.

**272.** The Government was aware of several reports and studies (the Iraqi Ministry of Health in October 2004, the *Lancet* studies in October 2004 and October 2006, and the Iraq Body Count dossier in July 2005) which suggested that coalition forces were responsible for more civilian deaths than were the insurgents.

**273.** Those reports did not trigger any work within the Government either to determine the number of civilian casualties or to reassess its military or civilian effort. An FCO official commented that the Iraqi Ministry of Health's figures "will not help make the case that more civilians have been killed by terrorists than by military action".<sup>168</sup>

**274.** The Inquiry has considered the question of whether a Government should, in the future, do more to maintain a fuller understanding of the human cost of any conflict in which it is engaged.

**275.** All military operations carry a risk of civilian casualties. The parties to a conflict have an obligation under International Humanitarian Law to limit its effects on civilians.

**276.** In Iraq, the UK Government recognised that obligation in its Rules of Engagement, Targeting Directive and guidance on Battle Damage Assessment. The Government did not consider that it had a legal obligation to count civilian casualties.

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<sup>167</sup> House of Commons, *Official Report*, 19 March 2003, column 934.

<sup>168</sup> Minute FCO [junior official] to Owen, 13 October 2004, 'Iraq: Civilian Casualty Figures'.

**277.** The Inquiry considers that a Government has a responsibility to make every reasonable effort to identify and understand the likely and actual effects of its military actions on civilians.

**278.** That will include not only direct civilian casualties, but also the indirect costs on civilians arising from worsening social, economic and health conditions. (Section 10.4 considers the scale of the reconstruction challenge in Iraq after the fall of Saddam Hussein's regime and the Government's contribution to meeting that challenge).

**279.** It may not be possible, before committing to a course of action, to produce even broad estimates of the number of civilians that would be directly and indirectly affected by it, or to identify all the effects on civilians.

**280.** The Government should be ready to work with others, in particular NGOs and academic institutions, to develop such assessments and estimates over time.

**281.** The Government should take account of those assessments and estimates in developing its strategy and plans as well as in its military tactics and use of ordnance, in order to minimise, to the extent possible, the effects on civilians. The Inquiry considers that RAND's conclusion in relation to US military operations should apply equally to the UK:

“Because protecting the population is one of the central tenets of US COIN [counter-insurgency] doctrine ... Iraqi civilian fatalities should be a chief concern for the US military.”<sup>169</sup>

**282.** As well as serving to minimise the effect of military action on civilians, such assessments and estimates will also enable the Government to address criticisms of the human cost of military operations.

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<sup>169</sup> RAND, 2008. *An Argument for Documenting Casualties: Violence Against Iraqi Civilians 2006*.

# ANNEX 1

## IRAQ – 1583 TO 1960

This text, on early British involvement in Iraq, was prepared by Professor Sir Martin Gilbert before he was taken seriously ill in 2012. Sir Martin died on 3 February 2015.

The text that follows is a tribute to Sir Martin's valuable contribution to the work of the Inquiry.

### The Ottoman years

**1.** The sources for this survey of British involvement with Iraq from 1583 to 1960 are principally the Admiralty, Cabinet Office, Colonial Office, Foreign Office, India Office, Treasury, War Office, Ministry of Defence and Air Ministry archives at the National Archives. Other sources include the private papers of H.H. Asquith, Winston Churchill and David Lloyd George. Published sources include *Special Report: Progress of Iraq, During the period 1920-1931*. Colonial Office Paper 58 (His Majesty's Stationery Office, 1931); A.J. Barker, *The Neglected War: Mesopotamia, 1914-1918* (Faber and Faber, 1967); Lieutenant-General Sir Aylmer Haldane, *The Insurrection in Mesopotamia, 1920* (William Blackwood, 1922); Philip Willard Ireland, *Iraq: A Study in Political Development* (Jonathan Cape, 1937); and Stephen Hemsley Longrigg, *Iraq, 1900 to 1950* (Oxford University Press, 1953); Robert Lyman, *Iraq 1941: The Battles for Basra, Habbaniya, Fallujah and Baghdad* (Osprey Publishing, 2006); Brigadier-General F.J. Moberly, *The Campaign in Mesopotamia, 1914-1918* (4 volumes, Historical Section, Committee of Imperial Defence, 1925); Daniel Silberfarb, *The Twilight of British Ascendancy in the Middle East: A Case Study of Iraq, 1941-1950* (St Martin's Press, 1994); and Peter Sluglett, *Britain in Iraq: Contriving King and Country* (I.B. Tauris, 2007). Certain sources are given in the footnotes.

**2.** Britain's interest in what is today Iraq goes back more than four hundred years, to 1583 when an English merchant, John Eldred, left London on a five-year journey that took him to Baghdad.<sup>1</sup> The first British military involvement came in 1775, when the Ottoman Turks faced a sustained Persian attack on the Shatt al-Arab waterway. The Turkish Sultan asked Britain to defend the waterway; the British Prime Minister Lord North agreed, and the Royal Navy drove the Persians out of the Sultan's domains.

**3.** Under the Ottomans, what is now northern Iraq and Iraqi Kurdistan was within the province of Mosul. What is now central Iraq was the province of Baghdad, and southern Iraq the province of Basra. All three provinces were to become the British Mandate of Mesopotamia (the Land of Two Rivers – the Tigris and Euphrates), later known as Iraq.

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<sup>1</sup> John Eldred, *Journal of His Voyage* (in Hakluyt's *Principal Navigations*, first published in 1599).

There was a fourth Ottoman province, running along the Arabian shore of the Persian Gulf, with its small port of Kuwait.

4. In 1805 the East India Company appointed its first Resident in Baghdad: Claudius James Rich, who was fluent in Arabic. A visiting Briton later wrote: “Mr Rich was universally considered to be the most powerful man in Baghdad; and some even questioned whether the Pasha himself would not shape his conduct according to Mr Rich’s suggestions and advice rather than as his own council might wish.” Mesopotamian tribesmen frequently appealed to the British Resident for support against the Ottoman authorities.<sup>2</sup>

## Britain, Basra and al-Faw

5. In 1861, with the support of the British Government, a British merchant shipping company established the Euphrates and Tigris Steam Navigation Company. Most of the river steamers on the Tigris were built in British yards. With the opening of the Suez Canal in 1869, Basra, and al-Faw at the mouth of the Gulf, became an important staging post for British naval and mercantile traffic with India. The fort at al-Faw had been built by local Ottoman officials, suspicious of British territorial ambitions in the Shatt al-Arab.<sup>3</sup> By 1890, nine-tenths of the steamer tonnage using Basra for Indian Ocean trade was British.

## Anglo-German rivalry

6. In 1899, to counter a planned German railway terminus and naval base in Basra, the ruler of Kuwait promised Britain that he would cede none of Kuwait’s territory without Britain’s agreement. When in 1902, Turkish forces advanced from Basra into Kuwait, they were driven off by a British gunboat. In 1904 a British Resident arrived in Kuwait to uphold Britain’s authority there.

7. In 1913 the British decided to separate Kuwait from the influence of the Ottoman authorities in Basra, of which Kuwait was then an integral administrative part. Under the Anglo-Ottoman Convention of July 1913, Kuwait became a separate administrative district.

8. As German pressure for influence in Baghdad grew, a British irrigation engineer, Sir William Willcocks, was appointed Consultant for Irrigation to the Ottoman Government. As a result of Willcocks’ vision, the Hindiya Barrage was built on the Euphrates, bringing 3,500,000 acres under year-round irrigation. Opened in November 1913, it is still one of the engineering marvels of Iraq.

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<sup>2</sup>J.S. Buckingham, *Travels in Mesopotamia*, Volume 2, page 200, first published in 1928.

<sup>3</sup>From 1985 to 1988 (during the Iran-Iraq War) the Iraqi port of al-Faw was occupied by Iran.

## Oil

**9.** In 1912, the Royal Navy changed from coal to oil. To secure this oil for Britain, in the spring of 1914 the First Lord of the Admiralty, Winston Churchill, acquired for the British Government a 51 percent share in the Anglo-Persian Oil Company (in 1904 a British prospector had discovered oil in Persia, forty miles from the Mesopotamian border; in 1909 the oilfield was acquired by the Anglo-Persian Oil Company, whose principal shareholders were British). The British Government's 51 percent share in Anglo-Persian Oil made Basra, and al-Faw at the head of the Gulf, a vital British interest.

## War and conquest in Mesopotamia

**10.** On 29 October 1914, in the early months of the First World War, two German warships, flying the Turkish flag, bombarded Russia's Black Sea ports. Britain, allied to Russia, ordered Turkey to end the bombardments. The British ultimatum expired on 31 October. On 7 November a British and Indian military force landed at al-Faw.<sup>4</sup> Marching a hundred miles inland and crossing the Persian border, it occupied the British Government-owned Persian oilfields. It then marched back into Mesopotamia, to Basra, which it captured on 22 November.

**11.** That November, the Ottoman Government having declared that the Anglo-Ottoman Convention of 1913 was null and void, Britain, to protect its interests at the head of the Persian Gulf, declared Kuwait an independent sheikhdom under British protection.

**12.** In London, on 19 March 1915, the War Council – headed by the Prime Minister, H.H. Asquith – discussed various plans to partition the Ottoman Empire once it had been defeated. Only Sir Edward Grey, the Foreign Secretary, opposed partition and annexation, telling the War Council that he wanted Britain to make a good impression on the British Empire's Muslim subjects (of whom there were more than fifty million in India) by setting up an independent Muslim State in all the Arab regions of the Turkish Empire: Arabia, Syria and Mesopotamia.<sup>5</sup>

**13.** Fighting against the Turks continued. In August 1915, after the British occupied Nasiriyah, a civil administration was set up in Basra for the whole southern area.

**14.** A steady stream of reinforcements reached Basra during the second half of 1916. That October, Lieutenant William Slim (a future Field Marshal) who had been badly wounded at Gallipoli a year earlier, arrived. In the fighting that followed, he was wounded again, and awarded the Military Cross. Slim remembered Basra as "a very unpleasant place to be".<sup>6</sup>

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<sup>4</sup> British troops again landed at al-Faw on 20 March 2003, at 2200 hours (local time), when 40 Commando, Royal Marines and US Marines came ashore, followed within an hour by 42 Commando Royal Marines.

<sup>5</sup> War Council, 19 March 1915: Cabinet Office papers, 22/1.

<sup>6</sup> Quoted by Lt Gen Sir Graeme Lamb, Public hearing, 9 December 2009.

**15.** On 11 March 1917, as British forces approached Baghdad, and the Turkish Army fled, the city was given over to mass looting by local Arabs and Kurds. After the American Consul appealed to the British to intervene, British and Indian soldiers fired over the heads of the looters and dispersed them.

**16.** On March 12, a British proclamation announced: “O, people of Baghdad ... Our armies do not come into your cities and lands as conquerors or enemies, but as liberators”. The people of Baghdad were then invited “through your Nobles and Elders and Representatives, to participate in the management of your own civil affairs in collaboration with the political representatives of Great Britain who accompanied the British Army so that you might be united with your kinsmen in north, east, south and west in realizing the aspirations of your Race”.

**17.** In August 1917 the Mesopotamia Commission – the first Iraq Inquiry – set up by the British Government a year earlier, published its report of the first two years’ fighting. Among the Report’s criticisms were equipment that was “not up to the standards of modern warfare”, a “lamentable breakdown of the care of the sick and wounded”, the “isolation and ignorance” of those responsible for the care of the wounded, a standard of administration based on “the routine method of normal times rather than to the impressment of new ideas”, army organisation that was “backward in every particular”, and what it called (with regard to some of the witnesses) “misuse of reticence”. Neither in the organisation of industrial resources for the purposes of war, nor in general finances, the Report asserted, “was sufficient alacrity shown during the first year and a half of war.” The overarching failure: “a lack of plans and a lack of preparations”.<sup>7</sup>

**18.** On 30 October 1918, Turkey accepted an armistice. When it came into force the following day, the three Ottoman provinces of Mosul, Baghdad and Basra came under British military rule. The human cost of the four-year campaign had been high: more than 31,000 British and Indian dead and at least 25,000 Turkish dead.

**19.** With the defeat of Turkey, the British confirmed the status of Kuwait as an independent sheikdom under British protectorate. A month later, under the Anglo-French Settlement of 1-4 December 1918, Mesopotamia and Kurdistan – known collectively as Iraq – became a British-ruled entity.

## **Insurgency and the British Mandate for Iraq**

**20.** Iraqis were divided on whether Britain should lead them towards independence or whether they should seek immediate independence by force. In Baghdad, the Sunni-dominated al-Ahd Society was a centre of anti-British (and anti-Kurdish) activity. Al-Ahd also opposed the political aspirations of the Shia in the south. Another Sunni grouping, led by Nuri Said, an officer in the Ottoman Army who had been active in the Arab Revolt of 1916-18 against the Turks (a revolt that originated in the Ottoman Red

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<sup>7</sup> Command Paper 8610 of 1917.

Sea province of Hedjaz, now part of Saudi Arabia) looked to British rule to secure the unification of Iraq. Nuri Said, a supporter of British influence, was to serve seven times as Prime Minister of Iraq during the following thirty-five years.

**21.** Seeking immediate independence, first the Baghdad Sunni, then the southern Shia, and finally the Kurds in the north, attacked British garrisons throughout Iraq. In the spring of 1920, a Revolutionary Council was established, dedicated to the removal of British rule. Its President, Mohammad Hassan al-Maliki, was a poet who, after being imprisoned by the British, was to become Minister of Education two years later, in the first Iraqi National Government. (His grandson, Nouri al-Maliki, became Prime Minister of Iraq in 2006).

**22.** On 26 May 1920, an anti-British rebellion broke out near Mosul, and rapidly spread south, threatening Baghdad. Two days after the start of the rebellion, Britain received, at the San Remo Conference, the League of Nations Mandate for Iraq. The Mandate pledged Britain to create in Iraq “an independent nation subject to the rendering of administrative advice and assistance by a mandatory until such time as she is able to stand alone”.

**23.** The Prime Minister, David Lloyd George, hoped to end the rebellion in Iraq by immediately setting up an Arab administration. The Cabinet insisted the rebellion be crushed first. British military and air power was used to do this; in the battle for Fallujah, more than ten thousand Iraqi and a thousand British and Indian soldiers were killed.

**24.** Starting at the end of September 1920, and lasting for three and a half months, punitive expeditions set out to all the centres of revolt, and whole villages were burned to the ground. Throughout the winter of 1920-1, the last of the insurgents were hunted down in punitive expeditions.

**25.** The defeat of the rebellion had a long legacy. In August 1920, Lieutenant Colonel Gerard Leachman had been killed south of Fallujah in a confrontation with the local tribal leader, Sheikh al-Dari. Eighty-five years later, a British administrator in this same area, Rory Stewart wrote: “They still glorify the killing of Colonel Leachman as a great moment in the anti-colonial struggle ... His death was celebrated in Iraqi soap operas, and the grandson of the man who killed him, Harith al-Dari, was a leading figure in the Sunni opposition to occupation. Outside my office in Nasiriyah stood a bronze statue of Leachman being shot in the back.”<sup>8</sup>

## Britain and the Iraqi monarchy

**26.** In January 1921, Lloyd George appointed Winston Churchill as Secretary of State for the Colonies, charged with “setting up a local government congenial to the wishes of the masses of the people” in Iraq. That April, Churchill told the House of Commons it was Britain’s intention “to install an Arab ruler in Iraq ... and to create an Arab army

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<sup>8</sup> Stewart, R. *The Prince of the Marshes*. Pan Macmillan, 2006.

for the national defence". Britain's aim was "to build up around the ancient capital of Baghdad, in a form friendly to Britain and to her Allies, an Arab State which can revive and embody the old culture and glories of the Arab race ..."

**27.** Churchill told the Commons how the decision to give "satisfaction to Arab nationality" had led him to invite Emir Feisal, one of the leaders of the wartime Arab Revolt in the Hedjaz, to "present himself to the people" of Iraq, which would be transformed into an Arab kingdom with its own monarchy, guarded principally by an Arab Army, and linked to Britain by treaty.

**28.** Feisal was the third son of Sherif Hussein, King of the Hedjaz (and head of the Sunni Hashemite dynasty). In 1919, Feisal had come to an agreement brokered by the British whereby he would become the ruler of an Arab kingdom in Syria, in return for recognising Britain's 1917 promise of a Jewish National Home in Palestine. At first all went according to plan. In October 1918, Feisal set up an Arab government in Syria, under British protection. Then all went awry: on 7 March 1920, Feisal was proclaimed King of the Arab Kingdom of Syria, by the Syrian National Congress, but within two months the San Remo Conference gave France the Mandate for Syria, and French forces defeated Feisal and drove him out; he went to live in Britain. The British, anxious to preserve their agreement with him, decided to place him on the throne of Iraq (and to give his brother Emir Abdullah the throne of Transjordan – the western part of Britain's Palestine Mandate, stretching from the river Jordan to the Iraqi border).

**29.** With British support, Feisal arrived in Iraq in June 1921. The Shia leaders wanted him to push for immediate independence. He refused to do so, fearing to lose British support for his imminent throne. During the first two weeks of August 1921 a referendum was held throughout Iraq on Feisal's kingship, and on 15 August, the British High Commissioner in Baghdad, Sir Percy Cox, announced that Feisal had been chosen as King, by "an overwhelming vote".

**30.** Two weeks later, as the insurgency continued, Cox informed London that Feisal had agreed that "there is no objection to the use of Gas bombs in Iraq provided that they are not lethal or permanently injurious to health".<sup>9</sup>

## The first Anglo-Iraqi Treaty, 1922

**31.** Feisal agreed to negotiate an Anglo-Iraqi Treaty. He was told that Britain must retain responsibility, as the Mandatory power, both for the suppression of internal disorder and for the maintenance of external defence until such time when an "independent Islamic state of Iraq can stand alone".

**32.** As negotiations for the treaty continued, Churchill told Lloyd George that there was "scarcely a single newspaper in Britain – Tory, Liberal or Labour", which was not "consistently hostile" to Britain's remaining in Iraq. Lloyd George replied that Britain

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<sup>9</sup> Cox to Churchill, 2 December 1921, Air Ministry papers, 5/490.

could not abandon Iraq: “Having beaten the Turk ... we could not at the Armistice have repudiated all our undertakings towards the Arabs. We were responsible for liberating them from Turkish sovereignty, and we were absolutely bound to assist them in setting up Arab governments, if we were not prepared to govern them ourselves.” Lloyd George added: “If we leave, we may find a year or two after we have departed that we have handed over to the French and Americans some of the richest oilfields in the world.”

**33.** Treaty negotiations with Feisal were concluded; under the treaty, Britain would have “executive authority” for twenty years over Iraq’s foreign and security policy, in a “co-equal” Kingdom of Iraq. The Iraqi Cabinet ratified the treaty on 10 October 1922. Two weeks later, Lloyd George’s coalition government disintegrated, and a General Election was called. During the election campaign, several candidates urged Britain to leave Iraq immediately.

**34.** So strong was antagonism in Britain to remaining in Iraq that, when the Conservative leader, Andrew Bonar Law, became Prime Minister in October 1922, he set up a Cabinet Committee to reconsider whether Britain should continue with the Anglo-Iraq Treaty. The Committee decided that the twenty-year duration of the treaty should be reduced to four years.

**35.** In Iraq, Sir Percy Cox threatened to dissolve the Constituent Assembly if it did not ratify the treaty, and issued orders for British troops to occupy the Assembly building. The treaty was ratified, whereupon the British encouraged the creation of an Iraqi civilian administration under Feisal’s rule. One obstacle was a *fatwa* issued in 1922 by the Iraqi Shia religious leaders in Najaf, forbidding observant Shia from supporting Feisal, or any members of the Sunni royal house of the Hedjaz. Feisal was, in the language of the *fatwa*, “an alien usurper to the throne of Iraq, imposed by the colonial power”. A few leading Shia families defied the *fatwa* (which remained in force until 1937) and supported the new dynasty and government.

## British bombing policy

**36.** For non-Kurdish Iraqis, the Anglo-Iraqi Treaty offered a means of curbing Kurdish separatism. In 1923 and 1924, British fighting against Kurdish separatists involved punitive military operations and RAF bombing raids. The RAF also took part in bombing raids to persuade recalcitrant tribes throughout Iraq to pay their taxes. One method by which Britain sought to maintain law and order in Iraq was by the setting up of “Arab Levies” – troops recruited from minority Iraqi communities: Kurds, Marsh Arabs and the Assyrian Christians.

**37.** In 1924, Air Commodore Lionel Charlton, the Chief Staff Officer of RAF Iraq Command, visited the hospital in Diwaniya where he saw horribly injured civilians, including women and children, who were among the Shia victims of a British air raid. In protest at Britain’s bombing policy, he resigned.

**38.** Among Iraqis, the legacy of these punitive bombing raids was long-lasting.

## The Mandate years

**39.** During the ten years from 1922 to the end of the Mandate in 1932, when Iraq obtained full independence, as government ministries were steadily handed over to Iraqi control, British officials led the rebuilding of the Iraqi civilian and administrative infrastructure: in health, education, communications, irrigation, the economy, the judiciary, the army and the police. There were almost three thousand British officials in Iraq in 1922, as administrators in all departments. They were headed and supervised by a, five-man, Iraq Secretariat of British officials. Of those, the Judicial Secretary was put in charge of drafting a constitution for Iraq.

**40.** In accordance with the gradual but immediate Iraqiisation of the administration, while British officials worked as advisers in the Ministry of Finance, the first Minister of Finance was an Iraqi, Sasson Eskell, a Baghdadi Jew and a distinguished financier and parliamentarian since Ottoman times. He is regarded in Iraq to this day as the Father of Parliament. In the long and complex negotiations for the Iraq Treaty, he had worked closely with Gertrude Bell and T.E. Lawrence, and was at the centre of the creation of the new Iraqi Government's laws and financial structure. He was knighted in 1923.

**41.** Typical of these British civil servants was the Inspector General of Health Services, Henry Sinderson, who introduced modern medicine to Iraq and became Dean of Iraq's Royal College of Medicine. Knighted in 1946 after twenty-five years service to medicine in Iraq, the hospitals and clinics he established throughout the country made Iraq a model for the whole region.

**42.** In 1930, at the request of the Iraqi Government, a distinguished British politician, writer and soldier, Sir Edward Hilton Young, went to Iraq to advise on economic and loan policy, to scrutinise the budget, and to help establish a new currency, replacing the Indian rupee with the Iraqi dinar. His efforts ensured a stable Iraq currency.

**43.** By 1930 the number of British officials in the Iraqi administration had been reduced to just over two hundred; some were to remain in Iraq for another decade and more. The legacy of their service and of British-built infrastructure lasted into the era of Saddam Hussein and was spoken of with appreciation by several of the Iraq Inquiry's Iraqi interlocutors.

## Defending Iraq

**44.** During the Mandate years, Britain also defended Iraq from attacks from across the Arabian border. In December 1923, raiders from Nejd, under the control of Ibn Saud, launched an attack on the tribes living in southern Iraq. The RAF drove off the attackers in a series of bombing raids.

**45.** In November 1927, the northeastern tribes of the Nejd carried out an armed attack seventy-five miles inside the Iraqi border. Despite an RAF bombing raid on the attackers,

they penetrated even deeper into Iraq, killing Shia Marsh Arab shepherds and their children in December.

**46.** The RAF continued its bombing raids. The Arabian tribes continued their attacks. In February 1928 their target was both Iraqi and Kuwaiti villages south and south-west of Basra. In January 1929 another Nejd tribe crossed the border into Kuwait, killing twenty Iraqis. Then a third Arabian tribe crossed into Kuwait, killing more than seventy Iraqis and Kuwaitis.

**47.** Only continued bombing raids from RAF Shaibah near Basra drove the attackers out of south-western Iraq. In January 1930, Ibn Saud agreed to financial compensation to the Kuwaitis and Iraqis, and, with British encouragement, in April 1931, a “Treaty of Bon Voisinage, Friendship and Extradition” was signed in Mecca – the Iraqi Prime Minister, Nuri Said signing for Iraq.<sup>10</sup>

## The second Anglo-Iraqi Treaty, 1930

**48.** In 1930, two years before the end of the Mandate, an all-Iraqi Government was formed, with the Sunni politician, Nuri Said – who made determined efforts to assuage Sunni-Shia and Kurdish tensions – as Prime Minister. Nuri Said also negotiated a new Anglo-Iraqi Treaty establishing “perpetual peace and friendship between His Britannic Majesty and His Majesty the King of Iraq” as well as “full and frank consultation between them in all matters of foreign policy which may affect their common interests”. Article Five of the Treaty authorised British forces to remain in Iraq after it became independent in 1932. By the late 1930s these forces were restricted to two RAF stations, RAF Shaibah near Basra, and RAF Habbaniya west of Baghdad.

**49.** In November 1930, Nuri Said called a General Election to ratify the Treaty. He was successful, but the Kurds objected that the Treaty did not meet the undertakings they believed the British had given a decade earlier to protect their national status, and once more raised the flag of revolt. For almost two years, RAF Habbaniya was a staging post for bombing attacks on Kurdish rebels until they were defeated in April 1932.

## Iraqi independence, 1932

**50.** With the ending of the British Mandate in 1932, Iraq entered the League of Nations as a sovereign State. Britain had fulfilled its pledges and promises – first made when the British Army entered Baghdad in March 1917 – to give the Iraqis control of their country.

**51.** Oil had been discovered in Iraq in 1927. One of the first official acts of the Iraqi Government after independence was to grant a seventy-five-year concession – valid until 2007 – to the British Oil Development Company, jointly owned by British and Italian investors.

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<sup>10</sup> In 1932 Ibn Saud renamed his three provinces – Najd, al-Ahsa and the Hijaz – as the Kingdom of Saudi Arabia.

**52.** King Feisal died in 1933. He was succeeded by his son, twenty-one-year-old King Ghazi. Three years later General Bakr Sidqi – a Kurd, a former officer (like Nuri Said) in the Arab Revolt, and a graduate of a British Staff College, seized power in Baghdad. In the course of the coup, Nuri Said’s brother-in-law, the Minister of Defence, was killed. Nuri fled for safety to the British Embassy in Baghdad, and eventually reached Britain.

**53.** Nationalists in the army resented General Sidqi because of his Kurdish background, and because he encouraged Kurds to join the army. The Shia could not forgive his brutal suppression of a Shia revolt in 1936. In 1937 General Sidqi was murdered by a group of army officers.

**54.** In 1937, King Ghazi began publicly advocating that Iraq annex Kuwait, and denouncing British influence in the Middle East, under pressure from German diplomats and Nazi Party representatives in Baghdad. Even the return of Nuri Said at the end of 1938 from London – where he had served for a year as Iraq’s Ambassador to Britain – could not curb anti-British propaganda, although, to counter it, at the recommendation of the British Ambassador to Iraq, Sir Archibald Clerk-Kerr, funds were made available to the British Council in Iraq to help cover the cost of Iraqi students taking examinations for British universities, and bursaries for their books.<sup>11</sup>

**55.** In April 1939, King Ghazi was killed in a car accident. His four-year-old son, King Feisal II, came to the throne, with one of his uncles, Abdul Illah, as Regent. In Mosul, after claims that King Ghazi had been murdered by the British, a mob broke into the British Consulate, dragged out the consul and stoned him to death.

## **Rashid Ali’s revolt, 1941**

**56.** On the outbreak of war in September 1939, Nuri Said broke off relations with Germany. For the first eighteen months of the war, while refusing British requests to declare war on Germany and Italy, he ensured that Iraq was an essential overland and air link in Britain’s chain of defence from Egypt to India. On 31 March 1941, however, Nuri Said was forced to resign by a Rashid Ali al-Gaylani. On April 1 the Regent fled from Baghdad, and two days later Rashid Ali became Prime Minister.

**57.** A Sunni whose family traced their ancestry back to Mohammed, and a lawyer by training, Rashid Ali had been Minister of Justice in 1924 in Iraq’s first government. In 1930 he had rejected Nuri Said’s Anglo-Iraqi Treaty, and called for an end to the British connection. He was Prime Minister of Iraq from March to November 1933 and again from March 1940 to January 1941, when he was dismissed by the Regent for refusing to allow British troops to transit Iraq, and for entering into negotiations with Germany.

**58.** On becoming Prime Minister for the third time, Rashid Ali seized control of all the main cities except Basra, restored the amicable relations between Iraq and

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<sup>11</sup> Sir Archibald Clark-Kerr, Baghdad, 27 December 1937: Foreign Office papers, FO 395/587.

Nazi Germany that had been severed by Nuri Said in 1939, and promised the Germans vital fuel oil from the Mosul oilfields.

**59.** In London, the War Cabinet ordered a brigade of Indian infantry and extra aircraft to Iraq. “We are not at war with Iraq”, Churchill told the House of Commons on May 7. “We are dealing with a military dictator who attempted to subvert the constitutional Government, and we intend to assist the Iraqis to get rid of him and get rid of the military dictatorship at the earliest possible moment.”

**60.** During the second week of May 1941, the first of thirty German and Italian aircraft reached Mosul. Flying on to Kirkuk, they took part in air operations against the British besieging Fallujah, and carried out frequent bombing raids on RAF Habbaniya. On 20 May, the British captured Fallujah, and nine days later were in battle with Rashid Ali outside Baghdad. Unaware of the small size of the force against him, Rashid Ali fled under cover of darkness to Iran.

**61.** The Mayor of Baghdad, at the head of a Security Committee of leading Iraqis, approached British forces outside Baghdad. An armistice was signed, and the monarchy restored. On 9 October 1941, Nuri Said formed a government acceptable to the British. Iraqi Ministers who had served under Rashid Ali were removed from all influence, and in some cases deprived of citizenship and deported. At least seven hundred Rashid Ali supporters and those with Axis sympathies were interned for the duration of the war.

## The third Anglo-Iraqi Treaty, 1948

**62.** The British military presence in Iraq both before and after Rashid Ali’s revolt was based on the terms of the 1930 Anglo-Iraqi Treaty. When the war ended in 1945, and as British forces prepared to leave Iraq, Britain’s Labour Government (whose Prime Minister, Clement Attlee, had been wounded in Mesopotamia in 1917) asked the Government of Iraq to sign a new military treaty, to give the British even greater powers than under the 1930 Treaty, and to increase joint Iraqi and British military planning and cooperation.

**63.** The new Anglo-Iraqi Treaty was approved by the Iraqi Government and by the Regent. The Prime Minister, Salih Jabr – Iraq’s first Shia Prime Minister – and his Foreign Minister, accompanied by Nuri Said, went to Britain for the signing ceremony, held at Portsmouth on 15 January 1948. The signatories were the Iraq delegates and the British Foreign Secretary, Ernest Bevin.

**64.** As soon as the Treaty was signed there were mass demonstrations in Baghdad against it, and against any continuing links with Britain. On 20 January 1948 the British Consulate at Kirkuk was attacked, and on the following day – six days after the Anglo-Iraqi Treaty had been signed – the Regent announced that the Treaty did not “realise the national aspirations of Iraq or consolidate the friendship between the two countries”. Salih Jabr was replaced as Prime Minister by a leading Shia and former President of the Iraqi Senate, Sayyid Muhammad al-Sadr, one of Britain’s adversaries of a quarter

of a century earlier. Such British influence as remained waned rapidly. In May 1948 the British Military Mission was withdrawn.

## The continuing British contribution

**65.** In April 1954, Lord Salter, a senior British civil servant – and former head of the economic and financial section of the League of Nations Secretariat – was asked by the Iraq Development Board to advise on the economic advancement of Iraq. His report, focusing on forward planning, covered water use, agriculture, communications (road, rail, river and air), industry, housing, health, education and administration.

**66.** Lord Salter's report was published in 1955 by the Iraq Development Board, and detailed what Salter described as Iraq's "exceptional opportunity of achieving a development which within a few years would substantially increase her economic resources and raise her general standard of living".<sup>12</sup>

**67.** This was to be the last British contribution to the economy of Iraq for many years. But 1955 was to see another British-Iraqi joint venture, as fear of the spread of Communism in the Middle East brought Britain and Iraq together again, with the establishment of the Middle East Treaty Organisation (METO), consisting of Turkey, Iraq, Iran, Pakistan and Britain, later known as the Central Treaty Organisation (CENTO).

**68.** In 1955, with Iraq a member of CENTO and in close relations with Britain's armed forces, RAF Shaibah and RAF Habbaniya were handed over to the Iraqi Air Force. As part of this air base agreement, the RAF continued to administer the RAF hospital at Habbaniya, and agreed to provide medical and surgical in-patient treatment for up to twenty officers of the Iraqi forces stationed there. In exchange, Iraq also granted free storage to British personnel using the port at Basra.<sup>13</sup>

**69.** In 1956, with Egypt threatening to nationalise the Suez Canal, Nuri Said was invited to London by the Prime Minister, Anthony Eden, and asked what Iraq wanted for its friendship. He told Eden that Iraq wanted at least one fighter squadron equipped with the latest type of aircraft. Eden agreed. Nuri Said added that Iraq wanted all thirty-six Centurion tanks promised by Britain and a further forty promised by the United States. Eden said "he felt sure that the tanks could be found from one source or another". Nuri Said then said Iraq was interested in the application of atomic energy to peaceful purposes. Eden offered him a nuclear reactor.<sup>14</sup>

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<sup>12</sup> Lord Salter, *The Development of Iraq: A Plan of Action*. Iraq Development Board, 1955.

<sup>13</sup> Middle East Defence Secretariat, 'Implementation of the Anglo-Iraqi Agreement', 15 June 1956: Foreign Office papers, FO 371/121671.

<sup>14</sup> 'Top Secret', 25 July 1956: Foreign Office papers, FO 371/121662. The pool-type nuclear reactor, also called a 'swimming pool reactor', had a core immersed in an open pool of water. It was never delivered.

## The fall of the monarchy, 1958

**70.** On 14 July 1958, an army officer, Brigadier Abdel Karim Kassem, seized power in Baghdad. That day, King Feisal II and many of his family were killed. The British Embassy in Baghdad was ransacked and set on fire. The Ambassador, Sir Michael Wright and his wife were held captive at the Embassy until late in the afternoon, when they were released.<sup>15</sup> On the following day Nuri Said was murdered in the street.

**71.** The monarchy, established by Britain thirty-seven years earlier, was abolished. Kassem, who was half Sunni, half Kurdish Shia, became Prime Minister, Minister of Defence and Commander-in-Chief. In 1961, in a blow to British commercial activity and investment in Iraq, Kassem nationalised the Iraq Petroleum Company.

## Kuwaiti independence

**72.** In 1961, Kuwait gained independence from Britain; Iraq immediately claimed sovereignty. General Kassem mobilised Iraq troops along the Kuwait border. Britain, which had only recently ended its military presence in Kuwait, sent an expeditionary force to Kuwait, and persuaded the Arab League to recognise Kuwait as an independent country. British troops were then replaced by troops of the United Arab Republic (Egypt and Syria). Britain had honoured its historic commitment to Kuwait.

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<sup>15</sup>D.M.H. Riches, 'Events in Iraq', 14 July 1958: Foreign Office papers, FO 371/132502.

## ANNEX 2

### GLOSSARY

#### A

AA	Air Assault
AA Bde	Air Assault Brigade
AAA	Anti-Aircraft Artillery
ab initio	From the beginning
Abu al-Khasib	Town in Basra province
Abu Ghraib	Prison in Baghdad
Abu Naji	Military base near Basra
ACC	Assistant Chief Constable
ACDS(Log Ops)	Assistant Chief of the Defence Staff (Logistic Operations)
ACDS(Ops)	Assistant Chief of the Defence Staff (Operations)
ACGS	Assistant Chief of the General Staff
ACM	Air Chief Marshal
ACPO	Association of Chief Police Officers
ACPP	Africa Conflict Prevention Pool
Adm	Admiral
AF	Armed Forces
AFA	Armed Forces Act
AFCS	Armed Forces Compensation Scheme
AFF	Army Families Federation
AFG	Afghanistan
AFLR	Aviation Force Level Review
AFPAA	Armed Forces Personnel Administration Agency
AFPS	Armed Forces Pension Scheme
AFV	Armoured Fighting Vehicle
AG	Adjutant General
AG	Advocate General
AG	Attorney General
AGO	Attorney General's Office
AH	Attack Helicopters
AHGI	Ad Hoc Group on Iraq
AHMG1	Ad Hoc Ministerial Group on Iraq

AHMGIR	Ad Hoc Ministerial Group on Iraq Rehabilitation
AI	Ansar al-Islam
AIASC	Army Investigations and Aftercare Support Cell
AIF	Anti-Iraqi Forces
Aitken Report	Report into killings of civilians in Iraq
Akashat	Town in Anbar province
AKP	AK Party (Turkish Political party)
al-Abbas	Shia mosque in Karbala
al-Amara	Capital of Maysan province
al-Arabiya	Television channel
al-Askari	Shia mosque in Samarra
al-Atheer	Nuclear weapons facility in Babil province
al-Dawr	Town near Tikrit where Saddam Hussein was captured
al-Faw Peninsula	Southern tip of Basra province
al-Hakam	Biological weapons facility in Babil province
Al Iraqiya	Iraqi television network
al-Kadamiyah	Shia mosque in Baghdad
al-Kut	Capital of Wasit province
al-Majir al-Kabir	Town in Maysan province
al-Maqil	Prison in Basra
al-Minah	Prison in Basra
al-Muthanna	Chemical weapons facility in Salah ad Din province
al-Qa'im	Town in Anbar province and site of a uranium processing facility
al-Qa-Qa	Radiological weapons facility in Baghdad
al-Qurnah	Town in Basra province
al-Rafah	Town in Babil province and missile test site
Al Sweady	Public inquiry into allegations of mistreatment of Iraqi prisoners by British troops
AM	Aftermath
AM	Air Marshal
Amariyah	Biological weapons facility in Baghdad
AME	Annually Managed Expenditure
AMEC	British multi-national consultancy, engineering and project management company
AMO	Air Movement Operations

Amorim Reports	Reports of the Panel established by the President of the UN Security Council on 30 January 1999 concerning disarmament, monitoring and verification
Anbar	Province in western Iraq
Anfal	Iraqi campaign against the Kurdish people in northern Iraq
Ansar al-Islam	Insurgent group
AO	Area of Operations
AOAV	Action on Armed Violence
AOR	Area of Responsibility
AP	Assessment Phase
APC	Armoured Personnel Carrier
APOD	Air Port of Disembarkation
APT	Armed Protection Team
APV	Armoured Patrol Vehicle
AQ	Al Qaida
AQ-I	Al Qaida in Iraq
ARCENT	United States Army Central Command
ARG	Amphibious Ready Group
Armd	Armoured
ARMILLA	Royal Navy patrol
ARRC	Allied Rapid Reaction Corps
AS	Assessments Staff
<i>Asharq Al-Awsat</i>	Arabic newspaper published in London
Ashura	Shia religious festival
ASSESSREPS	Assessment Reports
AT	Air transport
ATG	Amphibious Task Group
ATV(P)	All Terrain Vehicle (Protected)
AUS	Australia
AV	Armoured Vehicle
AVM	Air Vice Marshal
AWE	Atomic Weapons Establishment
AWS	Army Welfare Service
az-Zubayr	Town in Basra province

## B

b/d	Barrels per day
Babil	Province in central Iraq
Baghdad	Capital of Iraq, a province and provincial capital of the same name
Balad	Airbase north of Baghdad
Baquba	Capital of Diyala province
BAS	Basra Air Station
Bayji	Oil refinery in Salah ad Din province
Basra	Province in southern Iraq and its capital
BBC	British Broadcasting Corporation
BBP	Better Basra Plan
BCCB	British Consultants and Contractors Bureau
BCG	British Consul General
BCU	Basic Capability Unit
BCU	Basra Crimes Unit
BCW	Biological and Chemical Warfare/Weapons
BDA	Battle Damage Assessment
BDC	Basra Development Commission
Bde	Brigade
BDF	Basra Development Fund
BE	British Embassy
Bechtel	US infrastructure contractor
BEO	British Embassy Office (sometimes known as British Consulate General)
BFBS	British Forces Broadcasting Service
BFPO	British Forces Post Office
BG	Battlegroup
BH	Battlefield Helicopters
BIA	Basra International Airport
BIPA	Basra Investment Promotion Agency
BTID	Battlefield Targets Identification Device
BM	Ballistic Missiles
BMATT	British Military Advisory and Training Team
BOB	British Office Baghdad
BOC	Basra Operational Command
BOC	Basra Operations Centre

BOI	Board of Inquiry
BOMVIC	Baghdad Ongoing Monitoring, Verification and Inspection Centre
BP	Basra Palace
BPC	Basra Palace Compound
bpd	Barrels per day
Brig	Brigadier
BRT	Basic Recruit Training
BSO	Building Stability Overseas
BSOS	Building Stability Overseas Strategy
BSP	Baghdad Security Plan
BST	Border Support Team
BTI	British Trade International
BTT	Border Transition Team
BTWC	Biological and Toxin Weapons Convention
Bubiyah Island	Uninhabited island in the Persian Gulf
Butler Report	<i>Review of Intelligence on Weapons of Mass Destruction</i>
BW	Biological Weapons/Warfare
<b>C</b>	
C	Chief, Secret Intelligence Service
C/B	Chemical/Biological
C2	Command and Control
CAFTT	Coalition Air Force Transition Team
CAN	Camp Abu Naji (Military base in Maysan province)
CAP	Country Assistance Plan
CAS	Close Air Support
casus belli	An act or event that is a cause of war
CB	Chemical and Biological
CBI	Confederation of British Industry
CBR	Chemical Biological Radiological
CBRN	Chemical, Biological, Radiological and Nuclear
CBRN/M	Chemical Biological Radiological Nuclear/Missiles
CBW	Chemical and Biological Warfare/Weapons
CC	Chief Constable
CCCI	Central Criminal Court of Iraq
CCS	Civil Contingencies Secretariat

CDC	Civil Defence Corps
CDEL	Capital Departmental Expenditure Limit
CDG	Corporate Development Group
CDI	Chief of Defence Intelligence
CDL	Chief of Defence Logistics
CDM	Chief of Defence Material
Cdo	Commando
CDS	Chief of the Defence Staff
CEE	Central and Eastern Europe
CENTCOM	US Central Command
Centurion Group	MOD staff authorised to receive the most sensitive material on US planning and UK scoping on Iraq
CEO	Chief Executive Officer
CERP	Commanders Emergency Response Programme
CF	Coalition Forces
CFC	Coalition Forces Commander
CFLCC	Coalition Forces Land Component Commander
CFSP	Common Foreign and Security Policy
CG	Commander General
CG	Consul General
CG	Consulate General (see BEO)
CG MNF-I	Commanding General, Multi-National Force – Iraq
CGS	Chief of the General Staff
Ch x	Chancellor of the Exchequer
CHAD	DFID Conflict and Humanitarian Affairs Department
Chargé d’Affaires	Officer in charge of an Embassy in the absence of the Ambassador
CHOGM	Commonwealth Heads of Government Meeting
CI	Commission on Integrity
CIA	Central Intelligence Agency
CIC	Coalition Information Centre
CIC	Communication and Information Centre
CID	Criminal Investigation Department
C-IDF	Counter Indirect Fire
CIG	Current Intelligence Group
CIMIC	Civilian-Military Co-ordination
CinC Land	Commander in Chief Land

CIOC	Combined Intelligence and Operations Centre
CIP	Capability Integration Plan
CITADEL	Hardened form of accommodation
CIU	Criminal Intelligence Unit
Civ Pol	Civilian Police
CIVSEC	Civil Secretary
CIWG	Capability Integration Working Group
CJCS	Chairman of the Joint Chiefs of Staff
CJO	Chief of Joint Operations
CJPTF	Combined Joint Predator Task Force
CJTF-7	Combined Joint Task Force 7
CJTF-I	Combined Joint Task Force – Iraq
CLC	Concerned Local Civilian/Citizen
CM	Command Paper
CMATT	Coalition Military Assistance Training Team or Coalition Military Advisory Training Team
CMG	Companion of the Order of St Michael and St George
CMO	Civilian-Military Operations
CMOC	Civilian-Military Operations Centre
CMPC	Combined Media Processing Centre
CND	Campaign for Nuclear Disarmament
CNN	Cable News Network
CNO	Casualty Notification Officer
CO	Cabinet Office
CO	Commanding Officer
COA	Course of action
COB	Contingency Operating Base
COB-B	Coalition Operating Base – Basra
COB-I	Coalition Operating Base – Irbil
COBR	Cabinet Office Briefing Room
COBR(R)	Cabinet Office Briefing Room (Restricted)
CoG	Centre of Gravity
COIN	Counter-Insurgency
COINOPS	Counter-Insurgency Operations
Col	Colonel
COLPRO	Collective Protection
CoM	Council of Ministers

CONOPS	Concept of Operations
CONPLANS	Contingency Plans
CONVIS	Consignment Visibility
CoP	Chief of Police
CoR	Council of Representatives
COS	Chief(s) of Staff
COS(I)	Chiefs of Staff (Informal)
COS(O)	Chiefs of Staff (Operations)
COSM	Chief Overseas Security Manager
COTF	Cabinet Office Task Force
CotK	Charge of the Knights
COTS	Commercial Off The Shelf
coup de main	Surprise attack or sudden development
coup d'état	Sudden overthrow of government from within
CP	Counter-Proliferation
CPA	Coalition Provisional Authority
CPA-I	Chief Police Adviser – Iraq
CPA-IG	Coalition Provisional Authority Inspector General
CPATT	Coalition Police Assistance Training Team or Coalition Police Advisory Training Team
CPC	Constitutional Preparatory Committee
CPD	Counter-Proliferation Department
CPF	Conflict Prevention Fund
CPT	Christian Peacemaker Teams
CR2	Challenger 2
C-RAM	Counter Rocket, Artillery and Mortar
CRC	Constitutional Review Committee
CRG	Control Risks Group
CS	Combat Support
CSA	Chief Scientific Adviser
CSC	Civilian Standby Capacity
CSG	Civilian Stabilisation Group
CSR	Comprehensive Spending Review
CSS	Combat Service Support
CSSC	Civil Service Stabilisation Cadre
CSSF	Conflict, Stability and Security Fund
CT	Counter-Terrorism

CTA	Civil Transitional Administration
CTPD	Counter-Terrorism Policy Department
Curve Ball	Codename of an intelligence source
CV	Curriculum Vitae
CVO	Casualty Visiting Officer
CVR(T)	Combat Vehicle Reconnaissance (Tracked)
CW	Chemical Warfare/Weapons
CWC	Chemical Weapons Convention
CWIED	Command Wire Improvised Explosive Device
CX	Secret Intelligence Service intelligence product

## D

Dahuk	Province in northern Iraq and its capital
DAG	Deputy Adjutant General
DART	Disaster Assistance Response Team
DAS	Defensive Aids Suites
DASA	Defence Analytical Services and Advice
DAT	Defence Advisory Team
DBC	De-Ba'athification Commission
DBERR	Department for Business, Enterprise and Regulatory Reform
DCA	Department of Constitutional Affairs
DCC	Deputy Chief Constable
DCC	Dismounted Close Combat
DCDI	Deputy Chief of Defence Intelligence
DCDS(C)	Deputy Chief of the Defence Staff (Commitments)
DCDS(EC)	Deputy Chief of the Defence Staff (Equipment Capability)
DCDS(Health)	Deputy Chief of the Defence Staff (Health)
DCDS(Pers)	Deputy Chief of the Defence Staff (Personnel)
DCE	Deployable Civilian Experts
DCG	Deputy Commanding General
DCGO	Deputy Commanding General of Operations
DCI	Director of Central Intelligence
DCI(A)	Director of Capability Integration (Army)
DCJO(Ops)	Deputy Chief of Joint Operations (Operations)
DCLG	Department for Communities and Local Government
DCMC	Defence Crisis Management Centre

DCMH	MOD Departments of Community Mental Health
DCMO	Defence Crisis Management Organisation
DCMS	Department of Culture, Media and Sport
DCRS	Directorate of Capabilities, Resources and Scrutiny
DDR	Disarmament, Demobilisation and Re-Integration
de facto	In fact
de jure	According to law
DE&S	Defence Equipment and Support Agency
DEC	Directorate of Equipment Capability
DEC(GM)	Director of Equipment Capability (Ground Manoeuvre)
DEC(SP)	Directorate of Equipment Capability (Special Projects)
DECC	Department for Energy and Climate Change
DEFRA	Department for Environment, Food and Rural Affairs
DEL	Departmental Expenditure Limit
Depts	Departments
DFI	Development Fund for Iraq
DFID	Department for International Development
DFT	Department for Transport
DG	Diego Garcia
DG	Director General
DG OpPol	MOD Director General Operational Policy
DG Resources	MOD Director General Resources
DG Sec Pol	MOD Director General Security Policy
DG SP Pol	MOD Director General Service Personnel Policy
DG(S&A)	MOD Director General (Scrutiny and Analysis)
DGI	Directorate of General Intelligence
DGS	Directorate of General Security
Dhi Qar	Province in south-eastern Iraq
DHS	US Department of Homeland Security
DIA	Defence Intelligence Agency
DIA	Department of Internal Affairs
DIF	Divisional Internment Facility
DILFOR	Dangerously Ill Forwarding of Relatives
DIRC	Divisional Internment Review Committee
DIS	Defence Intelligence Staff
DIU	Defence Inquests Unit
Div	Division

Diwaniyah	Capital of Qadisiyah province
Diyala	Province in eastern Iraq
DJC	Directorate of Joint Commitments
DJW	Directorate of Joint Warfare
DLO	Defence Logistics Organisation
DLOD	Defence Line of Development
DMB	Defence Management Board
DMI	Directorate of Military Intelligence
DMICP	Defence Medical Information Capability Programme
DMRC	Defence Medical Rehabilitation Centre
DMS	Defence Medical Services
DNBI	Disease and Non-Battle Injuries
DOC	Directorate of Operational Capability
DoD	US Department of Defense
DoH	Department of Health
DOP	Ministerial Committee on Defence and Overseas Policy
DOP(I)	Ministerial Committee on Defence and Overseas Policy Sub-Committee on Iraq
DP	Defence Procurement
DPA	Data Protection Act
DPA	Defence Procurement Agency
DPAs	Defence Planning Assumptions
DPM	Deputy Prime Minister
DSA	Debt Sustainability Analysis
DSC	Defence Select Committee
DSF	Director Special Forces
DSI	FCO Directorate of Strategy and Innovation
DSP	Defence Strategic Plan
DSP	Deployable Spares Pack
DSTL	Defence Science and Technology Laboratory
DTI	Department of Trade and Industry
DU	Depleted Uranium
Dujail	Town in Salah ad Din province
DUP	Departmental Unallocated Provision
DVA	Department of Veterans Administration
DWR	Duke of Wellington's Regiment

## E

E10	Elected 10: Angola, Bulgaria, Cameroon, Chile, Germany, Guinea, Mexico, Pakistan, Spain and Syria
E-blueys	Electronic letter facility
EC	European Commission
ECAB	Executive Committee of the Army Board
ECBA	Enhanced Combat Body Armour
ECC	Equipment Capability Customer
ECGD	DTI Export Credit Guarantee Department
ECHR	European Convention on Human Rights
ECM	Electronic Countermeasures
EDM	Early Day Motion
EFP	Explosively Formed Projectile
EITI	Extractive Industries Transparency Initiative
EIU	Economist Intelligence Unit
EMAD	DFID European Middle East and Americas Division
EMIS	Electromagnetic Isotope Separation
EOD	Explosive Ordnance Disposal
EoL	Exchange of Letters
EOV	Explanation of Vote
EP	Equipment Plan
EP	Equipment Programme
EPAP	Emergency Public Administration Project
EPCA	Emergency Post Conflict Assistance
EPD	Economic Policy Directorate
EPP	Equipment Procurement Programme
EPW	Enemy Prisoners of War
Erbil	Province in northern Iraq and its capital
ERU	Emergency Response Unit
ESC	Emergency Security Committee
ESC	Executive Steering Committee
ESP	Equipment Support Plan
EST	Eastern Standard Time
EST	Essential Services Team
EU	European Union
EU JustLex	European Union Integrated Rule of Law Mission
EUCOM	European Command

Exec	Executive
EYF	End-Year Flexibility
<b>F</b>	
F/R/C	France/Russia/China
FAC	Foreign Affairs Committee
Fadhila	Iraqi political party
FAI	Fatal Accident Inquiry
Fallujah	Town in Anbar province
FAO	UN Food and Agriculture Organization
FAQ	Fardh al-Qanoon
FASC	Foreign Affairs Select Committee
Fatwa	Islamic religious ruling
faute de mieux	For want of something better
FBI	Federal Bureau of Investigation
FCO	Foreign and Commonwealth Office
FCO RA	FCO Research Analysts
FCS	Facilities Protection Service
FCU	Financial Compliance Unit
Fedayeen Saddam	Iraqi paramilitary group
FFCD	Full, Final and Complete declaration
Five Mile Market	Area in Basra
FLC	Front Line Command
FLEET	The Royal Navy's Operational Command
FLR	Force Level Review
FMB	Forward Mounting Base
FMHT	Field Mental Health Team
FMV	Full Motion Video
FOC	Full Operating Capability
FOIA	Freedom of Information Act
FP	Force Posture
FP	Force Protection
FPCC	Force Protection Co-ordinating Committee
FPE	Force Protection Engineering
FPS	Facilities Protection Service
FR	Formation/Light Reconnaissance
FRC	Future Rotorcraft Capability

FRE	Former Regime Elements
FRES	Future Rapid Effect System
FRL	Former Regime Loyalists
FRY	Federal Republic of Yugoslavia
FS	Foreign Secretary
FSU	Forward Strategy Unit
FT	<i>Financial Times</i>
FWSE	Family Welfare Support Enhancement
FY	Financial Year
<b>G</b>	
G4	Group of 4: France, Germany, Italy, UK
G5	Group of 5: France, Germany, Italy, Spain, UK
G7	Group of 7: Canada, France, Germany, Italy, Japan, UK, US
G8	Group of 8: Canada, France, Germany, Italy, Japan, Russia, UK, US
GA	UN General Assembly
GAERC	General Affairs and External Relations Council of the European Union
GAO	US General Accounting Office
GB	Great Britain
GBAV	Global Burden of Armed Violence
GC	Governing Council
GCBP	Governorate Capacity Building Project
GCC	Gulf Co-operation Council
GCHQ	Government Communications Headquarters
GCIV	Fourth Geneva Convention
GCPP	Global Conflict Prevention Pool
GDP	Gross Domestic Product
GE	General Electric
Gen	General
GIP	Guaranteed Income Payments
GMT	Greenwich Mean Time
GNI	Gross National Income
GOC	General Officer Commanding
GOC MND(SE)	General Officer Commanding Multi-National Division (South-East)

GOF	Global Opportunities Fund
GOI	Government of Iraq
Gov	Government
GP	General Practitioner
GPS	Global Positioning Satellite
GRL	Goods Review List
GT	Governorate Team
GWB	George Walker Bush
GWOT	Global War On Terror

## H

H of C	House of Commons
HA	Humanitarian Assistance
Habbaniyah	Town in Anbar province
HABITAT	UN Settlements Programme
HASCAS	Health and Social Care Advisory Service
Haditha Dam	Dam in Anbar province
Halabja	City in Sulaymaniyah province
Hayaniyah	Area of Basra, a militia stronghold
HCDC	House of Commons Defence Committee
HCL	Hydrocarbon Law
Headley Court	MOD rehabilitation centre for injured military personnel
Helmand	Province in Afghanistan
HEU	Highly Enriched Uranium
HGV	Heavy Goods Vehicle
HIC	Humanitarian Information Centre
Hillah	Capital of Babil province
HIPC	Heavily Indebted Poor Countries
HM	Her Majesty('s)
HMA	Her Majesty's Ambassador
HMCE	HM Customs and Excise
HMCG	Her Majesty's Consul General
HMG	Her Majesty's Government
HMIC	Her Majesty's Inspector of Constabularies
HMPS	Her Majesty's Prison Service
HMRC	Her Majesty's Revenue and Customs
HMS	Her Majesty's Ship

HMT	Her Majesty's Treasury
HMX	Type of explosive
HO	Home Office
HoC	House of Commons
HOM	Head of Mission
HQ	Headquarters
HQ ARRC	Headquarters Allied Rapid Reaction Corps
HQ MND(SE)	Headquarters Multi-National Division (South-East)
HR	High Readiness
HRD	Human Resources Department
HRH	His/Her Royal Highness
HRW	Human Rights Watch
HTF	Helmand Task Force
HUMINT	Human Intelligence
Hutton Inquiry	Inquiry into the Circumstances Surrounding the Death of Dr David Kelly CMG
HVD	High Value Detainee

## I

IA	Interim Administration
IA	Iraqi Army
IA Div	Iraqi Army Division
IAB	Investment Appraisals Board
IAD	Internal Audit Department
IADS	Iraqi Air Defence Systems
IAEA	International Atomic Energy Agency
IAMB	International Advisory and Monitoring Board
IAOI	Islamic Action Organisation in Iraq
IBA	Iraqi Bar Association
IBC	Iraq Body Count
Ibn Sina	Suspected chemical weapons facility in Salah ad Din province
IBP	Iraqi Border Police
IBRD	International Bank of Reconstruction and Development
IC	International Community
I-CAP	Interim Country Assistance Plan
ICC	International Criminal Court

ICCC	Iraq Coalition Casualty Count
ICDC	Iraqi Civil Defence Corps
ICI	International Compact with Iraq
ICJ	International Court of Justice
ICRC	International Committee of the Red Cross
ICT	International Criminal Tribunal
ICTI	International Criminal Tribunal for Iraq
ICTY	International Criminal Tribunal for Yugoslavia
ID	Identification
ID	(US) Infantry Division
IDA	International Development Act
IDC	International Development Committee
IDF	Indirect Fire
IDP	Internally Displaced People
IEA	International Energy Agency
IEB	Intelligence Exploitation Base
IECI	Independent Electoral Commission of Iraq
IED	Improvised Explosive Device
IERF	Iraqi Economic Recovery Fund
IFF	Identification Friend or Foe
IFHS	Iraq Family Health Survey
IFIs	International Financial Institutions
IFOR	Implementation Force
IFRC	International Federation of Red Cross and Red Crescent Societies
IFV	Infantry Fighting Vehicle
IG	Iraqi Government
IGC	Iraqi Governing Council
IGFC	Iraqi Ground Forces Command
IGI	Interim Government of Iraq
IHEC	Iraqi Higher Electoral Commission
IHL	International Humanitarian Law
IHT	Iraqi Heritage Trust
IIA	Iraqi Interim Authority or Iraqi Interim Administration
IIC	Iraqi Interim Council
IIF	Iraqi Intervention Force
IIG	Iraqi Interim Government

IIGC	Iraqi Inspectors General Council
IINC	Iraqi Interim National Council
IIS	Iraqi Intelligence Service
IISG	Iraqi Information Strategy Group
IISP	Iraqi Infrastructure Services Programme
IISS	International Institute for Strategic Studies
IIWG	Iraqi Industry Working Group
ILAC	International Legal Assistance Consortium
ILAV	Iraqi Light Armoured Vehicle
IMF	International Monetary Fund
IMN	Iraqi Media Network
IMOD	Iraqi Ministry of Defence
IMOH	Iraqi Ministry of Health
IMOJ	Iraqi Ministry of Justice
INA	Iraqi National Accord
INC	Iraqi National Congress
Incirlik	Airbase in Turkey
IND	Improvised Nuclear Device
ING	Iraqi National Gathering
ING	Iraqi National Guard
INIS	Iraqi National Intelligence Service
INLA	Iraq National Liberation Act
INOC	Iraqi National Oil Company
INVO	Iraq Nuclear Verification Office
IO	Information Operations
IO	International Organisations
IOC	Initial Operating Capability
IOM	International Organisation for Migration
IOU	Iraq Operations Unit
IPA	International Police Adviser
IPAG	International Police Assistance Group
IPAT	International Police Assistance Team
IPE	Individual Protective Equipment
IPLO	International Police Liaison Officer
IPMF	International Police Monitoring/Mentoring Force
IPRT	DFID Iraq Policy and Reconstruction Team
IPS	Iraqi Police Service

IPT	Integrated Project Team
IPTF	International Police Training Force
IPU	Iraq Planning Unit (until mid-2003); Iraq Policy Unit (from mid-2003)
IRA	Irish Republican Army
IRAM	Improvised Rocket Assisted Mortar
IraqRep	Iraq Representative
IRDC	Iraq Reconstruction and Development Council
IRFFI	International Reconstruction Fund Facility for Iraq
IRGC	Islamic Revolutionary Guard Corps
IRGC-QF	Islamic Revolutionary Guard Corps – Quds Force
IRMO	Iraq Reconstruction and Management Office
IROG	Iraq Rehabilitation Operations Group
IRPS	Iraqi Riverine Patrol Service
IRRF	Iraq Relief and Reconstruction Fund
IRSM	Iraq Reconstruction Service Medal
IRT	Incident Response Team
ISAF	International Security Assistance Force
ISC	Intelligence and Security Committee
ISCI	Islamic Supreme Council of Iraq
ISD	In Service Date
ISF	Iraqi Security Forces
ISF HMMV	Iraqi Security Forces Humvee
ISFF	Iraq Security Forces Fund
ISG	Information Strategy Group
ISG	Iraq Security Group
ISG	Iraq Strategy Group
ISG	Iraq Survey Group
ISO	International Standards Organisation
ISOF	Iraqi Special Operations Forces
ISOG	Iraq Senior Officials Group
ISP	Internet Service Provider
ISR	Intelligence, Surveillance and Reconnaissance
ISSU	FCO Iraq Security Sector Unit
IST	Iraqi Special Tribunal
ISTAR	Intelligence, Surveillance, Target Acquisition and Reconnaissance

ITA	Iraqi Transitional Administration
ITCA	International Transitional Civil Authority
ITG	Iraqi Transitional Government
ITU	UN International Telecommunications Unit
IZ	International Zone
<b>J</b>	
J NBC Reg	Joint Nuclear Biological Chemical Regiment
JACS	Joint Analysis of Conflict and Stability
Jadiriya	A detention facility in Baghdad
Jaysh Muhammad	Military wing of the Ba'ath Party
JAM	Jaysh al-Mahdi
JAM1	Detained member of Jaysh al-Mahdi
Jameat	A police station in Basra
JAMES	Joint Asset Management and Engineering Solutions
JARIC	Joint Air Reconnaissance Intelligence Centre
JC	Joint Commission
JCB	Joint Capability Board
JCC	Joint Co-ordination Centre
JCCC	Joint Casualty Co-ordination Centre
JCMEC	Joint Captured Material Exploitation Centre
JCTSR	Joint Committee to Transfer Security Responsibility
JDAM	Joint Direct Attack Munitions
JERRV	Joint Explosive Ordnance Disposal Rapid Response Vehicle
JFCOM	Joint Forces Command
JFHQ	Joint Forces Headquarters
JFLogC	Joint Forces Logistic Component
JHC	Joint Helicopter Command
JHF-I	Joint Helicopter Force – Iraq
JHQ	Joint Headquarters
JIATF	Joint Inter-Agency Task Force
JIB	Joint Implementation Board
JIC	Joint Intelligence Committee
JIDC	Joint Interrogation and Debriefing Centre
JIO	Joint Intelligence Organisation
JIPTC	Joint International Police Training College

JNA	Joint Needs Assessment
JOA	Joint Operational Area
JPA	Joint Personnel Administration
JPCC	Joint Police Command Centre
JRAT	Joint Reconstruction Action Team
JRSG	Japanese Reconstruction and Support Group
JSP	Joint Service Publication
Jt Cmnd Staffs	Joint Command Staffs
Jt Comd	Joint Command
JTAC	Joint Terrorism Analysis Centre
JTF-4	Joint Task Force 4
Jumariyah	District of Basra
<b>K</b>	
KA	Kurdistan Alliance
KAAs	Khawr Abd Allah waterway between Iraq and Kuwait
Kandahar	City in southern Afghanistan
Karbala	Province in central Iraq and its capital
Karbala Al Husayn	Shia shrine in Karbala province
KAZ	Kurdish Autonomous Zone
KCMHR	King's Centre for Military Health Research
KDP	Kurdish Democratic Party
KFOR	Kosovo Force
Khor al-Amaya	Oil platform in Basra province
Khor al-Zubair	City in Basra province
KIG	Kurdistan Islamic Group
Kirkuk	Province in northern Iraq and its capital
Kirkush	Location for training of Iraqi Army recruits north-east of Baghdad
KJ	Key Judgement
KNA	Kurdish National Assembly
KRG	Kurdistan Regional Government
KSF	Kuwait Support Facility
KSR	Key Service Requirement
Kufa	City in Najaf province
KUR	Key User Requirement

## L

LA	Lord Advocate
Lake Qadisiyah	A lake in Anbar province
LAND	Land Command
LCC	Land Component Command
LCD	Lord Chancellor's Department
LD	Line of Duty
LE	Locally Engaged
LEC	Locally Employed Civilian
LIC	Lower Income Countries
LO	Liaison Officer
LOAC	Law of Armed Conflict
LOC	Line Of Communication
LOGCAP	Army Logistics Civil Augmentation Programme
LOO	Line of Operation
Loya Jirga	Pashtu grand assembly
LPG	Liquid Petroleum Gas
LRG	Liberation and Reconciliation Gathering
LSC	Legal Services Commission
LSE	London School of Economics
LSL	Landing Ships Logistics
LSSA	Land Systems South Africa
Lt Bde	Light Brigade
Lt Gen	Lieutenant General
LTSA	Long Term Security Arrangement

## M

M*	A pre-detonation capability
MA	Mahdi Army
MA/CJO	Military Assistant to the Chief of Joint Operations
MACA	Military Aid to the Civil Authorities
Maj	Major
Maj Gen	Major General
MANPAD	Man Portable Air Defence System
Mansour	District in Baghdad
MAS	Manned Airborne Surveillance
MAS	Muqtada al-Sadr

MAS1	Associate of Muqtada al-Sadr
MaSTT	Maritime Strategic Transition Team
MAT	Military Assistance Team
Maysan	Province in south-east Iraq
MBT	Main Battle Tank
MCM	Mine Counter-Measures
MCNS	Ministerial Committee for National Security
MCU	Major Crimes Unit
MDHU	Military Defence Hospital Unit
MDP	Ministry of Defence Police
ME	Main Effort
MED	FCO Middle East Department
MEF	(US) Marine Expeditionary Force
MEK	Mujahideen e Khalq
MENA	FCO Middle East and North Africa Directorate
MENAD	FCO Middle East and North Africa Department
MEPP	Middle East Peace Process
MEU	Marine Expeditionary Unit
MFA	Ministry of Foreign Affairs
MGO	Master General of the Ordnance
MI5	Security Service
MI6	Secret Intelligence Service (SIS)
MIC	Military Industrial Commission
MIG	Mohan Initiative Group
Mil	Military
Min(AF)	Minister for the Armed Forces
Min(DP)	Minister for Defence Procurement
MiTT	Military Training Team or Transition Team
MJDI	Management of the Joint Deployed Inventory
MMIT	Management of Material in Transit
MMW	Military Managed Ward
MNC-I	Multi-National Corps – Iraq
MND	Multi-National Division
MND(C)	Multi-National Division (Centre)
MND(CS)	Multi-National Division (Centre-South)
MND(S)	Multi-National Division (South)
MND(SE)	Multi-National Division (South-East)

MNF-I	Multi-National Force – Iraq
MNSTC-I	Multi-National Security Transition Command – Iraq
MO	Modus Operandi (method of operating)
MOD	Ministry of Defence
MoG	Machinery of Government
MOI	Ministry of the Interior
MOJ	Ministry of Justice
MoO	Ministry of Oil
Mosul	Capital of Ninawa province
MOTS	Modified Off The Shelf
MOU	Memorandum of Understanding
MP	Member of Parliament
MPPV	Medium Weight Protected Patrol Vehicle
MRAP	Mine Resistant Ambush Protected Vehicle
MS	Medium scale
MSTF	Manoeuvre Support Task Force
Mukhabarat	Iraqi General Intelligence Service
Muthanna	Province in south Iraq
MW	Megawatt

## N

NACMO	Net Additional Cost of Military Operations
NAG	Northern Arabian Gulf
NAIAD	Nerve Agent Immobilised Enzyme Alarm Detectors
Najaf	Province in south-west Iraq and its capital
Najibiyah	Town in Basra province
NAM	Non-Aligned Movement
NAO	National Audit Office
Nasiriyah	Capital of Dhi Qar province
NATO	North Atlantic Treaty Organization
NaTT	Navy Training Team
NBC	Nuclear Biological Chemical
NCC	National Contingent Commander
NCD	National Council for Dialogue
NCHQ	National Contingent Headquarters
NCO	Non-Commissioned Officer
NDA	National Democratic Alliance

NDS	National Development Strategy
NF	National Force
NFZ	No-Fly Zone
NGO	Non-Governmental Organisation
NHS	National Health Service
NI	Northern Ireland
NIA	New Iraqi Army
NICC	National Intelligence Co-ordination Council
NICEP	National Independent Cadres and Elites Party
NIE	National Intelligence Estimate
NIIA	National Intelligence and Investigation Agency
Ninawa	Province in northern Iraq
NIO	Northern Ireland Office
NK	North Korea
NMD	National Monitoring Directorate of Iraq
NO	Notification Officer
No.10	Number 10 Downing Street
NOC	National Oil Corporation
NOFORN	No Foreigners
NOK	Next of Kin
NP	National Police
NPD	Non-Proliferation Department
NPT	Non-Proliferation Treaty
NRC	New Regional Command
NRF	NATO Response Force
NSC	National Security Council
NSID	Committee on National Security, International Relations and Development
NSID(IR)	International Relations Sub-Committee of the Committee on National Security, International Relations and Development
NSID(OD)	Overseas and Defence Sub-Committee of the Committee on National Security, International Relations and Development
NSPD	National Security Presidential Directive
NSS	National Security Strategy
NTE	Not to Extend
NTM	NATO Training Mission
NUG	National Unity Government

## O

OA	Operational Analysis
OAB	Oil Advisory Board
OCHA	Office for the Co-ordination of Humanitarian Affairs
OD	Overseas and Defence
OD Sec	Cabinet Office, Overseas and Defence Secretariat
ODA	Overseas Development Administration
ODPM	Office of the Deputy Prime Minister
OECD	Organisation for Economic Co-operation and Development
OFDA	Office for Foreign Disaster Assistance
OFF	Oil-for-Food
OfTel	Office of Telecommunications
OGC	Office of the General Counsel
OGDs	Other Government Departments
OIC	Organization of the Islamic Conference (known since 2011 as the Organisation of Islamic Cooperation)
OM(C)	Operator Mechanic (Communications)
OMLT	Operational Mentoring Liaison Team
OMS	Office of the Martyr Sadr
OMV	Ongoing Monitoring and Verification
OOW	Operation Overwatch
Op	Operation
OP	Operative Paragraph
Op AMPERE	Power generation project
Op Desert Fox	US-led operation against Iraq in 1998
Op Desert Storm	Coalition military operation to liberate Kuwait in 1991
Op FRESCO	Military cover in the event of a firefighters strike
Op GRANBY	UK military operation in Kuwait in 1991
Op HAVEN	UK's contribution to Op Provide Comfort
Op HERRICK	UK military operation in Afghanistan
Op JACANA	Codename for a series of operations in Afghanistan by Royal Marines
Op JURAL	UK contribution to enforce southern No-Fly Zone in Iraq
Op KEIR	Repatriation of Service Personnel
Op NORTHERN WATCH	UK contribution to enforce northern No-Fly Zone in Iraq
Op Provide Comfort	US-led operation to provide humanitarian relief to the Kurds

Op ROCKINGHAM	UK intelligence support for UN disarmament activities in Iraq
Op SALAMANCA	Operation to implement the Iraqi Government's security plan in Basra
Op Sec	Operational Security
Op SOUTHERN WATCH	Operation to enforce southern No-Fly Zone
Op SINBAD	New name given to Op SALAMANCA
Op Stonehenge	Operation to enhance the protection of personal bunkers
Op TELIC	UK military operation in Iraq
Op THYME	Operation to disband Basra's Serious Crime Unit
Op Vigilant Response	US operation to block routes in and out of Fallujah
Op WARDEN	No-Fly Zone operation to prevent attacks on Kurds
Op Zenith	Operation to reduce UK forces on the ground in a combat role and return them to bases
OPEC	Organization of the Petroleum Exporting Countries
Ops	Operations
OPTAG	MOD Operational Training and Advisory Group
ORA	Operational Readiness Assessment
ORHA	Office of Reconstruction and Humanitarian Assistance
OROSM	Overarching Review of Operational Stress Management
OSA	Overseas Security Adviser
OSC	Office of Security Co-operation
OSCE	Organization for Security and Co-operation in Europe
OSD	US Office of the Secretary of Defense
OSD	Out of Service Date
OSM	Overseas Security Manager
OT	Operations Team
OWP	Operational Welfare Package

## P

P5	Permanent 5: China, France, Russia, UK, US
P9	The nine members of the rotating Presidency of the Iraqi Governing Council
pa	Per annum
PAC	Public Accounts Committee
PAT	Police Assistance Team or Police Advisory Team
PBR	Pre-Budget Report
PC	Plaid Cymru

PC	Political Council
PCO	Project and Contracting Office
PCRf	Primary Casualty Receiving Facility
PCRU	Post-Conflict Reconstruction Unit
PCT	Project Continuity Team
PDoP	Provincial Director of Police
PDS	Provincial Development Strategy
Perm Sec	Permanent Secretary
PGF	Presidential Guard Force
PGM	Precision Guided Munitions
PIC	Provincial Iraqi Control
PIR	Passive Infra Red
PIRA	Provisional Irish Republican Army
PIU	Police Intelligence Unit
PJCC	Provincial Joint Co-ordination Centre
PJHQ	Permanent Joint Headquarters
PJOC	Provincial Joint Operations Centre
PKB	Peace-Keeping Budget
PLP	Parliamentary Labour Party
PM	Prime Minister
PM	Protected Mobility
PMF	Popular Mobilisation Forces
PMO	Program/Project Management Office
PMQs	Prime Minister's Questions
PMU	Prosecution Mentoring Unit
POE	Port of Entry
Pol Mil	Politico-military
POLAD	Policy Adviser or Political Adviser
POTUS	President of the United States
POW	Prisoner of War
PP	Preambular Paragraph
PPF	Palace Protection Force
PPV	Protected Patrol Vehicle
PQ	Parliamentary Question
PR	Public Relations
PRB	Program Review Board
PRC	People's Republic of China

prima facie	At first sight
Project AJAX	MOD project to improve handling of inquest/service to families
Project DUCKBOARD	Project relating to light protection mobility vehicles
Project L*	An electronic countermeasures project
Project OSIRIS	Project to provide vehicles and other defence equipment to Iraq
PRT	Provincial Reconstruction Team
PS	Private Secretary
PSA	Production Sharing Agreement
PSCE	Public Sector Current Expenditure
PSNI	Police Service of Northern Ireland
PSO	Peace Support Operation
PSO/CDS	Principal Staff Officer to the Chief of the Defence Staff
PST	Provincial Support Team
PTSD	Post Traumatic Stress Disorder
PTT	Police Transition Team or Police Training Team
PU	People's Union
PUK	Patriotic Union of Kurdistan
PUS	Permanent Under Secretary
PUSS	Parliamentary Under Secretary of State
PVR	Premature Voluntary Retirement
PW	Prisoner of War

## Q

Q&A	Questions and Answers
Qadisiyah	Province in central south-east Iraq
Qalat Sikar	Airbase in Maysan Province
QC	Queen's Counsel
Qibla	Militia stronghold
QIP	Quick Impact Project
QRF	Quick Reaction Force
QRF	Quick Response Fund
Quai d'Orsay	French Foreign Ministry

## R

R day	Point at which the rotation of combat units formally commenced
R&D	Research and Development
R&O	Repair and Overhaul
R&R	Rest and Recuperation
RA	Research Analysts
RA	Regular Army
RAB	Resource Accounting and Budgeting
RAD	Research Analysts Department
RAdm	Rear Admiral
RAF	Royal Air Force
Ramadan	Islamic religious holiday
Ramadi	Capital of Anbar province
RAMP	Reception Arrangements for Military Patients
RAND	Rand Organisation
Rasheed	Air base in Diyala province
RauxAF	Royal Auxiliary Air Force
RC	Radio Control
RCDM	Royal Centre for Defence Medicine
RCIED	Radio Controlled Improvised Explosive Device
RCT-5	Regimental Combat Team (5th US Marine Corps)
RDD	Radiological Dispersal Devices
RDD	Required Delivery Date
RDEL	Resource Departmental Expenditure Limits
REO	US Regional Embassy Office
RFA	Royal Fleet Auxiliary
RG	Republican Guard
RGFC	Republican Guard Forces Command
RIO	Restore Iraq Oil
RiP	Relief in Place
RM	Royal Marines
RMHP	Reserves Mental Health Programme
RMP	Royal Military Police
RN	Royal Navy
RO	Response Options
ROE	Rules of Engagement

Ro-Ro	Roll-on Roll-off
ROW	Rest of World
RPG	Rocket Propelled Grenade
RPTA	Regional Police Training Academy
RPV	Remotely Piloted Vehicles
RRT	Regional Reconstruction Team
RRU	Regional Rehabilitation Units
RSG	Reconciliation Steering Group
RSOI	Reception, Staging, Onward Movement and Integration
RTI	US organisation funded by USAID to build local government capacity in Iraq
RUC	Royal Ulster Constabulary
RUSI	Royal United Services Institute
RVD	Residual Vapour Detectors
RW	Rotary Wing

## S

S of S	Secretary of State
S2O	Support to Operations
SABR	Support Amphibious Battlefield Helicopters
SAC	Survey Analysis Centre
SACEUR	Supreme Allied Commander Europe
Sadr City	Suburb of Baghdad
SAF	Small Arms Fire
SAF	Stabilisation Aid Fund
Safwan	Town in Basra province
Saif Sareena II	Military exercise to assess equipment
Salah ad Din	Province in central Iraq
SAM	Surface to Air Missile
Samarra	City in Salah ad Din province
Samawah	Capital of Muthanna province
SBA	Stand-By Arrangement
SBLA	Senior British Land Adviser
SBMA	Senior British Military Adviser
SBMR-I	Senior British Military Representative – Iraq
SC	Security Committee
SC	Security Council

SCA	Strategic Conflict Assessment
SCIRI	Supreme Council for Islamic Revolution in Iraq
SCOG	Support to the Centre of Government
SCP	Sector Control Point
SCR	Security Council Resolution
SCU	Strategic Communications Unit
SDE	Statement on the Defence Estimates
SDR	Strategic Defence Review
SDSR	Strategic Defence and Security Review
SE	Scottish Executive
SE	South-East
Sec (O)	MOD Secretariat (Overseas)
Sec Pol	Security Policy
SECCOS	Secretary to the Chiefs of Staff Committee
SF	Special Forces
SFA	Service Family Accommodation
SFA	Strategic Framework Agreement
SG	Secretary-General
SG	Special Groups
SH	Support Helicopter
Shatt al-Arab	River running through Basra province
SI	Service Inquiry
SIB	Special Investigation Branch
SIESP	Southern Iraq Employment and Services Programme
SIGACTS	Significant Activities
SIGINT	Signals Intelligence
SIGIR	US Special Inspector General for Iraq Reconstruction
sine qua non	Essential action or condition
Sinjar	Town in Ninawa province
SIS	Secret Intelligence Service
SISG	Southern Iraq Steering Group
SJSR	Security and Justice Sector Reform
SLA	Scottish Lord Advocate
SLA	Service Level Agreement
SLB	Shaiba Logistics Base in Basra province
SLE	Spearhead Land Element
SMART	MOD acquisition process

SMD	Security Management Department
SNFZ	Southern No-Fly Zone
SOAS	School of Oriental and African Studies
SOC	Survey Operations Centre
SOE	State Owned Enterprise
SOF	Special Operations Forces
SOFA	Status of Forces Agreement
SofS	Secretary of State
Sol	Sons of Iraq
SOR	Statement of Requirement
SoS	Secretary of State
SOSA	Senior Overseas Security Adviser
SOSDEF	Secretary of State for Defence
SOSFCA	Secretary of State for Foreign and Commonwealth Affairs
SpAd	Special Adviser
SPB	Service Personnel Board
SPG	MOD Strategic Planning Group
SPOD	Sea Point of Disembarkation
SPVA	Service Personnel and Veterans Agency
Sqn	Squadron
SRBM	Short Range Ballistic Missile
SRG	Special Republican Guard
SRO	Senior Responsible Owner
SRSG	Special Representative of the Secretary-General
SRT	Stabilisation Response Team
SS	Steady State
SSAFA	Soldiers, Sailors, Airmen and Families Association
SSC	Steady-State Criteria
SSE	Sensitive Site Exploitation
SSE	Spring Supplementary Estimate
SSO	Special Security Organisation
SSR	Security Sector Reform
STBA	Short-Term Business Attachment
STP	Short-Term Plan
STTTs	Short-Term Training Teams
SU	Stabilisation Unit
sui generis	In a class by itself

Sulaymaniyah	Province in north-eastern Iraq and its capital
SUV IPT	Specialist Utility Vehicles Integrated Project Team
SVN	Stabilisation Volunteer Network
SWAT	Special Weapons and Tactics
<b>T</b>	
T&G	Temporary and Geographical
TA	Territorial Army
Taji	Airbase in Baghdad province
TAL	Transitional Administrative Law
Tal Afar	Town in Ninawa province
Tallil	Airbase in Dhi Qar province
Ta'min	Former name of Kirkuk province
TAT	Technical or Transitional Advisory Team
TAV	Total Asset Visibility
TBS	Transition Bridging Strategy
TCA	Transitional Civilian Administration
TEL	Transport Erector Launchers
TF D/E	Task Force Disablement and Elimination
<i>The Lancet</i>	United Kingdom medical journal
TI	Transparency International
TID(O)	Overseas Sub-Committee of the Official Committee on Domestic and International Terrorism
Tikrit	Capital of Salah ad Din province
TIP	Transition Integration Programme
TLA	Transitional Legislative Assembly
TLAM	Tomahawk Land Attack Missile
TME	Total Managed Expenditure
TNA	Transitional National Assembly
TOA	Transfer of Authority
TOR	Terms of Reference
TPS	Transportable Production System
TPUK	Trade Partners UK
TRA	Transition Readiness Assessment
TRB	Theatre Reserve Battalion
TRiM	Trauma Risk Management
TSA	Technical Service Agreement

TSI	Technical Support to Iraq
TSU	Tactical Support Unit
TTP	Tactics, Techniques and Procedures
TU	Turkey
TUAV	Tactical Unmanned Aerial Vehicle
TUC	Trades Union Congress
<b>U</b>	
U2	High altitude reconnaissance aircraft
U-6	Undecided 6: Angola, Cameroon, Chile, Guinea, Mexico, Pakistan
UAE	United Arab Emirates
UAV	Unmanned Aerial Vehicle
UHBFT	University Hospital Birmingham Foundation Trust
UIA	United Iraqi Alliance
UIC	United Iraqi Coalition
UK Div HQ	UK Divisional Headquarters
UKBA	United Kingdom Border Agency
UKDEL	UK Delegation
UKDEL IMF	UK Delegation to the International Monetary Fund
UKMIS NY	UK Permanent Mission to the UN in New York
UKMOD	UK Ministry of Defence
UKRep	UK Permanent Representation to the EU
UKSF	UK Special Forces
UKTI	UK Trade and Investment
Umm Qasr	Port in Basra province
UN	United Nations
UN SC	UN Security Council
UNAMI	UN Assistance Mission for Iraq
UND	FCO United Nations Department
UNDP	UN Development Programme
UNEP	UN Environmental Programme
UNESCO	UN Educational, Scientific and Cultural Organization
UNFICYP	UN Forces in Cyprus
UNGA	UN General Assembly
UNHCR	UN High Commission for Refugees
UNICEF	UN Children's Emergency Fund

UNIFEM	UN Development Fund for Women
UNIKOM	UN Iraq-Kuwait Observation Mission
UNJLC	UN Joint Logistics Centre
UNMI	UN Mission to Iraq
UNMIK	UN Mission in Kosovo
UNMOVIC	UN Monitoring, Verification and Inspection Commission
UNOCS	UN Office of Constitutional Support
UNOIP	UN Office of Iraq Programme
UNOPS	UN Office for Project Services
UNSC	UN Security Council
UNSC	UN Special Co-ordinator
UNSCOM	UN Special Commission
UNSCR	UN Security Council Resolution
UNSG	UN Secretary-General
UNTAET	UN Transitional Administration in East Timor
UOR	Urgent Operational Requirement
UQP	Umm Qasr Port
URD	User Requirement Document
US DOD	US Department of Defense
USACE	US Army Corps of Engineers
USAF	US Air Force
USAID	US Agency for International Development
USAID OIG	US Agency for International Development Office of Inspector General
USMC	US Marine Corps
USR	Urgent Sustainability Requirement
USUN	US Mission to the UN
USUR	Urgent Statement of User Requirement
UXO	Unexploded Ordnance

## V

VAdm	Vice Admiral
VAT	Value Added Tax
VBIED	Vehicle-Borne Improvised Explosive Device
VCDS	Vice Chief of the Defence Staff
VFM	Value for Money
VITAL	Visibility in Transit Asset Logging

VO	Visiting Officer
VP	Vice President
VRF	Volunteer Reserve Forces
VTC	Video Teleconference
VX	A chemical nerve agent

## W

Wasit	Province in eastern Iraq
WFP	World Food Programme
WHO	World Health Organization
WMD	Weapons of Mass Destruction
WMIK	Weapons Mount Installation Kit
WMR	War Maintenance Reserve
WMS	Written Ministerial Statement
WMSL	Weapons of Mass Destruction Master Site List
WPS	War Pensions Scheme
WSE	Winter Supplementary Estimate
WTO	World Trade Organization
WWII	World War 2

## X

XTF-75	Exploitation Task Force-75
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## Y

YTF	Yet-To-Find
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## ANNEX 3

### NAMES AND POSTS

#### A

Abbas	(General) Iraqi Army Commander
Abdullah, Tariq	Prime Minister Maliki's Chief of Staff
Abdul-Mahdi, Adil	Iraqi Minister of Finance, June 2004-April 2005, Vice President of Iraq, April 2005-July 2011
Abel, Richard	Principal Private Secretary to the Business, Innovation and Skills Secretary, October 2007-September 2010
Abizaid, John	(General) Director of Joint Staff in the Pentagon, October 2001-January 2003 Deputy Commander to General Franks, January 2003-July 2008 Commander, US Central Command (CENTCOM), July 2003-March 2007
Abrams, Elliot	US National Security Council Senior Director for Democracy, Human Rights and International Organizations, June 2001-February 2005
Abu Qadir, Wissam	Basra Jaysh al-Mahdi leader
Adams, Cathy	Legal Counsellor to Lord Goldsmith, 2002-2005 Inquiry witness
Adams, Geoffrey	Principal Private Secretary to the Foreign Secretary, 2003-2005 (Sir) British Ambassador to Iran 2006-2009 Inquiry witness
Adams, Terry	CPA Oil Team Technical Expert
Aflaq, Michael	Co-founder of the Ba'ath Party
Ahmadinejad, Mahmoud	President of Iran, 2005-2013
Ainsworth, Bob	Minister for the Armed Forces, June 2007-May 2009 Defence Secretary, June 2009-May 2010 Inquiry witness
Akram, Munir	Pakistani Permanent Representative to the UN, 2002-2008
al-Ahmad, Muhammad Tunis	Former senior Ba'athist and founder of the New Regional Command
al-Asadi, Adnan	Iraqi Deputy Interior Minister

al-Assad, Bashar	President of Syria, 2000-present
al-Bakr, Ahmad Hasan	President of Iraq, 1968-1979
al-Bitar, Salah al-Din	Co-founder of the Ba'ath Party
al-Bulani, Jawad	Iraqi Interior Minister, June 2006-December 2010
al-Daraji, Raheem	(Sheikh) Mayor of Sadr City
al-Douri, Izzat Ibrahim	Senior Ba'athist and founder of the New Regional Command Vice Chairman of the Revolutionary Council (Iraq), 1979-2003
al-Dulaimi, Saadoun	Iraqi Defence Minister, June 2005-March 2006
al-Faiz, Sheikh Amr	Tribal leader
al-Hadithi	Iraqi Foreign Minister, 2001-2003
al-Hakim, Abdul Aziz	Leader of the United Iraqi Alliance and of the Supreme Council for Islamic Revolution of Iraq, 2003-2009
al-Hakim, Muhammed Baqir	(Ayatollah) Spiritual leader of the Supreme Council for Islamic Revolution in Iraq, 1982-2003
al-Hasani, Mohammed	Governor of Muthanna province until March 2007
al-Hashemi, Aqila	(Dr) Member of the Governing Council, July 2003-June 2004
al-Hassani, Hajem	Industry Minister, June 2004-May 2005 Speaker, Transitional National Assembly, April 2005-April 2006 Vice President of Iraq
Al-Husseini, Abdullah II bin	King of Jordan, February 1999-present
al-Huwaish, Abd	Head of the Iraqi Military Industrial Commission
al-Iraqi, Abd al Hadi	Senior Al Qaida commander
al-Ja'afari, Ibrahim	(Dr) Deputy President of Iraq, 2004-2005 Prime Minister of Iraq, May 2005-May 2006
al-Jedda, Hilal	Former Iraqi detainee
al-Majid, Ali Hasan	(Colonel General) "Chemical Ali", cousin of Saddam Hussein Director, Iraqi Intelligence Service, 1995-April 2003
al-Maliki, Nouri	Presidential candidate for the United Iraqi Alliance Prime Minister of Iraq, June 2006-September 2014
al-Marashi, Ibrahim	(Dr) Research Associate, Centre for Non-Proliferation Studies
al-Masri, Ayb Awub	Leader of Al Qaida in Iraq
al-Musawi, Sayyid Abdul	Shia cleric
al-Naqib, Falah Hassan	Iraqi Interior Minister

al-Qadir, Wissam	Jaysh al-Mahdi Commander
al-Rhado, Rhadi Hamza	Chairman, Commission on Integrity, 2004-2007
al-Rubaie, Mowaffak	(Dr) Iraqi National Security Adviser, 2004-2009
al-Saad, Hassan	(Major General) Chief of Police for Basra
al-Sa'adi, Amir	(Dr) Scientific Adviser to the Iraqi Presidency to 2003
al-Sadr, Muqtada	Iraqi Shia cleric, politician and militia leader
al-Safi, Safa	(Dr) Iraqi Acting Justice Minister
al-Saghir, Jalal Al-Din	(Sheikh) Member of the de-Ba'athification Commission
al-Sahaf, Mohammed Said	Iraqi Foreign Minister, 1992-2001
al-Samarri'e, Ayad	Speaker, Iraqi Council of Representatives, April 2009-November 2010
Al-Saud, Abdullah bin Abdulaziz	Crown Prince of Saudi Arabia, 1982-2005
Al-Saud, Fahd bin Abdulaziz	King of Saudi Arabia, June 1982-August 2005
al-Shahmani, Adnan	Founder of the Iraqi National Gathering
al-Shahristani, Hussain	Iraqi Minister of Oil, May 2006-December 2010
al-Sharaa, Farouk	Syrian Permanent Representative to the UN Syrian Deputy Prime Minister and Minister for Foreign Affairs, March 1984-February 2006
al-Shaybani, Ahmad	Senior Jaysh al-Mahdi Commander
al-Sistani, Ali	(Grand Ayatollah) Most senior authority in the Iraq Shia community
al-Sudani, Abdel Falah	Iraqi Trade Minister, 2006-2009
al-Tikriti, Abid Hamid Mahmud	(Lieutenant General) Personal Secretary to Saddam Hussein until 2003
al-Ubaidi, Mahdi	Head, Iraqi gas centrifuge programme
al-Wa'ili, Sherna	Iraqi Minister for National Security, June 2006-September 2009
al-Yaqubi, Mustafa	Senior aide to Muqtada al-Sadr
al-Yawar, Ghazi	President of Iraq, 2004-2005 Vice President of Iraq, 2005-2006
al-Zarqawi, Abu Musab Alami, Ali Faisal	Leader of Al Qaida in Iraq Director General, de-Ba'athification Commission's Follow-Up and Implementation Department
Albright, Madeleine	(Dr) US Secretary of State, January 1997-January 2001
Aldouri, Mohammed	Iraqi Permanent Representative to the UN, 2001-2003

Alexander, Douglas	Cabinet Office Minister, June 2003-September 2004 International Development Secretary, 2007-2010 Inquiry witness
Allan, Alex	Department for Constitutional Affairs, Permanent Secretary, August 2004-June 2007
Allan, Keith	Trade Partners UK, Deputy Director, International Group 1
Allawi, Ali A	(Dr) Minister of Defence, Iraqi Interim Government Minister of Finance, Iraqi Transitional Government
Allawi, Ayad	(Dr) Leader of the Iraqi National Accord President of the Governing Council, October 2003 Prime Minister of Iraq, 2004-2005
Alvear, Soledad	Chilean Foreign Minister
Aly Azad Rana, Kipkorir	Kenyan Deputy Permanent Representative to the UN, 1997-1998
Amorim, Celso	President of the Security Council, January 1999 Brazilian Permanent Representative to the UN in New York, 1995-1999
Amos, Valerie	(Baroness) FCO Parliamentary Under Secretary of State, 2001-2003 International Development Secretary, May-October 2003
Ancram, Michael	Deputy Leader of the Opposition and Shadow Foreign Secretary, September 2001-May 2005
Anderson, Donald	Chairman, House of Commons Foreign Affairs Committee, July 1997-July 2005
Anderson, Michael	DFID, Head, Middle East and North Africa Department, 2005-2008
Anderson, Roy	(Professor, Sir) MOD Chief Scientific Officer, October 2004-September 2007
Andrews, Ian	MOD, 2nd Permanent Under Secretary, 2002-March 2009
Annan, Kofi	UN Secretary-General, 1997-2006
Applegate, Richard	(Major General) MOD Capability Manager for Battlespace Manoeuvre
Arafat, Yasser	Chairman, Palestine Liberation Organisation, 1969-2004
Archer, Peter	(Lord Archer of Sandwell) Solicitor General, 1974-1979
Arias, Inocencio	Spanish Permanent Representative to the UN, 1997
Armitage, Richard	US Deputy Secretary of State, March 2001-February 2005
Armstrong, Hilary	Chief Whip, House of Commons, June 2001-May 2006
Arthur, Michael	FCO Director Economic, 2001-2003

Asquith, Dominic	Deputy Chief Commissioner in the CPA, Deputy Special Representative and Deputy Head of Mission, Iraq during 2004 FCO Director Iraq, 2004-2006 British Ambassador to Iraq, 2006-2007 Inquiry witness
Asselborn, Jean	Minister for Foreign and European Affairs, Luxembourg (Presidency of EU Troika)
Austin, Chris	DFID, Head, Iraq Policy and Reconstruction Team
Austin, Lloyd	(Lieutenant General) US Commander, Multi-National Corps – Iraq, 2008-2010
Aylwin-Foster, Nigel	(Brigadier) Commander, CMATT
Aziz	(Major General) Deputy Commander, 11th Iraqi Army Division
Aziz, Tariq	Iraqi Deputy Prime Minister, 1979-2003 Iraqi Foreign Minister, 1983-1991
Aznar, José María	Prime Minister of Spain, 1996-2004
<b>B</b>	
Bach, William	(Lord) Parliamentary Under Secretary of State and MOD Minister for Defence Procurement, June 2001-May 2005 Ministry of Justice Parliamentary Under Secretary of State, October 2008-May 2010 Inquiry witness
Bagnall, Anthony	(Air Chief Marshal, Sir) Vice Chief of the Defence Staff, 2001-2005 Inquiry witness
Bahr al-Ulum, Ibrahim	Iraqi Minister of Oil, May-December 2005
Baird, Vera	Department of Constitutional Affairs Parliamentary Under Secretary of State, 2006-2007
Baker, Chris	MOD Director General Service Personnel Policy, 2006-2008
Baker, Frank	FCO, Head, Iraq Group, 2007-2010 Inquiry witness
Baker III, James A	US Secretary of State, January 1989-August 1992 President Bush's Personal Envoy on Iraqi Debt, and US Co-Chairman of the Iraq Study Group, 2003-2006
Balkenende, Jan Peter	Prime Minister of the Netherlands, July 2002-October 2010

Balls, Ed	Special Adviser to the Chancellor of the Exchequer, 1997-2003 Inquiry witness
Balmer, Colin	MOD Finance Director
Banerji, Arnab	Economic adviser to the Prime Minister
Banner, Nick	Private Secretary to the Prime Minister
Barker, John	Cabinet Office, Director, Corporate Development Group
Barroso, José Manuel Durão	Prime Minister of Portugal, April 2002-July 2004
Bartlett, Dan	President Bush's Communications Director, 2001-2005 Counsellor to President Bush, 2005-2007
Barton, Dick	(Assistant Chief Constable) UK Chief Police Adviser – Iraq, March 2006-March 2007 Inquiry witness
Barton, Philip	Private Secretary to the Prime Minister, 1997-2000
Barzani, Masoud	Leader of Kurdish Democratic Party since 1979
Barzani, Nechirvan	Prime Minister, Kurdish Regional Government, 2006-2009
Bassett, Philip	Special Adviser to Mr Blair
Baxter, Johnny	Deputy Head of DFID office Baghdad, August 2007 Head of DFID office Baghdad, October 2007-May 2008 Inquiry witness
Beadle, Nick	Coalition Senior Adviser to the Iraqi Ministry of Defence, 2004-2005
Bearpark, Andy	UN Deputy Special Representative in Kosovo, 2000-2003 CPA Director of Operations and Infrastructure, June 2003-July 2004 Inquiry witness
Beaver, Sarah	(Dr) PJHQ, Command Secretary, 2007-2008
Beckett, Margaret	Environment, Food and Rural Affairs Secretary, June 2001-May 2006 Foreign Secretary, May 2006-June 2007 Inquiry witness
Beith, Alan	Deputy Leader of the Liberal Democrats, April 1992-February 2003
Belinga-Eboutou, Martin	Cameroonian Permanent Representative to the UN, March 1998-December 2007
Bellinger III, John	US National Security Council Legal Adviser in 2003 US State Department Legal Adviser, April 2005-March 2009

Benn, Hilary	Minister for International Development, May-October 2003 International Development Secretary, October 2003-June 2007 Inquiry witness
Berger, Sandy	President Clinton's National Security Advisor, March 1997-January 2001
Berlusconi, Silvio	Prime Minister of Italy, 2001-2006 and 2008-2011
Berman, Frank	(Sir) FCO Legal Adviser, 1991-1999 Inquiry witness
Berragan, Gerald	(Major General) Deputy Commander (Operations), Multi-National Corps – Iraq, January-October 2007
Berrocal Soto, Fernando	Costa Rican Permanent Representative to the UN, 1994-1998
Bethlehem, Daniel	FCO Legal Adviser, May 2006-May 2011 Inquiry witness
Bewes, Anna	Principal Private Secretary to the International Development Secretary, August 2001-August 2003
Biddle, Stephen	(Dr) Academic and journalist
Biden, Joe	(Senator) Chair of the Senate Foreign Relations Committee, 2001-2003 and 2007-2009
Bill, Ian	Chairman and CEO, Foster Wheeler Energy Ltd, July 1998-2004
Bin Laden, Usama	2nd General Emir of Al Qaida, 1989-May 2011
Binns, Graham	(Brigadier) Commander, 7 Armoured Brigade, 2001-2003 (Major General) General Officer Commanding Multi-National Division (South-East), August 2007- February 2008 Inquiry witness
Blackshaw, Alison	Alastair Campbell's Senior Assistant
Blackwill, Bob	(Ambassador) US National Security Council Deputy for Iraq, 2003-2004
Blake, Nicholas	Queen's Counsel, Deepcut Review, 2004-2006
Blix, Hans	(Dr) Director General, International Atomic Energy Agency, 1981-1997 Executive Chairman of United Nations Monitoring, Verification and Inspection Commission, March 2000-June 2003 Inquiry witness
Blunkett, David	Home Secretary, June 2001-December 2004

Boateng, Paul	Chief Secretary to the Treasury, May 2002-May 2005 (Lord) Inquiry witness
Bolton, John	US Under Secretary of State for Arms Control and International Security, May 2001-July 2005 (Ambassador) US Permanent Representative to the UN, August 2005-December 2006
Boulani, Jawad	Iraqi Minister of the Interior, June 2006-December 2010
Bourne, John	Head, Dhi Qar Governorate Team
Boutros-Ghali, Boutros	UN Secretary-General, January 1992-December 1996
Bowden, Jamie	Deputy Head of Mission, British Embassy Baghdad, September 2004-February 2005 Inquiry witness
Bowen, Desmond	MOD Director General Operational Policy, 2001-2002 Deputy Head, Cabinet Office Overseas and Defence Secretariat, September 2002-October 2004 MOD Policy Director, November 2004-October 2008 Inquiry witness
Bowen, Stuart	US Special Inspector General for Iraq Reconstruction, October 2004-October 2013
Bowler, James	Principal Private Secretary to the Prime Minister, 2010-December 2011
Bowman, Mark	Private Secretary to the Chancellor of the Exchequer, 2001-2004
Boyce, Michael	(Admiral, Sir) Chief of the Defence Staff, February 2001-May 2003 (Lord) Inquiry witness
Boylan, Steven	(Colonel) General Petraeus' spokesman, February 2007-September 2008
Bradshaw, Adrian	(Major General) Commander, 7 Armoured Brigade, March 2003-2006 Inquiry witness
Bradshaw, Ben	FCO Parliamentary Under Secretary of State, June 2001-May 2002
Brahimi, Lakhdar	Special Representative of the UN Secretary-General for Afghanistan and Head of the UN Assistance Mission in Afghanistan, October 2001-December 2004 UN Special Adviser on Iraq, January-June 2004
Brand, Douglas	(Deputy Chief Constable) UK Senior Policing Representative in Baghdad, July 2003-September 2004 Inquiry witness
Bremer III, L Paul (Jerry)	(Ambassador) Administrator, CPA, May 2003-June 2004

Brenton, Tony	Deputy Head of Mission, British Embassy Washington, 2001-2004 Chargé d’Affaires, British Embassy Washington Inquiry witness
Brewer, Nicola	(Dr) DFID Director General Regional Programmes, 2002-2004 Inquiry witness
Brims, Robin	(Major General) UK Land Contingent Commander and General Officer Commanding 1st Armoured Division, 2000-2003 Deputy Chief of Joint Operations, 2003-2005 (Lieutenant General) Senior British Military Representative – Iraq, April-October 2005 Inquiry witness
Brind, Bridget	FCO, Deputy Head, Iraq Planning Unit
Bristow, Laurie	(Dr) FCO, Deputy Director, Iraq Planning Unit, 2003
Brookes, Diana	FCO, Legal Counsellor, 1999-2010
Brown, Chris	(Lieutenant General) Senior British Military Representative – Iraq, March-July 2009
Brown, Donal	DFID Deputy Director Iraq, 2008-2009
Brown, Gordon	Chancellor of the Exchequer, May 1997-June 2007 Prime Minister, June 2007-May 2010 Inquiry witness
Brown, Stephen	(Sir) Chief Executive, UK Trade and Investment, 2002-2005
Browne, Des	Chief Secretary to the Treasury, May 2005-May 2006 Defence Secretary, May 2006-October 2008 (Lord Browne of Ladyton) Inquiry witness
Browne, John	(Lord Browne of Madingley) Chairman, BP, 1998-2007
Brummell, David	Legal Secretary to the Law Officers, August 2000-November 2004 Inquiry witness
Buallay, Jassim Mohammed	Bahraini Permanent Representative to the UN, 2001-2009
Buck, John	Head of UK Communications and Information Centre, February-May 2003 CPA Interim Director Strategic Communication, May-July 2003 FCO, Director, Iraq, September 2003-July 2004 Inquiry witness

Burleigh, Peter	US Deputy Representative to the UN, August 1997-December 1999
Burnham, Andy	Chief Secretary to the Treasury, June 2007-January 2008
Burns, William	US State Department Assistant Secretary Near East, June 2001-March 2005
Burridge, Brian	(Air Marshal) UK National Contingent Commander, October 2002-May 2003 (Air Chief Marshal, Sir) Inquiry witness
Bush, George HW	41st President of the US, 1989-1993
Bush, George W	43rd President of the US, 2001-2009
Butler, Creon	FCO Chief Economist, 2004-2006
Butler, Richard	Executive Chairman of the UN Special Commission, 1997-1999
Butler, Robin	(Sir) Cabinet Secretary, 1988-1998 (Lord Butler of Brockwell) Chair, Butler Review, February-July 2004
<b>C</b>	
Cambone, Stephen	US Under Secretary of Defense and Intelligence, 2003-2007
Cameron, Lindy	Deputy Head, DFID office, Baghdad, January-November 2004 Head, DFID office, Baghdad, 2004-November 2005 Inquiry witness
Campbell, Alastair	Mr Blair's Director of Communications and Strategy, 2000-2003 Inquiry witness
Campbell, Menzies	Liberal Democrat Foreign Affairs Spokesperson, May 1992-January 2006
Cannon, Nicholas	Mr Blair's Assistant Private Secretary for Foreign Affairs, February 2003-April 2004
Caplin, Ivor	MOD Parliamentary Under Secretary of State, June 2003-May 2005
Card, Andy	President Bush's Chief of Staff, January 2001-April 2006
Casey, George	(Lieutenant General) US Director of the Joint Staff, January-October 2003 (General) Commander, Multi-National Force – Iraq, June 2004-February 2007
Casey, Nigel	FCO Acting Director for Iraq Head, Iraq Planning Unit, 2006-2007
Cash, William	Shadow Attorney General

Casteel, Steve	US Senior Advisor to Interior Ministry, October 2003-July 2005
Catsaras, Nick	Private Secretary to the Prime Minister
Cavanagh, Matt	Special Adviser to Mr Brown, 2007-2010
Chakrabarti, Suma	DFID Permanent Secretary, February 2002-December 2007 (Sir) Inquiry witness
Chalabi, Ahmed	(Dr) Member of the Iraqi National Congress, 1992-2005 Deputy Prime Minister of Iraq, May 2005-2006
Chaplin, Edward	FCO, Director Middle East and North Africa, 2002-2004 British Ambassador to Iraq, July 2004-May 2005 Inquiry witness
Charlton, Alan	FCO, Director Personnel, 2001-2004 Deputy Head of Mission, British Embassy Washington, 2004-2007
Chatterton Dickson, Robert	FCO, Head, Iraq Security Sector Unit, 2000-October 2003
Cheadle, Richard	(Rear Admiral) Chief of Staff Naval Home Command, September 2002-December 2003 Controller of the Navy, December 2003-April 2006
Cheney, Dick	Vice President of the US, 2001-2009
Chiarelli, Peter	(General) Commander, Multi-National Corps – Iraq, August 2008-January 2012
Chikoti, Georges	Angolan Deputy Minister for Foreign Affairs, November 2010-present
Chilcott, Dominick	FCO Middle East Department, September 2002-2003 FCO, Head Iraq Planning Unit, January-June 2003 Inquiry witness
Chirac, Jacques	President of France, 1995-2007
Cholerton, Simon	(Dr) MOD, Assistant Director Secretariat (Overseas), 2001-2002 MOD, Acting Head, Iraq Secretariat, April 2004-December 2005
Clarke, Charles	Home Secretary, December 2004-May 2006 Minister without Portfolio and Party Chair, 2001-2002
Clarke, Michael	(Professor) King's College London, Founding Director, International Policy Institute, 2001-2005 Head, School of Social Science and Public Policy, 2004-2005 Director General, Royal United Services Institute, 2007-2015

Clarke, Wesley	(General) Supreme Allied Commander Europe, 1997-2000
Cleveland, Robin	Associate Director, White House Office of Management and Budget, January 2001-June 2005
Clinton, Bill	42nd President of the US, 1993-2001
Clwyd, Ann	Chair, INDICT, 1997-2003 and Vice Chair, Parliamentary Labour Party, 2001-2005 Prime Minister's Special Envoy to Iraq on Human Rights, May 2003-May 2010 Inquiry witness
Colbourne, Michael	(Acting Assistant Chief Constable) UK Chief Police Adviser, March 2007-April 2008 Inquiry witness
Collecott, Peter	FCO, Director General, Corporate Affairs, 2001-2003
Collis, Simon	British Consul General in Basra, 2004-2005 Inquiry witness
Colman, Tony	Chair, All-Party Parliamentary Group on the United Nations
Conway, Jim	(Lieutenant General) Commander, 1st Marine Expeditionary Force, 2002-2004
Cook, Robin	Foreign Secretary, May 1997-June 2001 Leader of the House of Commons, June 2001-March 2003
Cooper, Geoffrey	Senior Police Adviser in Basra, March 2008-April 2009 Inquiry witness
Cooper, John	(Major General) General Officer Commanding Multi-National Division (South-East), December 2005-July 2006 (Lieutenant General) Senior British Military Representative – Iraq, March 2008-March 2009 Inquiry witness
Cooper, Robert	Head, Overseas and Defence Secretariat, Cabinet Office, 1999-2002
Cornish, Roger	(Dr) MOD, Deputy Director, Iraq
Costello, Barry	(Rear Admiral) Coalition Maritime Component Commander
Cowlam, Shaun	(Brigadier) Commander, Joint Force Logistics Command Commander, 102 Logistics Brigade, December 2000-May 2003
Cowper-Coles, Sherard	Principal Private Secretary to the Foreign Secretary, 1999-2001 British Ambassador to Israel, 2001-2003
Cragg, Tony	Deputy Chief of Defence Intelligence, 1999-2003 Inquiry witness
Crisp, Nigel	(Sir) DoH Permanent Secretary, 2000-2006

Crocker, Ryan	US Ambassador to Iraq, March 2007-February 2009
Crompton, Neil	FCO, Head, Iraq Planning Unit FCO, Head, Iraq Policy Unit
Cross, Tim	(Major General) Office of Reconstruction and Humanitarian Assistance, 2002-2003 Inquiry witness
Crouch II, Jack Dyer	US Assistant Secretary of Defense (International Security Policy), August 2001-October 2003
Cullen, William	(Lord Cullen of Whitekirk) Chair, Review of Fatal Accident Inquiries, 2008-2009
Cunliffe, Jonathan	Treasury Managing Director Macroeconomic Policy, 2002-2007 (Sir) Inquiry witness
Cunningham, James	(Ambassador) US Deputy Representative to the UN, December 1999-July 2004
Curtis, Richard	(Sir) Assistant Deputy Coroner for Oxfordshire, 2005-2006
<b>D</b>	
Dahlgren, Hans	Swedish Permanent Representative to the UN, 1997-2000
Dalton, Richard	(Sir) British Ambassador to Iran, 2002-2006 Inquiry witness
Dandeker, Christopher	Professor of Military Sociology, King's College London, and Co-Director of the King's Centre for Military Health Research
Dannatt, Richard	(Major General) Assistant Chief of the General Staff, 2001-2002 (Lieutenant General) Commander, Allied Rapid Reaction Corps, 2003-2004 (Lieutenant General, Sir) Commander in Chief, Land Command, March 2005-August 2006 (General, Sir) Chief of the General Staff, August 2006-August 2009 Inquiry witness
Dardagan, Hamit	Co-founder of Iraq Body Count
Darling, Alistair	Chancellor of the Exchequer, June 2007-May 2010
Davies, Gareth	Senior Prisons Adviser to CPA(South)
Davies, Patrick	Private Secretary to the Foreign Secretary, 2000-2003
Davies, Peter	Private Secretary to the Defence Secretary
Davies, Robert	Chief Police Adviser to the Iraqi Ministry of the Interior
Davis, Liz	DFID Human Resources Director

Day, Jon	Chief of the Assessments Staff, Cabinet Office, 2000-2001 MOD Director General Operational Policy, August 2007-October 2008 MOD Director General Security Policy, 2008-2009 Inquiry witness
Dayton, Keith	(Major General) US Military Commander, Iraq Survey Group
de La Sablière, Jean-Marc	French Permanent Representative to the UN, 2002-2007
de Villepin, Dominique	French Minister for Foreign Affairs, May 2002-March 2004
Dearlove, Richard	(Sir) Chief of the Secret Intelligence Service, August 1999-May 2004 Inquiry witness
Dejammet, Alain	French Permanent Representative to the UN, 1995-1999
Delves, Cedric	(Lieutenant General) Senior UK Liaison Officer at US Central Command, January-April 2002
Dempsey, Martin	(General) Commanding General, Multi-National Security Transition Command – Iraq, August 2005-August 2007
Derbez, Luis	Mexican Minister for Foreign Affairs, January 2003-November 2006
Deverell, John	(Brigadier) Deputy Commander, Iraq Survey Group
Dingemans, James	Counsel for the Hutton Inquiry
Dinham, Martin	DFID Director Europe, Middle East and the Americas, 2005-June 2007 DFID Director General International, April 2008-2010 Inquiry witness
Dodd, Tom	Overseas and Defence Secretariat, Cabinet Office, 2001-2004 Deputy British Consul General in Basra, 2004 Inquiry witness
Dodds, John	Treasury, Head, Defence, Diplomacy and Intelligence Team, October 2002-March 2006 Inquiry witness
Dodge, Toby	(Dr) Reader in International Relations at the London School of Economics and a Senior Consulting Fellow for the Middle East at the International Institute of Strategic Studies
Dowse, Tim	FCO, Head, Non-Proliferation Department, January 2001-November 2003 Director, Chief of the Assessments Staff, Cabinet Office, November 2003-2009 Inquiry witness

Drayson, Paul	(Lord) MOD Parliamentary Under Secretary of State and Minister for Defence Procurement, May 2005-March 2007 Minister of State for Defence Equipment and Support, March-June 2007 Inquiry witness
Drew, Philippa	FCO, Director, Global Issues, 2002-2006
Drummond, Jim	Assistant Head, Overseas and Defence Secretariat (Foreign Affairs), Cabinet Office, 2000-2003 DFID Director, Iraq, 2003-2004 Inquiry witness
Duclos, Michel	French Deputy Permanent Representative to the UN, 2002-2006
Duelfer, Charles	Deputy Executive Chairman of UN Special Commission, 1993-2000 Head, Iraq Survey Group, January 2004-April 2005
Duncan Smith, Iain	Leader of the Conservative Party and official Opposition, September 2001-November 2003
Dutton, James	(Brigadier) Chief of the Defence Staff's Liaison Officer to the Chairman of the US Joint Chiefs of Staff at the Pentagon, March 2002-July 2002 Commander, 3 Commando Brigade, July 2002-May 2004 (Major General) General Officer Commanding Multi-National Division (South-East), June-December 2005 Deputy Chief of Joint Operations, February 2007-October 2008 (Lieutenant General, Sir) Inquiry witness

## E

Eaton, Paul	(Major General) US Head, Coalition Military Assistance Training Team
Eberly, Don	US political writer and researcher
Edelman, Eric	(Ambassador) US Under Secretary of Defense, August 2005-January 2009
Edson, Gary	US Deputy Assistant to the President for International Economic Affairs, January 2001-June 2005
Eduardo Dos Santos, José	President of Angola, September 1979-present
Ehrman, William	FCO, Director, International Security, 2000-October 2002 FCO, Director General, Defence and Intelligence, 2002-2004 Chairman, Joint Intelligence Committee, August 2004-2005 (Sir) Inquiry witness

Eikenberry, Karl	(Major General) US Leader, Iraq Security Force Assessment Team, November 2003-February 2004 US Security Co-ordinator and Chief of the Office of Military Co-operation in Afghanistan, September 2002-September 2003
Ekéus, Rolf	Executive Chairman, UN Special Commission, 1991-1997 Inquiry witness
Elaraby, Nabil	Egyptian Permanent Representative to the UN, May 1991-May 1995
ElBaradei, Mohamed	(Dr) Director General, International Atomic Energy Agency, 1997-2009
England, Gordon	US Deputy Defense Secretary, January 2006-February 2009
Erdoğan, Recep Tayyip	Chairman, Justice and Development Party, 2001-2014 Prime Minister of Turkey, March 2003-August 2014
Errera, Gérard	French Ambassador to the UK, 2002-2007
Etherington, Mark	Head, Wasit Governorate Team Head, Basra PRT, April 2006-January 2007 Inquiry witness
Everard, James	(Brigadier) Commander, 20th Armoured Brigade, 2005-2007

## F

Falconer, Charles	(Lord Falconer of Thoroton) Solicitor General, May 1997-July 1998 Constitutional Affairs Secretary and Lord Chancellor, June 2003-May 2007
Fall, François Lonseny	Guinean Permanent Representative to the UN, 2000-2002 President of the Security Council, March 2003
Farish III, William S	US Ambassador to the UK, 2001-2004
Farquhar, Andrew	(Lieutenant General) British Deputy Commanding General of Operations, Multi-National Corps – Iraq, September 2004-February 2005
Faulkner, Gregory	British Ambassador to Chile, 2000-2003
Feith, Douglas	US Under Secretary of Defense for Policy, July 2001-August 2005
Félix-Paganon, Jean	UN Director in the French Foreign Ministry, 1999-2003
Ferguson, Edward	Private Secretary to the Defence Secretary, September 2007-November 2009

Fergusson, George	Assistant Head, Overseas and Defence Secretariat, Cabinet Office, 2004-2006
Fernie, Alistair	DFID, Head, Middle East and North Africa Department, July 2002-February 2005
Ferrero Waldner, Benita	EU External Affairs Commissioner, 2004-2009
Figgures, Andrew	(Major General) Senior British Military Representative – Iraq, September 2003-April 2004 (Lieutenant General) Deputy Chief of the Defence Staff (Equipment Capability), June 2006-May 2009 Inquiry witness
Fischer, Joschka	German Vice Chancellor and Minister for Foreign Affairs, October 1998-November 2005
Flaherty, Paul	PJHQ, Head of Civilian Secretariat
Flanagan, Ronnie	(Sir) Her Majesty's Chief Inspector of Constabulary, 2005-2009 Inquiry witness
Fleischer, Ari	President Bush's Press Secretary, January 2001-July 2003
Fleischhauer, Carl-August	(Dr) UN Legal Counsel, 1983-1994
Fletcher, Ian	CPA Oil Team Policy Expert
Fletcher, Tom	Private Secretary for Foreign and European Affairs, 2007-2010
Foley, Tom	CPA Director for Private Sector Development
Forber, Ian	MOD, Head, Iraq Policy Team
Fox, Liam	(Dr) Shadow Secretary of State for Defence, December 2005-May 2010
Fox, Paul	FCO, Head, Iraq Policy Unit, 2005-2006
Fox, Vicente	President of Mexico, December 2000-November 2006
Foy, Tim	Head, DFID Office, Baghdad, August 2005-August 2006 Head, Basra PRT, from January 2007 Inquiry witness
Fradley, Stephen	British Senior Prison Adviser
Franks, Tommy	(General) Commander in Chief US Central Command (CENTCOM), 2000-2003
Fraser, Simon	FCO, Director, Strategy and Innovation (Sir) FCO Permanent Under Secretary, August 2010-July 2015
Fréchette, Louise	UN Deputy Secretary-General, April 1997-April 2006
Free, Julian	(Brigadier) Commander, 4th Mechanised Brigade, and Deputy Commander Operations, April 2007-2009

French, Joe	(Air Marshal, Sir) Chief of Defence Intelligence, 2000-2003 (Air Chief Marshal) Inquiry witness
Friedman, Thomas L	<i>New York Times</i> columnist
Fry, Robert	(Major General) Deputy Chief of Joint Operations (Operations), May 2002-2003 (Lieutenant General) Deputy Chief of the Defence Staff (Commitments), July 2003-March 2006 Senior British Military Representative – Iraq, March 2006-September 2006 (Lieutenant General, Sir) Inquiry witness
Fulton, Robert	(Lieutenant General, Sir) Deputy Chief of the Defence Staff (Equipment Capability), June 2003-June 2006 Inquiry witness

## G

Gantley, Guy	FCO Middle East/North Africa Economic Adviser
Gardiner, Nicholas	Coroner for Oxfordshire, August 1981-April 2012
Garner, Jay	(Lieutenant General) US Head, Office of Reconstruction and Humanitarian Assistance, April-May 2003
Gasper Martins, Ismael	Angolan Permanent Representative to the UN, May 2001-present
Gass, Simon	FCO, Director, Resources, 2001-2004
Gates, Robert	(Dr) US Defense Secretary, December 2006-July 2007
Gatilov, Gennadi	Russian Deputy Permanent Representative to the UN, 1999-2004
Gell, David	(Major) British Army Spokesman
George, Bruce	Chairman, House of Commons Defence Committee, May 1979-July 2005
Ghadban, Thamir	Iraqi Minister of Oil, April-September 2003 and June 2004-May 2005
Gibson, Ian	PJHQ, Deputy Command Secretary
Gibson, Robert	(Dr) Deputy Head of Mission, British Embassy Baghdad
Gieve, John	(Sir) Home Office Permanent Secretary, 2001-2005
Gilchrist, Peter	(Major General) Master General of the Ordnance, 2000-2004
Gillespie, Michael	Head, Public Order and Police Co-operation Unit
Gilligan, Andrew	<i>BBC</i> journalist
Gnehm, Edward	US Deputy Permanent Representative to the UN, 1994-1997

Goldsmith, Peter	(Lord) Attorney General, June 2001-June 2007 Inquiry witness
Gomersall, Stephen	UK Ambassador and Deputy Permanent Representative to the UN, 1994-1998
Gonzales, Alberto	Counsel to President Bush, January 2001-February 2005
Gooderham, Peter	Political Counsellor, British Embassy Washington, 1999-2003
Gordon, Nick	(Air Commodore) MOD, Director of Equipment Capability, ISTAR, September 2006-July 2009
Goult, Alan	FCO, Director Middle East and North Africa, 2000-2002
Gourdault-Montagne, Maurice	President Chirac's Diplomatic Adviser, 2002-2007 French Ambassador to the UK, 2007-2011
Grainger, John	FCO, Legal Counsellor, Middle East Department, 2001-2003
Grannatt, Mike	Cabinet Office, Head, Government Information and Communication Service, 1998-2001
Granville-Chapman, Timothy	(General, Sir) Commander in Chief Land Command, 2003-2005 Vice Chief of the Defence Staff, 2005-2009
Gray, Charles	FCO, Head, Middle East Department, 2002-2004
Green, Jenny	Chair, War Widows Association
Greenall, Gilbert	(Dr) DFID-funded consultant in Iraq
Greenstock, Jeremy	(Sir) UK Permanent Representative to the UN, 1998-July 2003 Prime Minister's Special Representative on Iraq, September 2003-March 2004 Inquiry witness
Greenwood, Christopher	Professor of International Law, London School of Economics
Grossman, Marc	US Under Secretary of State for Political Affairs, March 2001-February 2005
Gül, Abdullah	Prime Minister of Turkey, November 2002-March 2003
Guthrie, Charles	(General, Sir) Chief of the Defence Staff, 1997-2001
<b>H</b>	
Haass, Richard	US State Department Director of Policy Planning, February 2001-June 2003
Habib, Hussein	(Major General) Commander of Iraqi Army 10th Division
Haddon-Cave, Charles	Author of the Nimrod Review in 2009

Hadley, Stephen	US Deputy National Security Advisor, 2001-2005 US National Security Advisor, 2005-2009
Hafez, Mehdi	Iraqi Minister of Planning and Development Co-ordination
Hague, William	Foreign Secretary, May 2010-July 2014
Hamadi, Ali	(Major General) President of the Basra Security Committee
Hamadi, Mohammed	(Brigadier) Provincial Director of Police
Hamdoon, Nizar	Iraqi Permanent Representative to the UN, 1992-1998
Hamill, Paul	No.10 Communications and Information Centre
Hamilton, Lee	US Co-Chairman, Iraq Study Group
Hamilton-Eddy, Jane	Deputy Head of the Assessments Staff, Cabinet Office, July 2004
Hammoudi, Hummam	(Sheikh) Chair, Constitutional Committee
Hamoud, Mohammed	Iraqi Deputy Foreign Minister
Harman, Harriet	Solicitor General, June 2001-May 2005 DCA, Minister of State, May 2005-May 2007
Harradence, Fergus	Head, UK Trade and Industry, Gulf Unit
Harvey, Paul	Head, Kirkuk Governorate Team
Hashemi, Tariq	Iraqi Vice President, April 2006-September 2012
Haslert, Dennis	Speaker of the US House of Representatives, January 1999-January 2007
Hasmy Agan, Tan Sri	Malaysian Permanent Representative to the UN, 1998-2003
Hatfield, Richard	MOD Personnel Director
Hattab, Karim Mahmood	(Prince) Brother of the Governor of Maysan province
Hawley, Alan	(Brigadier) Commander, Medical, Joint Force Logistic Command
Hawramy, Ashtree	(Dr) Minister of Natural Resources, Kurdish Regional Government
Hayes, Peter	Principal Private Secretary to the Foreign Secretary, 2005-2007
Haynes, William	US Department of Defense General Counsel, 2001-2008
Haysom, Nicholas	Head, UN Office of Constitutional Support, 2005-2007
Haywood, Nigel	British Consul General in Basra, April 2008-2009 Inquiry witness
Heath, Mike	(Air Commodore) Director, Directorate Targeting and Information Operations, 2002-2003 (Air Vice Marshal) Senior British Military Adviser to US Central Command, 2003-2005

Heatly, Charles	No.10 Press Officer Adviser to Prime Minister Allawi
Hemmings, Martin	MOD Legal Adviser, 1998-2009
Henderson, Bill	Director, Trade Partners UK, International Group 1
Hendrie, Barbara	DFID Deputy Director Iraq
Hetherington, Mark	FCO Research Analyst
Hewitt, Patricia	Trade and Industry Secretary, June 2001-May 2005
Heywood, Jeremy	Principal Private Secretary to the Prime Minister, June 1999-July 2003 and January 2008-May 2010 (Sir) Cabinet Secretary, January 2012 to present
Hill, Christopher	US Ambassador to Iraq, 2009-2010
Hill, David	Mr Blair's Director of Communications and Strategy, August 2003
Hirst, Neil	DTI Head of Energy Markets Unit
Hogger, Henry	Head, Basra Governorate Team
Holmes, John	(Sir) British Ambassador to France, 2001-2006 Inquiry witness
Hood, Gavin	Legal Adviser, British Embassy Baghdad
Hoon, Geoff	Defence Secretary, October 1999-May 2005 Inquiry witness
Horne, Nick	UK consultant working in the CPA
Houghton, Nicholas	(Major General) Assistant Chief of the Defence Staff (Operations), May 2004-October 2005 (Lieutenant General) Senior British Military Representative – Iraq, October 2005-March 2006 Chief of Joint Operations, 2006-2009 (General, Sir) Inquiry witness
Howard, John	Prime Minister of Australia, 1996-2007
Howard, Martin	MOD, Director, Corporate Communications, July 2001-2003 Deputy Chief of Defence Intelligence, February 2003-May 2004 MOD, Director General, Operational Policy, May 2004-August 2007 Inquiry witness
Howard, Michael	Leader of the Conservative Party and official Opposition, 2003-2005
Howell, David	(Lord Howell of Guildford) Shadow Minister Foreign and Commonwealth Affairs, July 2000-May 2009
Howells, Kim	(Dr) FCO Minister for the Middle East, May 2005-October 2008

Hum, Christopher	(Sir) British Ambassador to China, 2002-2006
Humble, Joan	Chair, Party Group on Army Deaths
Hurd, Douglas	Foreign Secretary, 1989-1995
Hurley, Kevin	(Assistant Chief Constable) Chief Police Adviser in Basra, June-December 2004 Inquiry witness
Hussein, Ahmed	Iraqi Minister for Foreign Affairs, 1991-1993
Hussein, Qusay	Son of Saddam Hussein
Hussein, Saddam	President of Iraq, July 1979-April 2003
Hussein, Uday	Son of Saddam Hussein
Hutton, John	Defence Secretary, October 2008-June 2009 Inquiry witness
Hutton, Roger	(Dr) MOD, Director, Joint Commitments Policy 2003-2006
<b>I</b>	
Ingram, Adam	Minister for the Armed Forces, June 2001-June 2007 Inquiry witness
Innes, Stuart	British Consul General in Basra, 2005
Irvine, Derry	(Lord Irvine of Lairg) Lord Chancellor, May 1997-June 2003
Irwin, Alistair	(Lieutenant General) Adjutant General, 2003-2005 Inquiry witness
Ivanov, Igor	Russian Foreign Minister, 1998-2004
Ivanov, Sergei	Russian Defence Minister, March 2001-February 2007
<b>J</b>	
Jabar, Faleh	(Dr) Research Fellow, Birkbeck College, London
Jabr, Bayan	Iraqi Minister of Interior, 2005-2006 Iraqi Finance Minister, 2006-2010
Jack, Stuart	FCO, Head, Iraq Operations Unit, 2003-2004 FCO Director Iraq
Jackson, Mike	(General, Sir) Commander in Chief Land Command, 2000-2003 Chief of the General Staff, February 2003-August 2006 Inquiry witness
Jacoby, Lowell E	(Vice Admiral) Director, US Defense Intelligence Agency, July 2002-November 2005
Jagne, Marmour A	Gambian Permanent Representative to the UN, July 2008-January 2014

Jalil Khalaff, Abdul	(Major General) Basra Chief of Police, 2007
Jay, Michael	(Sir) FCO Permanent Under Secretary, 2002-2006 (Lord Jay of Ewelme) Inquiry witness
Jeffrey, Bill	(Sir) MOD Permanent Under Secretary, September 2005-2010 Inquiry witness
Jenkin, Bernard	Shadow Secretary of State for Defence, September 2001-November 2003
Jenkins, Ian	(Vice Admiral) Surgeon General, 2002-2006
Jenkins, John	(Dr) FCO, Director Middle East and North Africa, 2007-2009 Inquiry witness
Jenness, Craig	International Commissioner, Independent Electoral Commission, Iraq, 2005
Joffe, George	(Professor) Department of Politics and International Studies, Cambridge University
Johnson, Alan	Health Secretary, June 2007-June 2009
Johnson, David	MOD, Head, Iraq Secretariat, September 2002-July 2004
Johnson, David	Deputy Chief of Mission, US Embassy in London 2003-2007
Johnson, Neil	(Professor) Department of Physics, Oxford University
Johnston, Paul	FCO, Head, Security Policy Department, 2002-2004
Jones, Brian	(Dr) DIS, Branch Head, Nuclear, Biological and Chemical Section in the Scientific and Technical Directorate, 1987-January 2003
Jones, Elizabeth	US Assistant Secretary for European and Eurasian Affairs, 2001-2005
Jones, Richard	British Consul General in Basra, 2007-2008 Inquiry witness
Jones Parry, Emyr	(Sir) UK Permanent Representative to the UN, 2003-2007
Jowell, Tessa	Culture, Media and Sport Secretary, June 2001-June 2007
<b>K</b>	
Kadhum, Fadel Jamal	(Dr) Legal Adviser to Prime Minister Allawi, June 2004-August 2013
Kamil, Hussein	(Lieutenant General) Saddam Hussein's son-in-law, former Minister of Industry and Head of Iraq's Military Industrial Commission
Kane, Angela	Assistant UN Secretary-General for Political Affairs, 1999-2003

Karzai, Hamid	President of Afghanistan, December 2004-September 2014
Kay, David	(Dr) Leader of the International Atomic Energy Agency inspection team, September 1991 Chief Weapons Inspector, International Atomic Energy Agency, 1991-1992 Head, Iraq Survey Group, 2003-January 2004
Keane, Jack	(General) Vice Chief of the US Army, 1999-2003
Keeble, Sally	DFID Parliamentary Under Secretary of State, May 2002-June 2003 Inquiry witness
Kellenberger, Jakob	President of the International Committee of the Red Cross, 2000-2011
Kelly, David	(Dr) MOD Special Adviser, Counter Proliferation Arms Control
Kelly, Ruth	Communities and Local Government Secretary, May 2006-June 2007
Kelly, Tom	Official Spokesman for the Prime Minister, 2001-2007
Kennedy, Charles	Leader of the Liberal Democrats, August 1999-January 2006
Kennedy, Jane	Minister of State, Northern Ireland Office, 2001-2004
Kerik, Bernard	CPA Senior Adviser to the Ministry of Interior, 2003
Kernaghan, Paul	(Chief Constable) Lead on International Affairs for the Association of Chief Police Officers and Chief Constable of Hampshire, 2001-2008 Inquiry witness
Kerr, John	(Sir) FCO Permanent Under Secretary, 1997-2002
Khalilzad, Zalmay	National Security Council Senior Director and Ambassador at Large to the Iraqi Opposition US Ambassador at Large for Free Iraqis, 2003 US Ambassador to Afghanistan, November 2003-June 2005 US Ambassador to Iraq, June 2005-April 2007
Khamenei, Ali	Supreme Leader of Iran since 1999
Khan, Abdul Qadeer	Pakistani nuclear physicist
Khatami, Mohammad	President of Iran, August 1997-August 2005
Kilpatrick, Andrew	Treasury, Head, Country Economics and Policy Team, 2004
Ki-moon, Ban	UN Secretary-General, from January 2007
Kirkup, Bill	(Dr) DoH Regional Director of Public Health and lead on health in Iraq
Kissinger, Henry	(Dr) US Secretary of State, September 1973-January 1977

Kiszely, John	(Lieutenant General) Senior British Military Representative – Iraq, October 2004-April 2005 (Lieutenant General, Sir) Inquiry witness
Korski, Daniel	Senior Policy Fellow, European Council of Foreign Relations, 2008
Kunder, James	Acting Deputy Administrator, USAID, 2002-2004
<b>L</b>	
Lake, Tony	US National Security Advisor, January 1993-March 1997
Lamb, Graeme	(Major General) General Officer Commanding Multi-National Division (South-East), July-December 2003 (Lieutenant General) Senior British Military Representative – Iraq, September 2006-July 2007 (Lieutenant General, Sir) Inquiry witness
Lamb, Patrick	FCO official, Non-Proliferation Department
Lamb, Robin	British Consul General in Basra, 2006
Lander, Stephen	(Sir) Director General MI5, 1996-2002
Landsman, David	FCO, Head, Counter-Proliferation Department, 2003-2009
Latif, Mohammed	(General) Commander, Fallujah Brigade, April 2004
Laurence, Tim	(Rear Admiral) Assistant Chief of Defence Staff (Resources and Plans), July 2004-March 2007
Laurie, Michael	(Major General) MOD, Director General Intelligence Collection, 2002-2003 Inquiry witness
Lavrov, Sergei	Russian Permanent Representative to the UN, September 1994-July 2004
Lee, Ian	MOD Director General Operational Policy, September 2002-May 2004 MOD Director General Media and Communications, 2004-2005 Inquiry witness
Leeming, Jennifer	Coroner for Greater Manchester (West), 2001-present
Leeson, Kevin	(Air Vice-Marshal) Assistant Chief of the Defence Staff (Logistics Operations), 2004-2007
Lester, Guy	MOD, Director Defence Resources and Plans
Lever, Paul	(Sir) British Ambassador to Germany, 1997-2003
Levitte, Jean-David	French Permanent Representative to the UN, 2000-2002 French Ambassador to the US, 2002-2007 President Sarkozy's Diplomatic Adviser, 2007-2012

Libby, Scooter	Vice President Cheney's Chief of Staff, 2001-2005
Lieberman, Joe	(Senator) Chair, Senate Homeland Security Committee, June 2001-January 2003
Likierman, Andrew	(Sir) Government's Chief Accounting Adviser
Lillywhite, Louis	(Lieutenant General) Surgeon General, 2006-2009 Inquiry witness
Link, Joan	FCO, Head, Conflict Issues Group
Llewellyn, Huw	FCO Legal Counsellor, 2003-August 2006
Lloyd, Liz	Mr Blair's adviser on Foreign Policy from 1997
Llwyd, Elfyn	Plaid Cymru shadow spokesperson for Defence and Foreign Affairs, June 2010-March 2015
Loader, Clive	(Air Chief Marshal) Assistant Chief of the Defence Staff (Operations), 2002-2004
Lowcock, Mark	DFID Director Finance and Corporate Performance, 2001-2003 DFID Director General Corporate Performance and Knowledge Sharing, 2003-2006 DFID Director General Policy and Programmes, 2006-2008 DFID Permanent Secretary, from June 2011 Inquiry witness
Lowson, Robert	DEFRA Director, Environmental Protection Strategy
Lucas, Helder	Angolan Deputy Permanent Representative to the UN
Luck, Gary	(General) sent to Iraq in 2005 to consider operational issues and report back to the Pentagon
Lugar, Richard	(Senator) Chair, Senate Committee on Foreign Relations, 2003-2006
Lusty, Gregor	DTI, Head, Iraq Unit
Lute, Doug	(General) President Bush's Advisor on Iraq, from May 2007
Lyall Grant, Mark	FCO, Director General Political, 2007-2009 (Sir) Inquiry witness
Lynch, Selena	Assistant Deputy Coroner for Oxfordshire, 2005-2014

## M

MacAskill, Kenny	Cabinet Secretary for Justice, Scottish Executive, 2007-2014
McCauley, Lee	MOD Assistant Director, Defence Resources and Plans
McChrystal, Stanley	(General) Commander International Security Assistance Force, and Commander US Forces Afghanistan, June 2009-June 2010

McClement, Timothy	(Rear Admiral) Assistant Chief of the Naval Staff, 2001-2003
McCull, John	(Lieutenant General) Senior British Military Representative – Iraq, April-October 2004 (General Sir) Inquiry witness
McDonald, Simon	Principal Private Secretary to the Foreign Secretary, 2001-2003 FCO, Director, Iraq, July 2006-2007 Mr Brown's Foreign Policy Adviser and Head of the Cabinet Office Foreign and Defence Policy Secretariat, June 2007-2010 Inquiry witness
McFadden, Pat	Mr Blair's Deputy Chief of Staff, 2002
McInnes, Nick	Director, UK Trade and Investment, International Group
MacKay, Andrew	(Brigadier) Commander of CPATT
McKane, Tom	Principal Private Secretary to the Defence Secretary, 1997-1999 Deputy Head, Overseas and Defence Secretariat, Cabinet Office, 1999-September 2002 MOD Director General Resources and Plans Inquiry witness
McKiernan, David	(Lieutenant General) US Commander, Coalition Forces Land Component Command
MacKiggan, Keith	Head, Basra PRT Inquiry witness
McLaughlin, John	Deputy Director, Central Intelligence Agency, 2000-2004 Acting Director, Central Intelligence Agency, July 2004-September 2004
Macleod, Iain	Legal Counsellor, UK Permanent Mission to the UN in New York FCO Legal Counsellor Inquiry witness
McLoughlin, Elizabeth	MOD, Director General Service Personnel Policy
McMenamin, Joseph	(Brigadier General) Head, Iraq Survey Group
Macnaughton, Joan	DTI Director General, Energy, 2002-2005
Macpherson, Nicholas	Director General, Public Expenditure, 2001-2005 Treasury Permanent Secretary, 2005-2016 (Sir) Inquiry witness
MacShane, Denis	FCO Minister for Europe, April 2002-May 2005 Inquiry witness
Mahmoud, Abed Hamid	Secretary to Saddam Hussein

Mahugu, Njuguna	Kenyan Permanent Representative to the UN
Malik, Moazzam	DFID, Head, Iraq Humanitarian Response and Co-ordination Team
Mandelson, Peter	(Lord) Business, Innovation and Skills Secretary
Mann, Bruce	MOD Director General Financial Management, May 2001-February 2004 Inquiry witness
Manning, David	(Sir) Mr Blair's Foreign Policy Adviser and Head of the Cabinet Office Overseas and Defence Secretariat, 2001-2003 British Ambassador to the US, 2003-2007 Inquiry witness
Manningham-Buller, Eliza	Deputy Director General of the Security Service, to 2002 Director General of the Security Service, October 2002-April 2007 (Baroness) Inquiry witness
Mans, Mark	(Major General) Deputy Commanding General, Multi-National Force – Iraq, February-August 2005 (Lieutenant General) Deputy Adjutant General, 2005-2008 Inquiry witness
Mansoor, Peter	(Colonel) Executive Officer to General Petraeus
Marsden, Rosalind	(Dr) British Consul General in Basra, 2006-2007
Marshall-Andrews, Robert	Member of Parliament and Member of the Hutton Inquiry Committee
Mashhadani, Mahmoud	Speaker, Iraqi Council of Representatives, March 2006-December 2008
Masters, David	Coroner for Wiltshire and Swindon, 1993
Mates, Michael	Chair of the House of Commons Defence Select Committee, 1987-1992 Member of the House of Commons Liaison Committee, May 2004-April 2005
Mayall, Simon Vincent	(Major General) Deputy Commanding General, Multi-National Corps – Iraq
Mazen, Abu	Palestinian Prime Minister, March 2003-September 2003
Mbeki, Thabo	President of South Africa, June 1999-September 2008
Mehdi, Adel Abdul	Iraqi Vice President, April 2005-July 2011
Metcalfe, Julian	FCO, Head, Estate Strategy Unit
Metz, Thomas	(Lieutenant General) Commander, Multi-National Corps – Iraq

Meyer, Christopher	(Sir) British Ambassador to the US, 1997-February 2003 Inquiry witness
Miles, Oliver	British Ambassador to Libya, 1984 British Ambassador to Greece, 1993-1996
Miliband, David	Foreign Secretary, June 2007-May 2010 Inquiry witness
Miller, Carolyn	DFID Director Middle East and North Africa, 2001-2004 Inquiry witness
Miller, Frank	US National Security Council Senior Director for Defense Policy and Arms Control, January 2001-March 2005
Miller, Julian	Principal Private Secretary to the Defence Secretary, September 1999-September 2001 Chief of the Assessments Staff, Cabinet Office, September 2001-November 2003 Inquiry witness
Millett, Peter	FCO, Head, Security Strategy Unit
Milošević, Slobodan	President of the Federal Republic of Yugoslavia July 1997-October 2000
Miscik, Jami	Deputy Director of Intelligence, Central Intelligence Agency, 2002-2005
Mohammed, Jowad Hamedi	(General) Head, Basra Operations Command
Mohan	(General) Head, Basra Operations Command
Møller, Per Stig	Danish Foreign Minister, 2001-2010
Monteiro, Antonio	Portuguese Permanent Representative to the UN
Moonie, Lewis	(Dr) MOD Parliamentary Under Secretary of State Minister for Veterans' Affairs
Moore, Michael	Deputy Leader of the Scottish Liberal Democrats
Moore, William	(Brigadier) MOD Director, Equipment Capability (Ground Manoeuvre)
Morgan, Sally	(Baroness Morgan of Huyton) Director of Political and Government Relations to the Prime Minister, November 2001-2005 Inquiry witness
Moseley, Buzz	(Lieutenant General) US Air Component Commander
Mountain, Ross	UN Secretary-General's Acting Special Representative for Iraq, 2003
Moussa, Amre	Secretary General of the Arab League, June 2001-June 2011
Mubarak, Hosni	President of Egypt, October 1981-February 2011
Mukhlis, Hatim	Head, Iraqi National Movement

Mulgan, Geoff	Head of Policy in the Prime Minister's Office
Mullin, Chris	Chairman, Home Affairs Select Committee, 2001-2003
Murdoch, James	Director/CEO, BSkyB
Murdoch, Rupert	Chairman and CEO, News Corporation
Murphy-O'Connor, Cormac	(Cardinal) Archbishop of Westminster
Musharraf, Pervez	President of Pakistan, 2001-2008
Mutashar, Mohammed	Friend of the Mayor of Sadr City
Myers, Richard	(General) Vice-Chairman of the US Joint Chiefs of Staff, February 2000-October 2001 Chairman of the US Joint Chiefs of Staff, October 2001-September 2005

## N

Nash, David	(Rear Admiral) CPA Director Iraq Program Management Office US State Department, Director Iraq Reconstruction Management Office
Natsios, Andrew	Administrator USAID
Naworynsky, Mike	(Wing Commander) Private Secretary to the Defence Secretary, 2002-2004
Negroponete, John	US Permanent Representative to the UN, 2001-2004 US Ambassador to Iraq, June 2004-2005 US National Director of Intelligence, April 2005-February 2007 US Deputy Secretary of State, February 2007-January 2009
Nixon, Patrick	British Ambassador in Abu Dhabi, 1998-2003 Head, CPA(South)
Noble, Andrew	FCO, Director, Security
Nye, William	Treasury, Head, Defence, Diplomacy and Intelligence Team

## O

Oakden, Edward	FCO, Head, Security Policy Department FCO, Director, International Security
O'Brien, Mike	FCO Parliamentary Under Secretary of State, May 2002-June 2003
Ochmanek, David	Senior Defence Analyst, RAND Institute
Odierno, Raymond	(General) Commanding General III Corps and Commander Multi-National Corps – Iraq, December 2006-February 2008

O'Donnell, Gus	(Sir) Cabinet Secretary, 2005-2011 Inquiry witness
O'Donoghue, Kevin	(Lieutenant General) Deputy Chief of the Defence Staff (Health), 2002-2004 (General Sir) Chief of Defence Logistics, 2005-2007 Chief of Defence Materiel, 2007-2010 Inquiry witness
Olsen, Ole	Head, Office of Reconstruction and Humanitarian Affairs (South)/CPA(South), May 2003-July 2003
Omand, David	(Sir) Cabinet Office Permanent Secretary and Security and Intelligence Co-ordinator, September 2002-April 2005 Inquiry witness
Orde, Hugh	(Sir) Chief Constable, Police Service of Northern Ireland, 2002-2009
O'Sullivan, Meghan	(Dr) US Deputy National Security Advisor for Iraq and Afghanistan, July 2004-September 2007
Owada, Hisashi	Japanese Permanent Representative to the UN
Owen, Kara	Private Secretary to the Foreign Secretary
Owen, Sue	DFID Director General, Corporate Performance, 2006-2009
Özkök, Hilmi	(General) Chief of the General Staff of the Turkish Armed Forces

## P

Pahad, Aziz	South African Deputy Foreign Minister, 1994-2008
Palacio, Ana	Spanish Minister for Foreign Affairs, July 2002-April 2004
Palmer, Anthony	(Lieutenant General) Deputy Chief of the Defence Staff (Personnel), 2002-2005 Inquiry witness
Parham, Philip	Head, FCO Iraq Operations Unit
Patey, William	FCO, Head, Middle East Department, 1999-March 2002 British Ambassador to Iraq, June 2005-July 2006 (Sir) Inquiry witness
Pattison, Stephen	FCO, Head, United Nations Department, 2000-2003 FCO, Director, International Security Inquiry witness
Pawson, Tony	Deputy Chief of Defence Intelligence, September 2004-2007 MOD Director General Corporate Communications, 2003-September 2004

Paxman, Giles	Deputy Head of Mission at the British Embassy Paris
Peach, Stuart	(Air Marshal) Chief of Defence Intelligence, 2006-2009 (Air Marshal Sir) Chief of Joint Operations, 2009-2011
Pepper, David	(Sir) Director, Government Communications Headquarters, April 2003-July 2008 Inquiry witness
Perelli, Carina	Head, UN Electoral Affairs Division
Pérez de Cuellar, Javier	UN Secretary-General, January 1982-December 1991
Perle, Richard	Chairman, US Defense Advisory Board
Perricos, Dimitri	(Dr) Director of Planning and Operations, United Nations Monitoring, Verification and Inspection Commission
Persson, Göran	Prime Minister of Sweden, March 1996-October 2006
Petraeus, David	(Lieutenant General) Head, Multi-National Security Transitional Command – Iraq, 2004-2005 (General) Commanding General, Multi-National Force – Iraq 2007-2008
Phillipson, Antony	Counsellor (Trade and Transport), British Embassy Washington, 2002-2004 Mr Blair’s Private Secretary for Foreign Affairs, 2004-2007
Pickford, Stephen	Treasury, Managing Director, International and Finance, 2007-2010 Inquiry witness
Pigott, Anthony	(Lieutenant General, Sir) Deputy Chief of the Defence Staff (Commitments), March 2000-July 2003 Inquiry witness
Pitt-Brooke, John	MOD Director General Civilian Personnel
Pledger, Malcolm	(Air Chief Marshal, Sir) Chief of Defence Logistics
Pleuger, Gunter	German Permanent Representative to the UN, 2002-2006
Plumbly, Derek	(Sir) British Ambassador to Saudi Arabia, 2000-2003
Pocock, David	(Air Marshal) Deputy Chief of the Defence Staff (Personnel), 2005-2007 Inquiry witness
Pollard, Stephen	MOD, Head, Overseas Secretariat
Pollin, Barry	(Chief Inspector) Senior Police Adviser in Multi-National Division (South-East)
Poortman, Chrik	Vice-President for the Middle East, World Bank, 2003-2006
Powell, Colin	US Secretary of State, January 2001-2004
Powell, Jonathan	Mr Blair’s Chief of Staff, May 1997-June 2007 Inquiry witness

Prentice, Bridget	MOJ, Parliamentary Under Secretary of State, May 2007-May 2010
Prentice, Christopher	British Ambassador to Iraq, 2007-2009 Inquiry witness
Prescott, John	Deputy Leader of the Labour Party and Deputy Prime Minister, July 1994-June 2007 (Lord) Inquiry witness
Preston-Jones, Noel	(Commodore) MOD Director Service Personnel Policy
Primakov, Yevgeny	Russian Foreign Minister, January 1996-September 1998 Prime Minister of Russia, September 1998-May 1999
Prince, Eric	CEO, Blackwater
Prodi, Romano	President of the European Commission
Pruce, Daniel	No.10 Press Officer
Putin, Vladimir	President of Russia, May 2000-May 2008
<b>Q</b>	
Qadir, Abdel	(Lieutenant General) Iraqi Minister of Defence
Qazi, Ashraf Jehangir	UN Special Representative for Iraq, 2004-2007
Qin, Huasun	Chinese Permanent Representative and Ambassador to the UN
Quarrey, David	Private Secretary to the Prime Minister, 2004-2006
Quinault, James	Treasury, Head, Defence, Diplomacy and Intelligence Team
Quinlan, Michael	MOD Permanent Under Secretary, 1988-1992
<b>R</b>	
Raffarin, Jean-Pierre	Prime Minister of France, May 2002-May 2005
Ralston, Joseph W	(General) US Commander, European Command
Ramadan, Taha	Vice President of Iraq, March 1991-April 2003
Rammell, Bill	FCO Parliamentary Under Secretary of State, October 2008-June 2009
Rana, Kipkorir Aly Azad	Kenyan Deputy Permanent Representative to the UN, 1997
Read, Phillip	Acting Chief Constable Inquiry witness
Reid, John	(Dr) Minister without Portfolio and Labour Party Chair, October 2002-April 2003 Leader of the House of Commons, April-June 2003 Defence Secretary, May 2005-May 2006 Inquiry witness

Reid, Kathleen	Head, DFID Office, Basra, August 2007-September 2008 Inquiry witness
Reith, John	(Lieutenant General) Chief of Joint Operations, August 2001-July 2004 (General, Sir) Inquiry witness
Rice, Condoleezza	(Dr) US National Security Advisor, 2001-2005 US Secretary of State, January 2005-January 2009
Richards, David	(Major General) Assistant Chief of the General Staff, 2002-2005
Richards, Francis	(Sir) Director, Government Communications Headquarters, 1998-2003
Richardson, Bill	US Permanent Representative to the UN, 2001-2004
Richmond, David	Prime Minister's Interim Special Representative on Iraq, 2003 Prime Minister's Deputy Special Representative on Iraq, 2003-2004 Prime Minister's Special Representative on Iraq, March 2004-June 2004 (Sir) FCO, Director General, Defence and Intelligence, 2004-2007 Inquiry witness
Ricketts, Peter	Chairman, Joint Intelligence Committee, September 2000-September 2001 FCO Political Director, 2001-2003 (Sir) UK Permanent Representative to NATO, 2003-2006 FCO Permanent Under Secretary, 2006-2010 Inquiry witness
Ridgway, Andrew	(Lieutenant General) Chief of Defence Intelligence, 2003-2006
Riley, Jonathon	(Major General) General Officer Commanding Multi- National Division (South-East), December 2004-June 2005 (Lieutenant General) Deputy Head, CMATT, May-December 2003 Inquiry witness
Robertson, George	Defence Secretary, 1997-1999 (Lord) Secretary General, NATO, 1999-2004
Robison, Garry	(Brigadier) Deputy Commander, Iraq Survey Group

Rollo, William	(Brigadier) Member of Deputy Chief of Joint Operations (Operations) (Major General) General Officer Commanding Multi-National Division (South-East), July-December 2004 Assistant Chief of the General Staff, 2005-2007 (Lieutenant General) Senior British Military Representative – Iraq, July 2007-March 2009 Inquiry witness
Roper, Paul	(Dr) Director of Strategic Technology Director of Science and Technology, Defence Intelligence Staff, from July 2002 Inquiry witness
Rose, John	(Brigadier) Chief of the Defence Staff’s Liaison Officer (Major General) MOD Director General Intelligence Collection
Rose, Vivien	MOD, Head, General and International Law Team
Ross, Carne	First Secretary, UK Permanent Mission to the UN in New York, December 1997-June 2002 Inquiry witness
Rove, Karl	President Bush’s chief political strategist, January 2001-August 2007 White House Deputy Chief of Staff, February 2005-August 2007
Rumsfeld, Donald	US Secretary of Defense, 2001-2006
Rycroft, Matthew	Mr Blair’s Private Secretary for Foreign Affairs, 2002-2005 Inquiry witness
<b>S</b>	
Sabri, Naji	Iraqi Minister for Foreign Affairs, 2001-2003
Salih, Barham	(Dr) Deputy Prime Minister of Iraq, 2004-2009
Salmon, Andrew	(Major General) General Officer Commanding Multi-National Division (South-East), August 2008-March 2009 Inquiry witness
Sanchez, Ricardo	(Lieutenant General) US Commander, Combined Joint Task Force-7
Satterfield, David	US Deputy Chief of Mission, 2005-2006 (Ambassador) US State Department Co-ordinator for Iraq, 2006-2009

Sawers, John	Mr Blair's Foreign Secretary for Foreign Affairs, January 1999-September 2001 British Ambassador to Egypt, 2001-2003 Prime Minister's Special Representative on Iraq, 2003 FCO, Director General, Political, 2003-2007 (Sir) UK Permanent Representative to the UN, August 2007-November 2009 (Sir) Inquiry witness
Scarlett, John	Chairman, Joint Intelligence Committee, September 2001-July 2004 (Sir) Chief of the Secret Intelligence Service, 2004-2009 Inquiry witness
Schröder, Gerhard	German Chancellor, 1998-2005
Schulte, Paul	Head, Post Conflict Reconstruction Unit, September 2004-December 2005 MOD Director, Proliferation and Arms Control Secretariat
Scotland, Patricia	(Baroness Scotland of Sathal) Attorney General, 2007-2010
Scott, Richard	(Lord Scott of Foscote) Chair, Report of the Inquiry into the Export of Defence Equipment and Dual-Use Goods to Iraq and Related Prosecutions
Scowcroft, Brent	(General) National Security Advisor to President George HW Bush, January 1989-January 1993
Sedwill, Mark	Private Secretary to the Foreign Secretary, 2000-2002
Segar, Chris	Head, British Office Baghdad
Shafik, Nemat	(Dr) DFID Director General Programmes, October 2004-March 2008 DFID Permanent Secretary, March 2008-June 2011 Inquiry witness
Shaw, Jonathan	(Major General) General Officer Commanding Multi-National Division (South-East), January 2007-August 2007 Inquiry witness
Shaways, Rowsch	(Dr) Vice President of Iraq, 2004-2005 Deputy Prime Minister of Iraq, 2006 and 2009-2014
Sheinwald, Nigel	(Sir) UK Permanent Representative to the EU, 2000-2003 Prime Minister's Foreign Policy Adviser and Head of the Cabinet Office Overseas and Defence Secretariat, 2003-2007 British Ambassador to the US, 2007-2012 Inquiry witness

Shirreff, Richard	(Major General) Chief of Staff, Land Command General Officer Commanding Multi-National Division (South-East), July 2006-January 2007 (Lieutenant General, Sir) Inquiry witness
Shlash, Muhsin	Minister for Electricity, Iraqi Transitional Government
Short, Clare	International Development Secretary, May 1997-May 2003 Inquiry witness
Siddiq, Irfan	Private Secretary to the Foreign Secretary
Sittar, Sheikh	Leader of the Anbar Awakening
SIS1	SIS officer below the rank of Chief Inquiry witness
SIS2	SIS officer below the rank of Chief Inquiry witness
SIS3	SIS officer below the rank of Chief Inquiry witness
SIS4	SIS officer below the rank of Chief Inquiry witness
SIS5	SIS officer below the rank of Chief Inquiry witness
SIS6	SIS officer below the rank of Chief Inquiry witness
SIS9	SIS officer below the rank of Chief Inquiry witness
SIS10	SIS officer below the rank of Chief Inquiry witness
Sky, Emma	CPA, Governorate Co-ordinator, Kirkuk, 2003-2004 Inquiry witness
Slocombe, Walt	CPA, Senior Advisor on National Security and Defense, 2003
Smith, Andrew	Chief Secretary to the Treasury, 1999-2002
Smith, Colin	UK Chief Police Adviser in Iraq Inquiry witness
Smith, Godric	Prime Minister's Official Spokesman, 2000-2004
Smith, Jacqui	Home Secretary, 2007-2009
Smith, Kate	FCO, Head, Security Sector Unit, October 2003
Snelson, David	(Rear Admiral) Commander, UK Naval Contingent
Snow, John	US Treasury Secretary, February 2003-June 2006

Solana, Javier	Secretary General, Council of the European Union EU High Representative for Common Foreign and Security Policy
Soleymanpur, Hadi	Iranian Ambassador to Argentina
Soto, Fernando Berrocal	Costa Rican Permanent Representative to the UN
Speckhard, Dan	(Ambassador) Director, Iraq Reconstruction and Management Office
Spelman, Caroline	Opposition spokesperson for International Development, July 2001-November 2003
Spencer, Peter	(Vice Admiral, Sir) Chief of Defence Procurement, May 2003-March 2007 Inquiry witness
Squire, Peter	(Air Chief Marshal, Sir) Chief of the Air Staff April 2000-December 2003
Stagg, Dickie	FCO, Director, Public Diplomacy FCO, Director General, Corporate Services
Stephens, Jonathan	Treasury, Director, Public Services
Stewart, Andrew	(Brigadier) MOD, Director, Overseas Military Activity (Major General) General Officer Commanding Multi-National Division (South-East), December 2003-July 2004 Inquiry witness
Stewart, Rory	CPA Deputy Governorate Co-ordinator, Maysan province
Stirrup, Jock	(Air Marshal) Deputy Chief of the Defence Staff (Equipment Capability), April 2002-May 2003 (Air Chief Marshal, Sir) Chief of the Air Staff Chief of the Defence Staff, April 2006-October 2010 Inquiry witness
Storr, Peter	Home Office, Director, International
Strathclyde, Thomas	(Lord) Leader of the Opposition in the House of Lords, 1998-2010
Straw, Jack	Foreign Secretary, 2001-2006 Inquiry witness
Sturley, Philip	(Air Vice Marshal) Assistant Chief of the Air Staff, 2000-2003
Style, Charles	(Rear Admiral) Capability Manager (Strategic Development) (Vice Admiral) Deputy Chief of the Defence Staff (Commitments), January 2006-August 2007 Inquiry witness

Symons, Elizabeth	(Baroness Symons of Vernham Dean) Joint FCO/DTI Minister of State for International Trade and Investment, 2001-2003 FCO Minister for the Middle East, International Security and Consular and Personal Affairs, 2003-2005
Synnott, Hilary	(Sir) British High Commissioner to Pakistan Head, CPA(South), July 2003-January 2004 Inquiry witness
<b>T</b>	
Tafrov, Stefan	Bulgarian Permanent Representative to the UN, 2001-2006
Taft IV, William	State Department Legal Adviser, April 2001-March 2005
Talabani, Jalal	President of the Governing Council of Iraq, November 2003 President of Iraq, 2005-2014
Tanfield, Amanda	(Dr) FCO, Head of Iraq Section, Middle East Department
Tang, Jiaxuan	Chinese Foreign Minister, March 1998-March 2003
Tansley, James	British Consul General in Basra, September 2005-April 2006 Inquiry witness
Taylor, Ann	Chair, Intelligence and Security Committee, 2001-2005 (Baroness Taylor of Bolton) MOD Minister for Defence Equipment and Support, November 2007-October 2008
Taylor, Bill	Head, US Project Contracting Office
Taylor, Paul	Head, UK Trade and Industry, Middle East
Taylor, Paul	MOD, Director General, Equipment
Tebbit, Kevin	(Sir) MOD Permanent Under Secretary, July 1998-November 2005 Inquiry witness
Tenet, George	Director of Central Intelligence, July 1997-July 2004
Teuten, Richard	Head, Post Conflict Reconstruction Unit Visiting fellow, RUSI
Thatcher, Mark	Media Director, CPA
Thompson, Jon	MOD Permanent Under Secretary, September 2012-April 2016
Timms, Stephen	Chief Secretary to the Treasury, May 2006-June 2007
Tinline, Robert	Deputy British Consul General in Basra, February 2007-February 2008 Inquiry witness
Torlot, Tim	Deputy Head of Mission, British Embassy Baghdad

Torpy, Glenn	(Air Marshal) UK Air Contingent Commander, 2003-2004 Chief of Joint Operations, 2004-2006 (Air Chief Marshal, Sir) Chief of the Air Staff, 2006-2009 Inquiry witness
Touhig, Don	MOD, Parliamentary Under Secretary of State, May 2005-May 2006
Traore, Mamady	Guinean Permanent Representative to the UN and President of the Council
Tucknott, John	Deputy Head of Mission, British Embassy Baghdad, 2007-2009 Inquiry witness
Turk, Danilo	Slovenian Permanent Representative to the UN, 1992-2000
Turnbull, Andrew	(Sir) Cabinet Secretary, September 2002-September 2005 (Lord) Inquiry witness
Turner, Christian	(Dr) Deputy Director Middle East, North Africa and North America, Cabinet Office Overseas and Defence Secretariat, 2006-2007 FCO, Director, Middle East and North Africa, 2009-2012
Twigg, Derek	MOD Minister for Veterans
Tyler, Tim	(Major General) Deputy Commander, Iraq Survey Group, early January-late March 2004 Inquiry witness

## U

Ullman, Harlan	Senior Advisor, Atlantic Council in Washington
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## V

Vajpayee, Atal	Prime Minister of India, 1998-2004
Valdés, Juan Gabriel	Chilean Permanent Representative to the UN, 2000-2003
Valenzuela, Carlos	Head, UN Election Assistance Mission in Iraq
van der Stoep, Max	UN Special Rapporteur on Human Rights
van Walsum, Peter	Dutch Permanent Representative to the UN
Védrine, Hubert	French Foreign Minister, 1997-2002
Venables, Mike	Head, Defence Inquests Unit, September 2009-February 2012
Vieira de Mello, Sérgio	UN High Commissioner for Human Rights UN Secretary-General's Special Representative for Iraq

Viggers, Freddie	(Major General) Adjutant General to the Forces, 2005-2008 (Lieutenant General) Senior British Military Representative – Iraq and Deputy Commander CJTF-7, May 2003-September 2003 Inquiry witness
Volker, Kurt	US National Security Council
<b>W</b>	
Wahid, Karim	Iraqi Minister of Electricity
Wail, Shirman	Iraqi National Security Minister
Wa'ili, Mohammed	Governor of Basra
Walker, Andrew	Assistant Deputy Coroner for Oxfordshire, June 2006
Walker, Michael	(General Sir) Chief of the General Staff, April 2000-February 2003 Chief of the Defence Staff, May 2003-April 2006 (Lord Walker of Aldringham) Inquiry witness
Wall, Peter	Chief of Staff to the UK National Contingent Commander, January 2003 General Officer Commanding 1 (UK) Div, May 2003-January 2005 (Major General) Deputy Chief of Joint Operations, 2005-2007 (Lieutenant General) Deputy Chief of Defence Staff (Commitments), August 2007-July 2009 (General Sir) Commander in Chief Land Forces Inquiry witness
Wall, Stephen	(Sir) Adviser on European Issues to the Prime Minister and Head of the Cabinet Office European Secretariat, 2000-2004 Inquiry witness
Wallace, William	(Lieutenant General) Commander US V Corps
Walmsley, Robert	(Vice Admiral, Sir) Chief of Defence Procurement, 1996-2003
Wang, Guangya	Chinese Vice Foreign Minister
Wang, Yingfan	Chinese Permanent Representative to the UN
Wardell, Susan	DFID Director General Operations
Wareing, Michael	CEO, KPMG Inquiry witness
Warner, John	(Senator) Chair, Senate Armed Services Committee

Warren, David	Director, UK Trade and Industry, International Group FCO Director Human Resources
Watkins, Peter	Principal Private Secretary to the Defence Secretary, 2001-2004 MOD Director General Operational Policy, 2008-2011 Inquiry witness
Watson, Tom	MOD Parliamentary Under Secretary of State, May 2006-September 2006
Watt, Redmond	(General, Sir) Commander in Chief Land
Webb, Simon	MOD Director General Operational Policy, 1999-2001 Inquiry witness
Wechsberg, Anna	Mr Blair's Private Secretary for Foreign Affairs, 2000-2003
Wehbe, Mikhail	Syrian Permanent Representative to the UN, 1996-2003
Weller, Marc	(Professor) International Law and International Constitutional Studies, Cambridge University
Westmacott, Peter	FCO Deputy Under Secretary (Wider World), 2000-2001 British Ambassador to Turkey, 2002-2006
Weston, John	(Sir) UK Permanent Representative to the UN, 1995-1998
Wheeler, Fraser	Deputy British Consul General in Basra province
Wheldon, Juliet	Treasury Solicitor, 2000-2006
White, Stephen	(Deputy Chief Constable) Director of Law and Order and Senior Police Adviser to CPA(South), July 2003-January 2004 (Assistant Chief Constable) Inquiry witness
White-Spunner, Barney	(Major General) General Officer Commanding Multi- National Division (South-East), February 2008-August 2008 Inquiry witness
Whitley, Albert	(Brigadier) Senior British Land Adviser and Deputy Commanding General (Post Hostilities) (Major General) Inquiry witness
Wicks, Malcolm	DTI Minister for Energy, May 2005-November 2006
Wilkinson, Peter	(Vice Admiral) Deputy Chief of the Defence Staff (Personnel), 2007-2009 Inquiry witness
Wilks, Jon	Chargé d'Affaires, British Embassy Baghdad, 2009
Williams, David	MOD, Head, Capability, Resources and Scrutiny Directorate

Williams, Gareth	(Lord Williams of Mostyn) Attorney General, 1999-2001 Lord Privy Seal, June 2001-June 2003 Leader of the House of Lords, 2001-September 2003
Williams, John	Head, FCO News Department, 2000-2006 Inquiry witness
Williams, Martin	Assistant Private Secretary to the Defence Secretary
Williams, Michael	(Dr) Special Adviser to the Foreign Secretary, 2001-2005 (Lord Williams of Baglan) Inquiry witness
Williams, Rowan	(Dr) Archbishop of Canterbury, December 2002-December 2012
Williams, Shirley	(Baroness Williams of Crosby) Leader of the Liberal Democrats in the House of Lords, June 2001-November 2004
Wilmshurst, Elizabeth	FCO Deputy Legal Adviser, 2001-2003 Inquiry witness
Wilson, Brian	FCO Minister of State for the Middle East Mr Blair's Special Representative on Trade, August 2003
Wilson, David	(Major General) Senior British Military Adviser to CIC US Central Command, 2002-2007 Inquiry witness
Wilson, Richard	(Sir) Cabinet Secretary, January 1998-September 2002 (Lord Wilson of Dinton) Inquiry witness
Wilson, Robert	(Dr) FCO, Research Analyst
Wolfensohn, James	President of the World Bank, June 1995-June 2005
Wolfowitz, Paul	US Deputy Secretary of Defense, 2001-2005 President of the World Bank, 2005-2007
Wood, Michael	(Sir) FCO Legal Adviser, 1999-2006 Inquiry witness
Wood, Michael	(Rear Admiral) Director General Operations, MOD Defence Logistics Organisation
Wood, Sebastian	Counsellor for External Affairs, British Embassy Washington
Woodward, Bob	US author of <i>State of Denial</i>
Woolley, Trevor	MOD Director General Resources and Plans, 1999-2002 MOD Finance Director, 2003-2009 Inquiry witness
Wright, Stephen	FCO, Deputy Under Secretary, Defence and Intelligence, 2000-2002

## Y

Young, Robin (Sir) DTI Permanent Secretary, June 2001-March 2005

## Z

Zacklin, Ralph Assistant Secretary General for Legal Affairs at the UN, 1998-2005

Zawbaie, Salam Iraqi Deputy Prime Minister

Zayed (Sheikh) Emir of Qatar

Zebari, Hoshyar (Dr) Iraqi Foreign Minister

Zelikow, Philip Counsellor, US State Department

Zhang, Yishan Chinese Deputy Permanent Representative to the UN, 2002-2006

Zinni, Anthony (General) US Special Envoy for Middle East Peace, November 2001-March 2003

Zinser, Aguilar Mexican Permanent Representative to the UN, January 2002-November 2003

Zlauvinen, Gustavo International Atomic Energy Agency representative to the UN

Zoellick, Robert Member of the Administration of President Bush

# **ANNEX 4**

## **Maps**

Map 1. Iraq: Provinces, 2003

Map 2. Iraq: Ethnic distribution

Map 3. Iraq: Multi-National Division boundaries, June 2003 to May 2004

Map 4. Baghdad

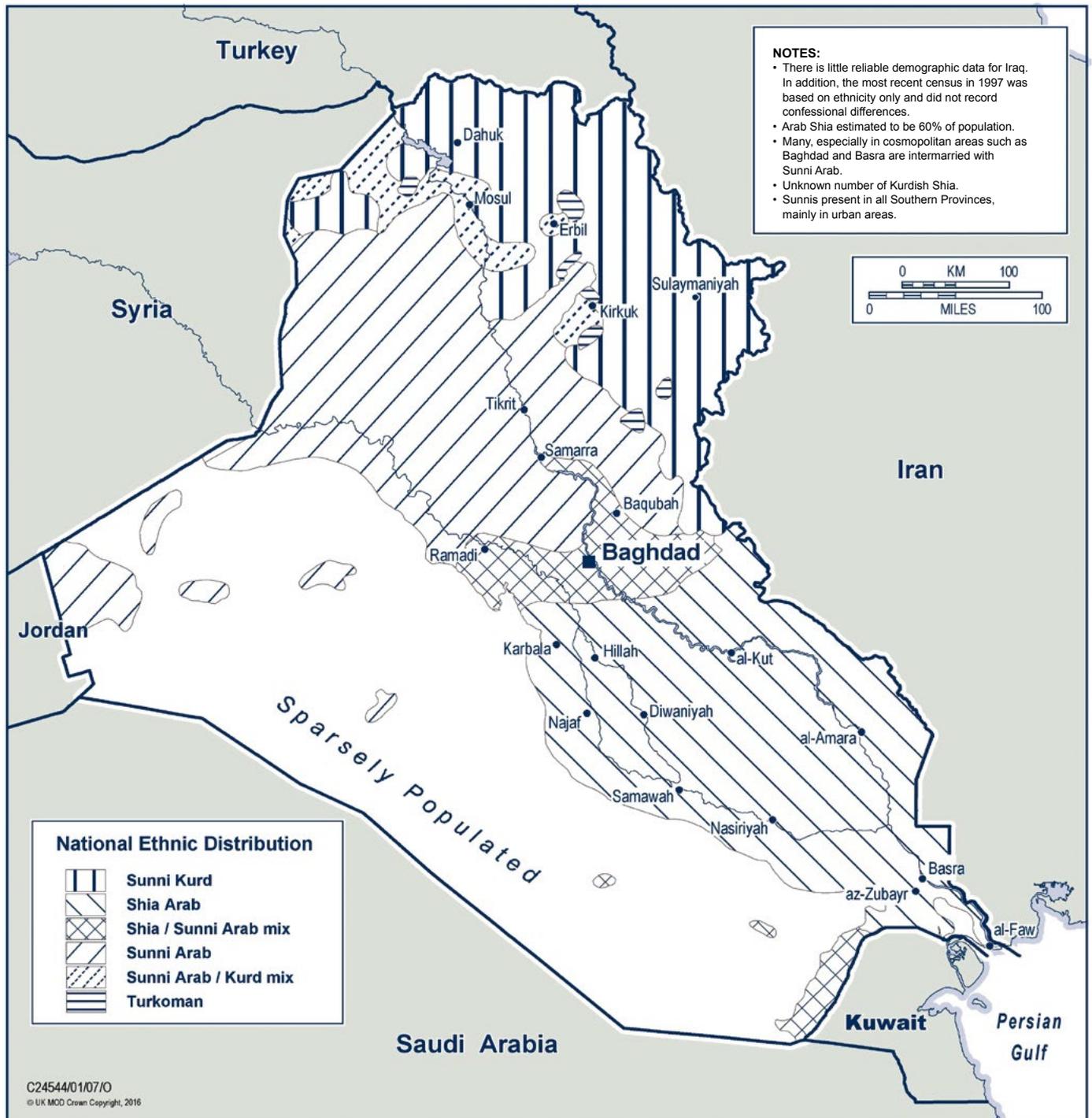
Map 5. Iraq: Multi-National Division (South-East), June 2003 to May 2004

Map 6. Basra

## Map 1. Iraq: Provinces, 2003

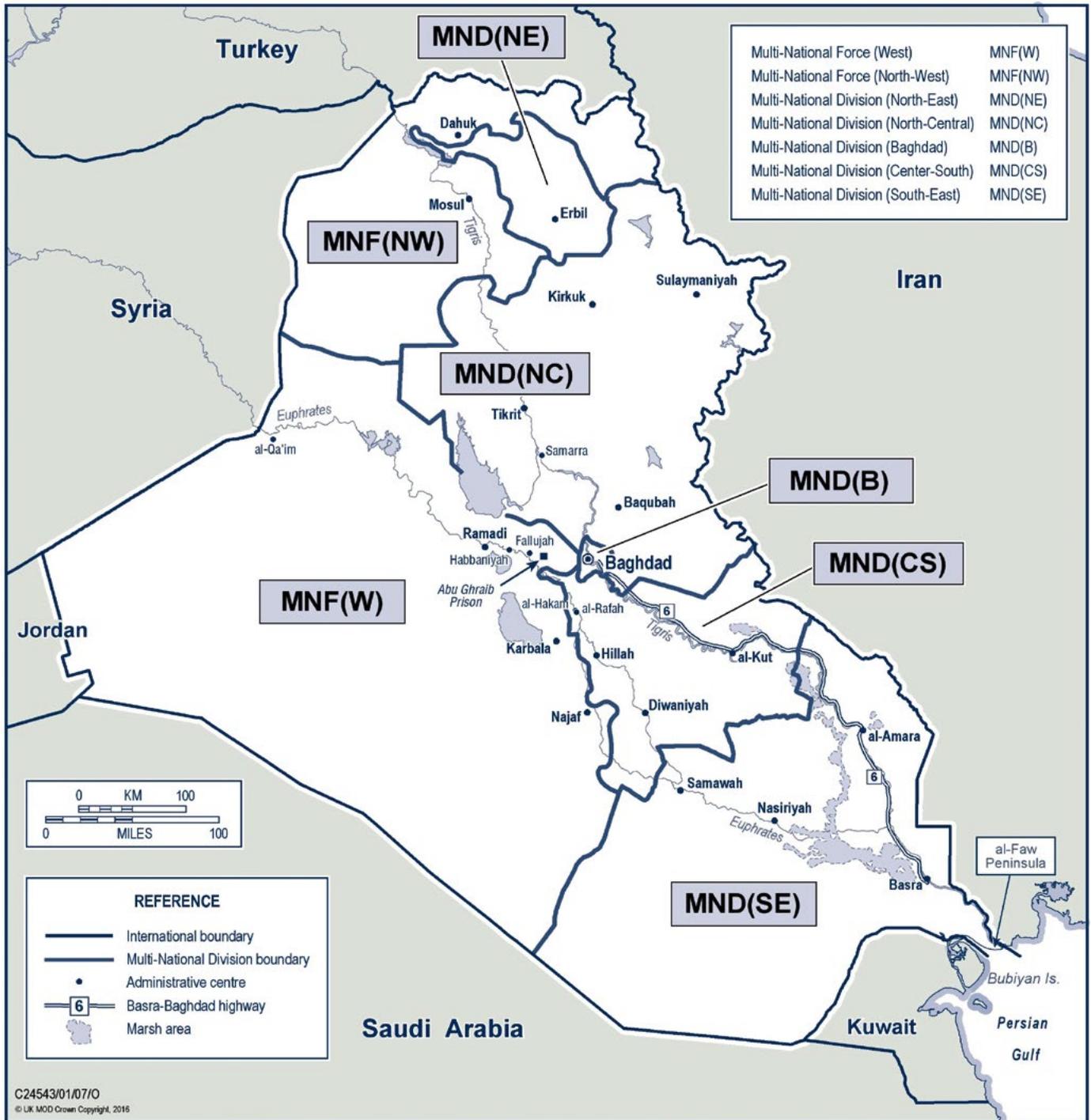


## Map 2. Ethnic distribution



This map was produced from information used in the compilation of Iraq: Map Book, Defence Intelligence Staff, 17 March 2006.

### Map 3. Iraq: Multi-National Division boundaries, June 2003 to May 2004



After the declared end of major combat operations, Iraq was divided into six divisional areas: Multi-National Division (North) (MND(N)), Multi-National Division (North-Central) (MND(NC)), Multi-National Division (Baghdad) (MND(B)), Multi-National Force (West) (MNF(W)), Multi-National Division (Center-South) (MND(CS)) and Multi-National Division (South-East) (MND(SE)).

In late 2004 MND(N) was divided into MND(NE) and MNF(NW).

In late 2005 MNF(NW) and MND(NC) were merged to create a new MND(N).

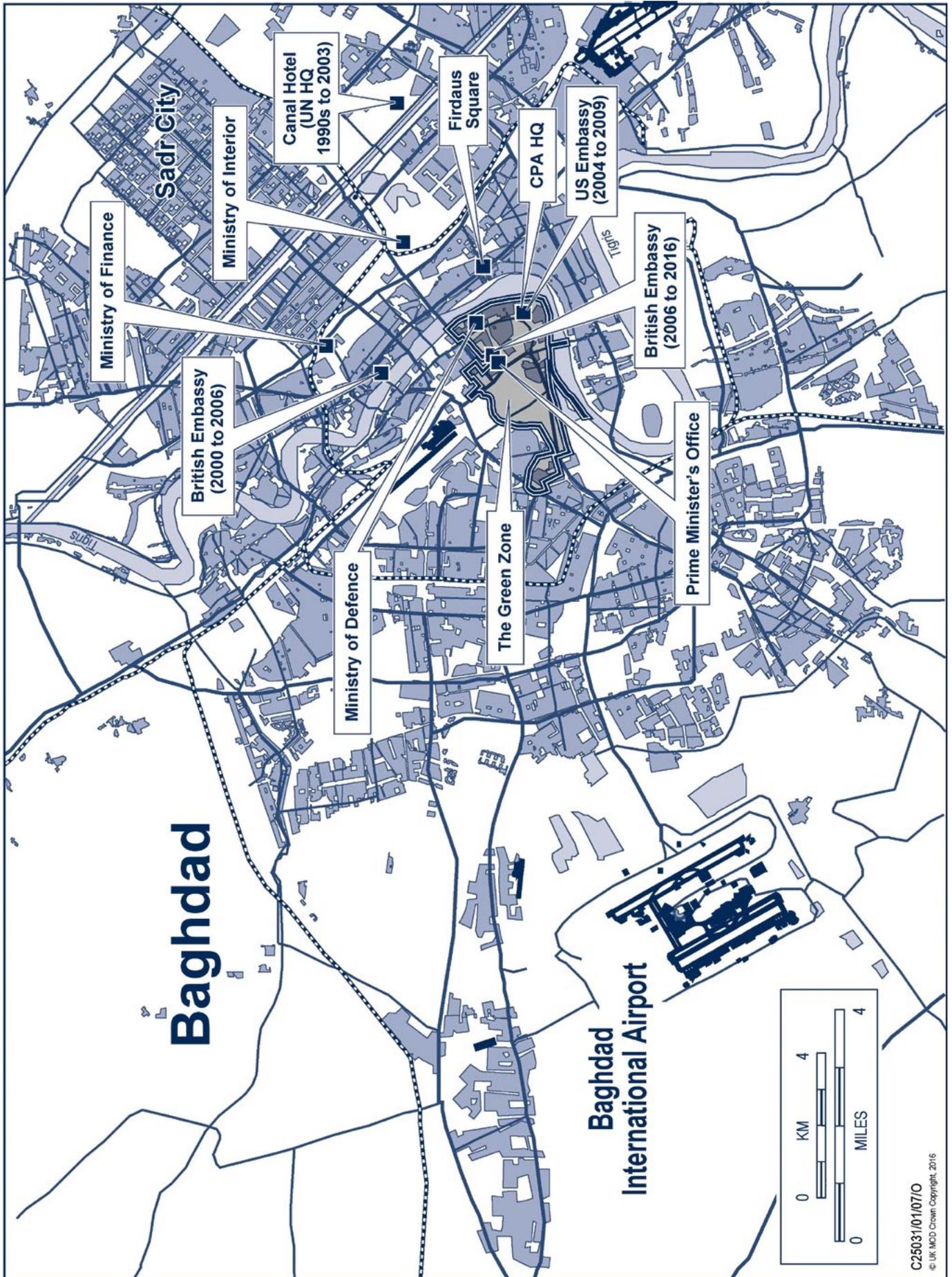
In early 2007 a new Multi-National Division (Center) was established relieving MND(B) of responsibility for security south of Baghdad.

In late 2008 MND(NE) was dissolved and became part of MND(N).

In early 2009 MND(CS) was dissolved and became part of MND(C).

The boundary of MND(SE) remained unchanged from 2003 to 2009 until the withdrawal of UK troops.

# Map 4. Baghdad

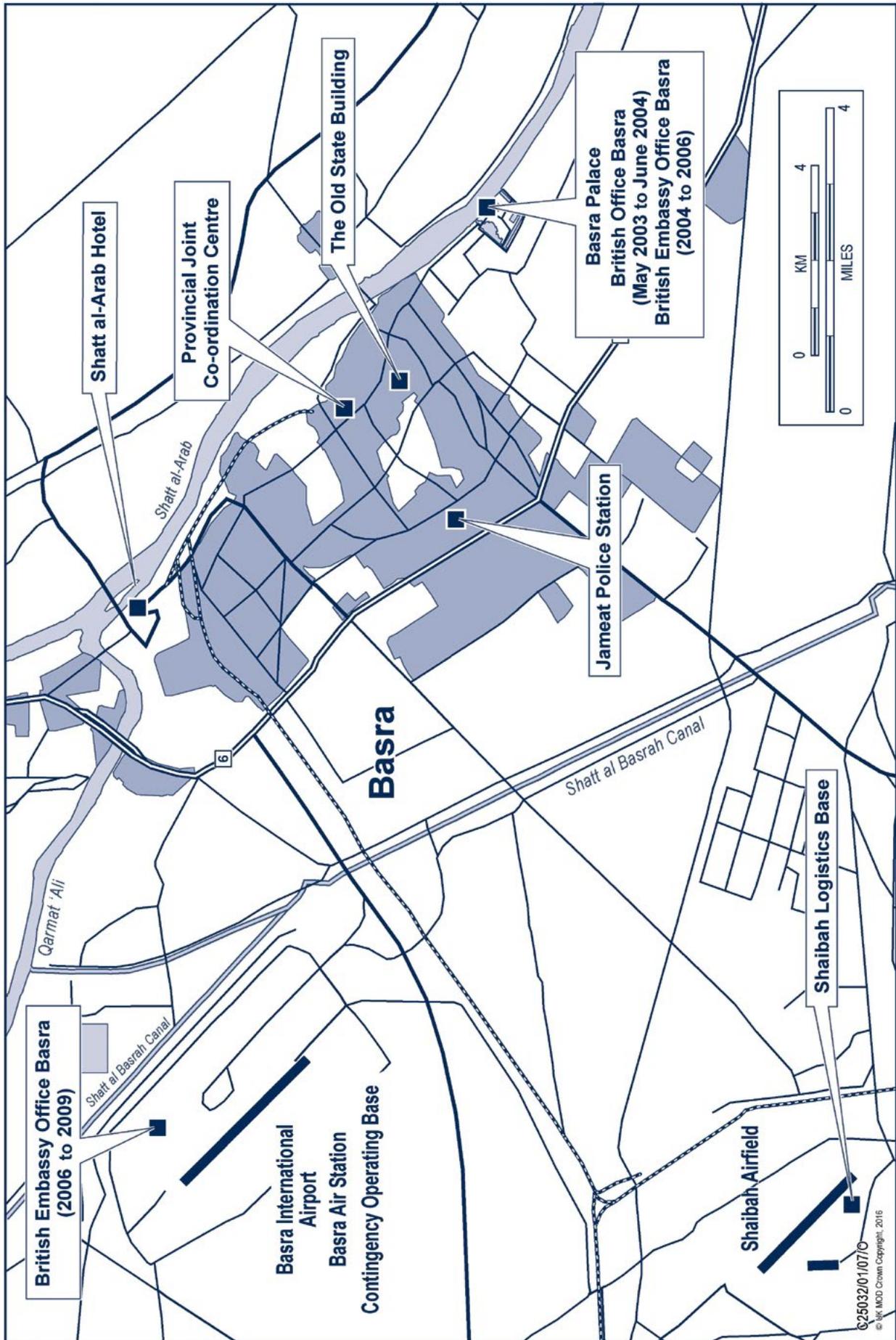


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## Map 5. Iraq: Multi-National Division (South-East), June 2003 to May 2004



Map 6. Basra



## ANNEX 5

### HOW TO READ AND NAVIGATE THE REPORT

#### Structure of the Report

1. The Executive Summary contains the Inquiry's key findings and conclusions.
2. The 17 Sections of the Report contain accounts of the relevant decisions and events, the Inquiry's full analysis and conclusions, and, where appropriate, lessons for the future.
3. The Sections address separate themes arising from the sequence of events between 2001 and 2009. In each Section the Inquiry draws on the available evidence to provide an account of events, policy discussions and decision-making processes.
4. The Inquiry does not present all its conclusions in the same way. Different topics benefited from different approaches. In the Sections covering the period before the invasion, conclusions are placed alongside the main evidence in a single Section. In the majority of post-invasion material, the conclusions appear in separate analytical Sections.

#### Use of bold text

5. Bold text is used in the pre-invasion Sections of the Report to highlight Inquiry comment and analysis, and to signpost or summarise key events. Bold text is not used in post-invasion Sections. Throughout the Report, bold text is retained in quotes as it appeared in the original.

#### Cross-referencing

6. Cross-references to other Sections are used where an issue or event referred to in one Section is addressed in more detail elsewhere.

#### Duplication of text

7. Identical, or very similar, material can appear in two or more Sections where that aids comprehension or is necessary for an accurate description of events.

#### Use of evidence

8. The Report draws on material from a wide range of sources, including:
  - UK Government documents;
  - transcripts of the Inquiry's public and private hearings;
  - written submissions to the Inquiry;

- Parliamentary records;
- documents published by the US Government and international organisations;
- published memoirs and diaries;
- academic papers, including papers produced to inform the two seminars organised by the Inquiry;
- meetings in the UK with Service Personnel and their families, and with UK civilians who worked in Iraq; and
- views heard during visits to Iraq, the US and France by members of the Inquiry.

**9.** The Inquiry presents that material in the form of gists, which summarise the key points of a document or part of a document, and quotes. The source of each gist and quote is given in a footnote.

**10.** The Report quotes extensively from the full range of sources. To aid comprehension the Inquiry has sought to standardise spellings, abbreviations and acronyms and the representation of numbers, dates and times within quotes. All bold and italic text and underlining appearing within a quote has been retained from the original.

**11.** Where the meaning of a quote is uncertain or ambiguous, explanatory material has been added in square brackets.

**12.** US spellings are used for all US job titles and for US and international organisations using US spellings in their names, and are retained in all quotes from US sources.

## **Documents published by the Inquiry**

**13.** Whole documents and extracts declassified by the Government, transcripts of the Inquiry's hearings and written submissions to the Inquiry are published on the Inquiry website, with redactions where necessary.

**14.** Where the Government has declassified a gist or quote from a document, but not the whole document or an extract from it, there is no further material available to the reader beyond the gist or quote in the Report.

**15.** In the online version of the Report, hyperlinks in the footnotes take the reader to documents published on the Inquiry website.

**16.** The footnotes in the printed version of the Report do not distinguish between those documents which have been published on the Inquiry website and those which have not.

**17.** The Report does not include links to other published sources.

**18.** The legibility of a small number of government documents published on the Inquiry website is poor. In each case, the Inquiry has published the clearest copy available.

## Redacted evidence

**19.** The Government has required redactions to certain documents under the terms of the *Protocol between the Iraq Inquiry and Her Majesty's Government regarding Documents and Other Written and Electronic Information*. Those redactions appear in three forms:

- as thick black lines in the transcripts of oral evidence given in private;
- as blank white space in whole documents published by the Inquiry; and
- as an ellipsis (three dots) within quotations in the text.<sup>1</sup>

**20.** Certain categories of information have been withheld from publication under the terms of the Protocols agreed between the Inquiry and the Government:

- views expressed by President Bush in conversations with Mr Blair;
- the reference numbers of JIC Assessments;
- the names of SIS officers (other than C), who are identified in the Report as SIS1 to SIS10;
- certain material on the activities of UK Special Forces and the names of successive Directors of Special Forces, who are identified in the Report as DSF1 to DSF3; and
- a small number of other identities and capabilities that require protection and are identified in the text by ciphers.

**21.** The Inquiry has received some evidence which it has agreed to publish anonymously in accordance with the criteria in paragraphs 4a and 4b of the *Protocol for hearing evidence by the Iraq Inquiry in public, and for identifying witnesses*.

## Unusual document types

**22.** The Inquiry has published and makes reference to a wide range of written material. Less familiar categories of official document include:

### FCO telegrams

**23.** Telegrams were electronically transmitted reports sent between the FCO in London and British Embassies, Missions and Consulates overseas. Very occasionally they were transmitted to or from other government departments and between overseas posts.

**24.** All telegrams from the FCO in London were attributed to the Foreign Secretary. The most important were seen by the Foreign Secretary in draft. All telegrams from posts were signed, and almost always seen in draft by, the Head or acting Head of Post.

**25.** All telegrams formed part of the FCO official record.

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<sup>1</sup> Not all ellipses represent a redaction. Some represent text omitted by the Inquiry for reasons of relevance. All ellipses in square brackets represent redacted text.

**26.** Telegrams to and from individual posts were numbered sequentially through the calendar year, starting with “TELNO 1” on 1 January.

**27.** All telegrams included a date time group using Greenwich Mean Time (GMT). A telegram from the British Embassy Washington sent on “170356Z JULY 03” refers to a telegram sent at 3.56am GMT on 17 July 2003 (11.56pm on 16 July in Washington; 4.56am on 17 July in London).

**28.** A precedence marking signified the urgency of the telegram. “FLASH” indicated a telegram to be seen immediately by the recipient. A telegram marked “DESKBY 170600Z” was to be available to the recipient at 6.00am GMT. The other designations were “IMMEDIATE”, “PRIORITY” and “ROUTINE”.

**29.** The FCO phased out telegrams during 2005. They were replaced by eGrams.

### **FCO eGrams**

**30.** The eGram, which replaced FCO telegrams during 2005, was used for significant communications and formed part of the FCO official record. It offered much of the flexibility of an email, including the ability to add attachments.

**31.** Unlike telegrams, each eGram was assigned a unique number in a single FCO-wide sequence starting at midnight GMT on 31 December. Paris eGram 127/06 to the FCO was not the 127th eGram from Paris, but the 127th eGram sent on the system in 2006.

### **FCO teleletters**

**32.** Letters between named individuals sent electronically using the FCO telegram system. Phased out in 2005.

### **Valedictories**

**33.** Reports from officials at the end of a tour of duty as the head of an overseas post.

### **Hauldown reports**

**34.** Valedictories sent by UK military commanders at the end of a tour of duty in Iraq.

### **Private Secretary letters**

**35.** Routine formal communication between government departments is often conducted by means of a letter from one Ministerial Private Secretary to another. Such letters should be interpreted as reflecting the views of the Minister, not of the signatory. The importance of an issue can often be inferred from the seniority of the Private Secretary. For instance, a letter from one Principal Private Secretary to another would usually hold more weight than a letter from one junior Minister’s Private Secretary to another.

## **Names and ranks**

**36.** All names, honours, military ranks and job titles in the Report reflect the individual's position at the time of the event in question.

**37.** Where the Report quotes written or oral evidence from a witness to the Inquiry, the witness is identified according to their status at the time they gave evidence.