

## SECTION 9.2

### 23 MAY 2003 TO JUNE 2004

#### Contents

Introduction .....	208
May 2003: after resolution 1483 .....	208
June 2003 .....	211
July 2003 .....	232
August 2003 .....	253
September 2003 .....	262
October 2003 .....	277
November 2003 .....	290
December 2003 .....	307
January 2004 .....	314
February 2004 .....	324
March 2004 .....	335
April 2004 .....	343
May 2004 .....	366
June 2004 .....	383

## Introduction

**1.** This Section addresses:

- UK analysis of and attempted response to the deteriorating security situation, including the development of a sectarian insurgency and the emergence of Al Qaida and of the Jaysh al-Mahdi militia in the South;
- consideration of the deployment of UK military assets and HQ ARRC;
- the UK's role in the political development of Iraq under the Coalition Provisional Authority, including appointment of the Governing Council, the Transitional Administrative Law and 15 November Agreement and handover to the Iraqi Interim Government; and
- the impact of the first US offensive in Fallujah and the revelations of abuse by US soldiers in Abu Ghraib.

**2.** This Section does not address:

- the exclusion of Ba'athists from positions of power in Iraq, which is described in Section 11; or
- the UK contribution to the reconstruction of Iraq and reform of its security sector, which are covered in Sections 10 and 12.

**3.** The Inquiry's conclusions in relation to the events described in this Section can be read in Section 9.8.

### May 2003: after resolution 1483

**4.** On 23 May 2003, Ambassador L Paul Bremer, Head of the Coalition Provisional Authority (CPA), issued CPA Order No.2.<sup>1</sup>

**5.** The Order dissolved Saddam Hussein's military and security structures, including the Ministries responsible for Defence, Information and Military Affairs; the intelligence agencies; the armed forces; and paramilitary forces. It also announced that the CPA planned to create a new Iraqi Army, which is described in Section 12.1.

**6.** Following a visit by Sir David Manning, Mr Blair's Foreign Policy Adviser, to Iraq (see Section 9.1) the Chiefs of Staff had been asked to consider whether the UK should move 16 Air Assault Brigade to Baghdad (16 AA Bde) with the task of providing police training for six weeks.

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<sup>1</sup> Coalition Provisional Authority Order No.2, 23 May 2003.

**7.** A Private Secretary to Mr Geoff Hoon, the Defence Secretary, wrote to Sir David on 23 May to advise that:

“... the Chiefs of Staff judge that the deployment [of 16 AA Bde] ... is likely to have only a marginal effect. It would carry significant risks – of our forces being tied down in Baghdad and of an adverse impact on our exemplary approach in the South.”<sup>2</sup>

**8.** The letter explained that the US military did not lack capacity to deal with security in Baghdad and that it was “safe to assume” that if the situation worsened to a point where strategic failure seemed possible “they would deploy the resources necessary to deal with it”.

**9.** The Chiefs of Staff were therefore of the view that the deployment of 16 Air Assault Brigade “would, at best, not ensure Coalition success but would rather provide only temporary and limited assistance, the gains from which are likely to be similarly limited”. It would not have a “strategic impact”.

**10.** The Private Secretary’s letter also said that “the United States does not view such a deployment as necessary”.

**11.** Sir David Manning wrote to Mr Blair on 25 May that he considered most of the arguments advanced by the MOD to be “spurious”.<sup>3</sup>

**12.** Sir David suggested that the MOD appeared to have “ventriloquised” discussions with the US; the views expressed to him by Ambassador Bremer had been different. Nonetheless, he did not think it worth challenging the advice, suggesting instead that Mr Blair “urge DFID to press ahead with plans to set up the police training school”.

**13.** Sir David wrote to Mr Hoon’s Private Secretary on 27 May, reporting Mr Blair’s decision to accept the MOD’s advice.<sup>4</sup> His letter noted that Ambassador Bremer had suggested that UK forces would be welcome in Baghdad, in apparent contradiction to US views quoted by the MOD.

**14.** Mr Blair was reported to hope that “US troops will now tackle the issues with the urgency and efficiency indicated by your letter”. Sir David asked for a report by the end of the week on “what the Americans are doing to deal with the security in Baghdad, and the steps they are putting in hand to deal with police training”.

**15.** In his memoir, General David Richards, Assistant Chief of the General Staff in May 2003, reported that Sir David Manning told him that this letter “included the biggest bollocking by the Prime Minister in writing that he had ever seen”.<sup>5</sup>

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<sup>2</sup> [Letter Watkins to Manning, 23 May 2003, ‘Security in Baghdad’.](#)

<sup>3</sup> [Minute Manning to Prime Minister, 25 May 2003, ‘Security in Baghdad’.](#)

<sup>4</sup> [Letter Manning to Watkins, 27 May 2003, ‘Security in Baghdad’.](#)

<sup>5</sup> Richards D. *Taking Command*. Headline, 2014.

**16.** Mr Blair's letter pointed out that advice from the Chiefs of Staff was "at odds with what Paul Bremer had told John Sawers, David Manning and David Richards' a few days earlier" and had "reminded the MOD that the stakes in Iraq were very high, given the danger that we might be approaching a point of 'strategic failure'".

**17.** 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>6</sup>

**18.** Prior to his appointment, Mr Vieira de Mello was the UN High Commissioner for Human Rights and Mr Annan explained that he would return to that post at the end of four months.

**19.** Reporting from Baghdad on 27 May, Mr John Sawers, the Prime Minister's Special Representative on Iraq, explained that:

"The Americans are going off the idea of an early National Conference, as are many of the Iraqi parties. Bremer has recommended to Washington that he appoints the Interim Administration. I have warned him of the danger of veering away from the SCR [resolution 1483], and have suggested a two stage process – an appointed Advisory Council soon, transforming into the Interim Administration once it can be approved by a representative Iraqi gathering."<sup>7</sup>

**20.** Mr Sawers reported that Ambassador Bremer proposed that the drafting of a new Constitution should be directed by another, Iraqi-led, body. His ideas were "with Washington" for consideration.

**21.** Mr Sawers commented that:

"There are practical arguments for Bremer's approach, and we do need the Coalition to keep tight control at this stage. We also need to find a way of staying within the terms of the SCR and keeping Vieira de Mello with our plans; and of providing for a progressive transfer of responsibilities from the Coalition to the Iraqis."

**22.** On 29 May, Mr Simon McDonald, Principal Private Secretary to Mr Jack Straw, the Foreign Secretary, wrote to Mr Nicholas Cannon, Mr Blair's Assistant Private Secretary for Foreign Affairs, in preparation for a visit to Iraq by Mr Blair.<sup>8</sup>

**23.** Mr McDonald advised that a core requirement for the UK was for the political process to be compatible with operative paragraph 9 of resolution 1483 (2003). That meant the Iraqi Interim Administration (IIA) should be set up by the Iraqi people, with the help of the CPA and working with the UN Special Representative.

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<sup>6</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>7</sup> Telegram 20 IraqRep to FCO London, 27 May 2003, 'Iraq: Political Process'.

<sup>8</sup> Letter McDonald to Cannon, 29 May 2003, 'Iraq: Political Process'.

**24.** Mr McDonald explained that although the FCO saw some grounds for US concern that a National Conference appointing an IIA would open the process up to extremist groups, there was:

“... a risk too that overt Coalition manipulation of the political process will rob it of legitimacy and boost popular support for extremist groups ... while attracting a lot of criticism in the region and elsewhere”.

**25.** The FCO instead agreed with Mr Sawers that the Coalition could appoint an Advisory Council to agree a list of prospective members of an IIA, which would then be formally approved by the Coalition.

**26.** Mr McDonald’s letter said that the Advisory Council’s role would be essentially technocratic: to work with the Coalition to ensure provision of basic services. The other tasks (review of the Constitution, legal and economic reform) were a central part of the political process, and should emerge from a credible process of consultation with a representative body of Iraqis. A National Conference remained the best instrument for this. It was essential that Mr Vieira de Mello be allowed to play a full role, both to comply with the letter and the spirit of resolution 1483, and to counter allegations that the post-conflict arrangements were a Coalition fix.

**27.** Mr Blair travelled to Iraq on 29 May to meet members of the UK Armed Forces and “thank them for their part in the successful military campaign ... and for their continuing work on humanitarian and rehabilitation tasks”.<sup>9</sup>

**28.** The MOD briefed Mr Blair in advance of his visit that the “situation in Iraq is increasingly safe and secure in the North, and permissive in the South”.<sup>10</sup>

**29.** Mr Blair’s meeting with Ambassador Bremer during his visit to Basra is described in Section 10.1.

## June 2003

**30.** Sir David Manning gave an account of Mr Blair’s visit to Iraq to Dr Condoleezza Rice, US National Security Advisor, and to Mr Andy Card, President Bush’s Chief of Staff, on 1 June.<sup>11</sup>

**31.** Sir David reported his own and Mr Blair’s views that there should be someone in the White House, as well as someone in No.10, to whom Ambassador Bremer could turn when he needed help:

“... administering post-war Iraq through DOD [Department of Defense] was the wrong profile and the wrong message ... politically, it was vital that the lead was

<sup>9</sup> Letter Watkins to Cannon, 27 May 2003, ‘Prime Minister’s Visit to Iraq’.

<sup>10</sup> Letter Watkins to Cannon, 27 May 2003, ‘Prime Minister’s Visit to Iraq’ attaching Brief [MOD], Prime Minister’s Visit to Iraq: 29 May 2003’.

<sup>11</sup> Letter Manning to McDonald, 1 June 2003, ‘Iraq: Conversation with Condi Rice’.

seen to come from the White House in the US with support from the Prime Minister's office in the UK. It must be clear to everyone that Bremer had direct access to the President and the Prime Minister and was not obliged to channel everything through [Defense Secretary] Rumsfeld."

**32.** Sir David told Dr Rice that when Mr Blair met President Bush he would "be urging quick and decisive support of Bremer ... he was in no doubt that we must now get a grip and very quickly".

**33.** On 1 June, Mr Sawers reported to the FCO on emerging thinking within the CPA about how to implement plans for an IIA.<sup>12</sup> He wrote that: "we have been closely involved and much of the thinking is ours".

**34.** The sequence of events was likely to be:

- Creation of a 30-strong, politically and regionally representative Political Council, the members of which would propose themselves to the CPA. The Council would be mainly advisory, but would have powers to appoint interim ministers, set up special commissions and initiate certain projects as well the right to be consulted on major policies.
- Creation of a Council of Interim Ministers, to ensure inter-ministry co-ordination.
- Commissions created by the Political Council would make recommendations on specific issues (eg a new currency, reform the legal code) to be agreed by the CPA.
- Creation of a Constitutional Convention of between 100 and 200 members to prepare a new Constitution.

**35.** The idea of a National Conference was being "kept in reserve for now".

**36.** Mr Sawers explained that the proposed sequence had received a "quietly positive" response from the Leadership Group.<sup>13</sup> The next step would be to bring Mr Vieira de Mello on board, but "as we are now demonstrably within the terms [of] SCR 1483 that should not be too difficult".

**37.** After reading Mr Sawers' telegram, Mr Huw Llewellyn, a Legal Counsellor in FCO Legal Advisers, wrote to the IPU to warn that he was not so confident that Mr Vieira de Mello would be satisfied the proposals fell within the terms of resolution 1483 because:

"The scrapping (or delay) of the conference will give him both substantive and presentational problems, and I would anticipate a cautious attitude."<sup>14</sup>

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<sup>12</sup> Telegram 028 IraqRep to FCO London, 1 June 2003, 'Iraq: Political Process'.

<sup>13</sup> The Leadership Group was comprised of Iraqi politicians drawn from identifiable political and regional groups and had been established by Gen Garner after his arrival in Baghdad. It included both former exiles who had returned to Iraq after the fall of Saddam, and those who had remained in Iraq.

<sup>14</sup> Minute Llewellyn to Bristow, 2 June 2003, 'Iraq: Establishment of the IIA: John Sawers Telegram of 1 June 2003'.

**38.** Sir John Sawers told the Inquiry that Mr Vieira de Mello had identified that, as well as an interim administration, there might be a need for some form of transitional government, because a new Constitution would take time to prepare.<sup>15</sup> Iraqi politicians were concerned that the Constitution “should not be something that emanated from the United States and Britain; it should be something that they created themselves”.

**39.** Sir John also told the Inquiry that it had been agreed by early June that a Political Council, “an advisory body but with real powers”, was required.<sup>16</sup> This needed to be “genuinely accepted by the Iraqis” as representative. Over 100 individuals were considered for membership. Party leaders were told that they should not delegate membership to their subordinates.

**40.** Sir John assessed that the UK had “quite a lot of influence” on the selection of members, on which Ambassador Bremer was happy for him to take a leading role.<sup>17</sup> This was an area in which he thought that he personally and the British political team added value because:

“I was able to work with both Bremer and de Mello in a way which was probably closer at a personal level than they were able to work with one another.”<sup>18</sup>

**41.** On 2 June, Mr Blair sent a personal Note to President Bush.<sup>19</sup>

**42.** Sir David Manning provided copies to Mr Straw, Mr Hoon, Mr Hoon’s Private Secretary and Mr Jonathan Powell (Mr Blair’s Chief of Staff) but instructed “It must not go wider”.

**43.** In his Note, Mr Blair wrote that:

“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 ...

“My sense is: we’re going to get there but not quickly enough. And if it falls apart, everything falls apart in the region.”

**44.** Mr Blair suggested that:

- security in Baghdad had to be dealt with at once and police training was vital and urgent;

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<sup>15</sup> Public hearing, 10 December 2009, pages 91-92.

<sup>16</sup> Public hearing, 10 December 2009, pages 92-93.

<sup>17</sup> Public hearing, 10 December 2009, page 95.

<sup>18</sup> Public hearing, 10 December 2009, page 97.

<sup>19</sup> Letter Manning to McDonald, 2 June 2003, ‘Iraq: Prime Minister’s Note’ attaching Note [Blair to Bush], [undated], ‘Note’.

- contracts to rebuild infrastructure had to be let much more quickly;
- the Coalition’s communications strategy had to be put on a more energetic footing; and
- in general, the CPA needed greater administrative capacity.

**45.** Mr Blair proposed a small US/UK team “with one of our people from our own circle” to act as a rapid conduit to the President and himself, enabling them to clear the bureaucratic obstacles immediately.

**46.** Mr Blair concluded his Note by explaining that he would be “going back to almost a war footing” in order to “restore focus” on issues in Iraq.

**47.** On 3 June, Mr Blair chaired a meeting on Iraq attended by Mr Hoon, Baroness Amos (the International Development Secretary), Sir Michael Jay (FCO Permanent Under Secretary), and No.10 officials.<sup>20</sup>

**48.** Mr Blair said he had returned from Iraq convinced that “an enormous amount needed to be done”. He told those present that:

- 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.

**49.** Mr Blair also said that he believed Whitehall should go back to a “war footing” for the next two to three months, in order to avoid “losing the peace in Iraq”.

**50.** Following the meeting, Mr Cannon commissioned a number of papers to be ready before a further meeting on 6 June, including:

- a list of 10 to 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”;
- a note from the FCO on what the UK wanted Mr Vieira de Mello to do;
- advice on how to improve the Iraqi media; and
- advice on a high-calibre replacement for Mr Sawers when his term of appointment ended.

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<sup>20</sup> [Letter Cannon to McDonald, 3 June 2003, ‘Iraq: Prime Minister’s Meeting, 3 June’.](#)



**51.** On 3 June, Sir Kevin Tebbit, MOD Permanent Under Secretary, sent a “quick note of impressions” to Mr Hoon based on a visit he and General Michael Walker, Chief of the Defence Staff, had undertaken to Basra and Baghdad.<sup>21</sup>

**52.** Sir Kevin wrote:

“The first impression ... is an overwhelming sense of the scale and complexity of the reconstruction effort required – political, security, infrastructure – and the continuing lack of the integrated strategy and plans to carry this forward. Although there are indications that Bremer really is beginning to get to grips with this (and he agrees with us about the solution to many, but not all, of the problems) the jury is still out on whether Washington will give him the authority needed ... It also means that the UK has to direct its own limited resources to best effect. This amounts to two things: assistance with the conceptual planning in Baghdad for the country as a whole, plus practical contribution where we can ... and delivering ‘our’ area in the South as an exemplar.”

**53.** Sir Kevin reported that:

“The most immediate thing Bremer wants from us – and he is probably right – is still in the law and order field/police training. He said he was disappointed about 16AAB, and CDS explained why we felt this was the wrong answer. But we went on to explore how best we might help in a more considered way.”

**54.** Mr Matthew Rycroft, Mr Blair’s Private Secretary for Foreign Affairs, used responses to the commissions he issued after Mr Blair’s meeting of 3 June to write a minute for Mr Blair (copied only within No.10) setting out the “big picture but concrete points” for him to put to President Bush.<sup>22</sup> They were:

“(a) SECURITY. This is the top priority.

- Get US forces in Baghdad out on foot patrols.
- Deploy a 3,000 strong international police force.
- Re-employ some ex-servicemen to provide guards for infrastructure and ministries to prevent looting.

(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.

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<sup>21</sup> Minute Tebbit to Secretary of State [MOD], 3 June 2003, ‘Visit to Basrah and Baghdad’.

<sup>22</sup> [Minute Rycroft to Prime Minister, 5 June 2003, ‘Iraq: Meeting at 0800 on Friday’.](#)

(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 [United Nations Children's Fund] 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.”

**55.** Mr Rycroft also summarised Ambassador Bremer's plan for the political process, which was understood to be:

“– Political Council to form itself by July ... will appoint interim ministers in consultation with the CPA.

– ... this will then set up a number of Commissions to carry out longer term political reforms ...

– A Convention of 100-200 members ... to prepare a new Constitution ...

– This would then lead to the full post-election government.

– Alternatively, there could be an additional phase of transitional government ... which could be chosen by National Conference.”

**56.** Mr Rycroft added that “De Mello is broadly happy with this”.

**57.** In a separate email, Mr Rycroft explained to Mr Dominick Chilcott, Head of the Iraq Policy Unit (IPU), 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>23</sup>

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<sup>23</sup> Email Rycroft to Chilcott, 4 June 2003, 'Draft paper for the PM'.

Mr Rycroft wrote that Mr Blair needed “things that are concrete and ambitious enough so that if/when they happen they really transform the place”.

**58.** Mr Chilcott replied that he could not produce a “serious paper” with the specific detail required:

“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 ...

“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>24</sup>

**59.** The Ad Hoc Ministerial Group on Iraq Rehabilitation (AHMGIR) met on 5 June, chaired by Mr Straw.<sup>25</sup>

**60.** During the meeting, officials from the FCO reported that Ambassador Bremer was proposing to create an Interim Administration in July which would provide a framework of different institutions including a Political Council.

**61.** The FCO’s view was that, to strengthen legitimacy, it would be important that as wide a group of Iraqis as possible joined the process and that the UN Special Representative agreed that it was consistent with resolution 1483.

**62.** Mr Straw wrote to Mr Blair the same day to report discussion at the meeting:

“We [members of 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.”<sup>26</sup>

**63.** Mr Straw attached a list prepared by the IPU of things that would make a big difference to the people of Iraq. He highlighted 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.”

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<sup>24</sup> Email Chilcott to Rycroft, 4 June 2003, ‘Draft paper for PM’ attaching Papers Iraq Policy Unit, 4 June 2003, ‘Projects in Basra’ and ‘Priorities for action on the reconstruction of Iraq’.

<sup>25</sup> Minutes, 5 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>26</sup> [Minute Straw to Prime Minister, 5 June 2003, ‘Iraq: Winning the Peace’](#).

**64.** Mr Straw asked Mr Blair to raise several issues with President Bush during their telephone call planned for later in the week. He urged Mr Blair to lobby on behalf of Siemens UK for access to power supply contracts and encouraged him to seek the President's agreement to "a good number of women, we think 20 percent, in Iraq's new political institutions".

**65.** Mr Straw also enclosed a paper written by the FCO United Nations Department which envisaged a leading role in the political process for Mr Vieira de Mello. It noted that "long term political stability in Iraq will depend [on] having political parties which are not drawn up wholly along ethnic/religious lines. Ensuring this will be a difficult task."

**66.** On the same day, Mr Straw sent a separate, personal letter to Mr Blair.<sup>27</sup> In it, he asked Mr Blair to raise a number of points "very forcefully" with President Bush.

**67.** The first of those was that the UK "must be fully involved in all decisions [made by the CPA] since the US has forced us to be jointly responsible for the effect of all Coalition decisions across Iraq". Since "the US refused" to agree a Memorandum of Understanding (MOU) saying that the UK was solely responsible for parts of southern Iraq:

"... as Peter Goldsmith [the Attorney General] advises (undoubtedly correctly) – we are jointly liable for all decisions – but many complaints that we are being sidelined in CPA, below Sawers' level".

**68.** Mr Blair told the Inquiry that, while consultation with the US was not perfect, and Mr Straw's letter was an expression of frustration, that was one of the reasons that he had sent people of the calibre of Mr Sawers and then Sir Jeremy Greenstock to Iraq to ensure that UK views were communicated effectively.<sup>28</sup>

**69.** Mr Blair also said that if it had been possible to agree an MOU, that would not itself have made the relationship work, which instead was based on Mr Blair's relationship with President Bush, Mr Straw's with Mr Colin Powell (the US Secretary of State), and others.

**70.** Mr Blair held a further meeting on Iraq on 6 June.<sup>29</sup> It was attended by Mr Straw and Gen Walker as well as those who had been present on 3 June.

**71.** Mr Cannon reported the main points from the meeting to Mr McDonald. It had been 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".

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<sup>27</sup> [Minute Straw to Prime Minister, 5 June 2003, 'Iraq'](#).

<sup>28</sup> Public hearing, 21 January 2011, pages 140-141.

<sup>29</sup> [Letter Cannon to McDonald, 6 June 2003, 'Iraq: Prime Minister's meeting 6th June'](#).

**72.** It had also been agreed that Mr Blair would write to Mr Bush after the telephone call to reinforce the UK's concerns, and to Ambassador Bremer to list specific projects in the Basra area that required immediate CPA funding.

**73.** At the meeting, "US generals refusing to order troops to deploy on foot" had been identified as one factor compounding security problems in Baghdad. An unwillingness to operate at night, predictable patterns of deployment, an inadequate understanding of the security picture across the city, the impact of de-Ba'athification and a failure to co-ordinate international police assistance were also listed as contributory factors.

**74.** Mr Blair spoke to President Bush later on 6 June.<sup>30</sup> In his report of the conversation to Mr McDonald, Mr Cannon wrote that Mr Blair had said that his main concern was administration; Ambassador Bremer needed to be able to break through the bureaucratic obstacles that he faced.

**75.** Mr Blair raised the difficulty Ambassador Bremer was having accessing the funding he needed. UK projects in Basra had been affected and Mr Blair said that he would write to both Ambassador Bremer and President Bush setting out those projects.

**76.** Mr Blair also discussed the security situation with President Bush; General Tommy Franks, Commander in Chief US Central Command (CENTCOM), and Ambassador Bremer were of the view that it was improving.

**77.** In the course of the discussion, Mr Blair also raised the need for action on replacing Iraq's currency and the de-Ba'athification process, which are considered in Sections 10.1 and 11.1 respectively.

**78.** On 9 June, the MOD's Strategic Planning Group (SPG) submitted a paper to the Chiefs of Staff on the "strategic intent and direction" of the UK's contribution to Iraq.<sup>31</sup> The SPG wrote that:

"The greatest concern remains lawlessness and there are signs that more organised opposition to the Coalition may be emerging. There are also signs of rising discontent amongst Iraqis at the Coalition's failure to deliver a safe and secure environment. This is most marked in Baghdad ...

"Baghdad is the key to success in Iraq ... Failures within the city will threaten a successful conclusion to the campaign. The US recognise this and are responding ... The UK is attempting to provide support and advice to this central effort, largely through the CPA ... But we must also protect our achievements in our southern AO [Area of Operations] and both the South and the Centre will require additional resources if we wish to see a sound and lasting strategy developed and implemented."

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<sup>30</sup> Letter Cannon to McDonald, 6 June 2003, 'Iraq: Prime Minister's conversation with Bush, 6 June'.

<sup>31</sup> [Minute SECCOS to PSO/CDS, 10 June 2003, 'OP COS Paper: UK contribution to Iraq: strategic intent and direction' attaching Paper SPG, 9 June 2003, 'UK contribution to Iraq: strategic intent and direction'.](#)

**79.** The SPG's key judgements included:

"The UK main effort should be our AO in southern Iraq. It is here we can have the most direct effect and achieve the exemplary effect HMG seeks.

"We must also assist in developing the wider Iraqi strategy through the CPA ... in order to adequately support our efforts in the South and to ensure they remain coherent with developments across Iraq. Our military engagement in the South gives us the equity in decision-making to enable this."

**80.** The SPG recommended increasing civilian support from the UK to help strengthen CPA(South), emphasising that:

"This should be a **cross-Government effort**. Currently the UK military is de facto in the lead in Southern Iraq, largely for reasons of simple capacity. We should seek to change this. Firstly the military is reaching the limit of its capacity to engage in reconstruction ... Secondly, but more importantly, it is crucial to transition away from quasi-military government to civil administration, to free military capacity for its primary task of providing security, to avoid the impression of a military Occupation and to hasten the eventual move to Iraqi self-government."

**81.** The paper also raised the possible deployment of NATO's Allied Rapid Reaction Corps (ARRC – see Box, 'The Allied Rapid Reaction Corps' in Section 9.1) to Iraq, noting that it was:

"... still a candidate in US minds for a future CJTF-7 [Combined Joint Task Force 7] but the acceptability of its use remains unresolved. At the operational level US commanders clearly still see it as a replacement for V Corps ..."

**82.** The SPG observed that the CPA and CJTF-7 were not directly linked:

"This effectively establishes two power bases answering independently to Rumsfeld. The UK should, therefore, keep a foot firmly in each camp, and consider the potential role of HQ-ARRC as a future CJTF-7."

**83.** On 9 June, Ms Cathy Adams, Legal Counsellor to Lord Goldsmith, sent a reply to a letter of 21 May from FCO Legal Advisers seeking advice on resolution 1483.<sup>32</sup>

**84.** Ms Adams explained that FCO Legal Advisers had suggested that the resolution amounted to a mandate to the Iraqi people to establish a representative government which limited their choices in determining their political future. Lord Goldsmith had concluded that this argument went too far.

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<sup>32</sup> [Letter Adams to Llewellyn, 9 June 2003, 'Iraq: Effect of Security Council Resolution 1483 on the Authority of the Occupying Powers'](#).

**85.** Ms Adams' letter said that resolution 1483:

“... confers a clear mandate on the Coalition working with the Special Representative of the Secretary-General (SRSG), to facilitate a process leading to the establishment by the people of Iraq, first, of an Iraqi interim administration and subsequently of an internationally recognised representative government. The resolution clarifies the legitimate scope of activity of the Occupying Powers and authorises 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 must be carried out in co-ordination with the SRSG or in consultation with the IIA.”

**86.** The letter continued:

“The Attorney agrees, however, that the resolution does not give the Coalition any authority to control the political process nor engineer the outcome.”

**87.** If the IIA were to be controlled by the Coalition, Ms Adams explained that its authority would be limited to the powers of its master.

**88.** Ms Adams recorded Lord Goldsmith's concern, based on recent diplomatic reporting which suggested that the IIA might be a framework rather than a single institution, that existing plans might not be compatible with resolution 1483.

**89.** Ms Adams recorded that Lord Goldsmith was content that the resolution provided a clear mandate for the Coalition, working with the Special Representative, to facilitate the establishment of the IIA by the people of Iraq. But he was clear that the process would have to be undertaken in strict compliance with the terms of the resolution.

**90.** Since other elements of the resolution required consultation with the IIA:

“Questions therefore may be raised about the legitimacy of Coalition action under OPs [operative paragraphs] 13 and 16 if there is no IIA, or if it appears that the body which has been established is not an IIA as envisaged in OP9.”

**91.** Ms Adams' letter also advised on the effect of resolution 1483 on reconstruction. Lord Goldsmith considered that the resolution did “appear to” mandate the Coalition to engage in activity beyond the scope of an Occupying Power. Since the Special Representative's wider activities were to be carried out in co-ordination with the Coalition this:

“... must be read as implied recognition of the Coalition's authority to engage in such activities ... However, to the extent that the Coalition's involvement in activities falling under these headings is not otherwise authorised elsewhere in the resolution or under occupation law, then there is a clear requirement that the Coalition's action should be undertaken only in co-ordination with the SRSG.”



**92.** The letter noted that the resolution clearly imposed joint US/UK responsibility for spending the Development Fund for Iraq, and advised it was important to ensure the US Government did not take action in relation to the Fund that was incompatible with the resolution, explaining:

“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.”

**93.** The letter concluded by saying that resolution 1483 authorised the Coalition to engage in the reconstruction and reform of Iraq to a greater degree than would be permissible under the provisions of international law in relation to Occupation alone:

“However, it is clear that the resolution does not grant the Coalition full legislative and executive authority in Iraq, so there is still a need to consider the legality of specific proposals against the requirements of occupation law and the terms of the resolution.”

**94.** In the Annotated Agenda for the 12 June meeting of the AHMGIR, Cabinet Office officials wrote that Mr Vieira de Mello was playing an active, though cautious, role.<sup>33</sup> There was general recognition that it would prove impossible at this stage to select candidates for the Political Council by democratic means. The aim remained to have a Political Council in place by mid-July and the Constitutional Convention shortly after.

**95.** The Annotated Agenda also said that security in the South remained fragile. There was a risk that 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 transition to the 3rd (UK) Division.

**96.** The Chiefs of Staff discussed the SPG’s paper on the “strategic intent and direction” of the UK’s contribution to Iraq on 11 June.<sup>34</sup> They concluded that it was not possible to take a decision on the deployment of HQ ARRC until there was clarity from the US about future command and control arrangements in Iraq. The UK was “currently backward leaning on its deployment, pending clarification from the US”.

**97.** The minutes record that Mr William Ehrman, FCO Director General Defence and Intelligence, had “urged caution in arriving at a decision” given “the imperative for the UK to conduct exemplar operations in the South and the attendant risk of a deployment to Baghdad”.

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<sup>33</sup> Annotated Agenda, 12 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>34</sup> Minutes, 11 June 2003, Chiefs of Staff meeting.



**98.** Mr Hoon told the House of Commons in a Written Ministerial Statement on 11 June that:

“Overall, 25,000 UK servicemen and women have returned from operations in the Gulf – more than half those originally deployed. Some 17,000 servicemen and women currently remain in the region.”<sup>35</sup>

**99.** Mr Hoon said that following further withdrawals and roulements, including the replacement of HQ 1st (UK) Armoured Division by HQ 3rd (UK) Armoured Division, the number of UK land forces in Iraq would reduce to around 10,000 by mid-July.

**100.** In addition to land forces, the UK’s maritime presence would be retained at the existing level (two frigates, a nuclear-powered submarine and two support vessels) and its air presence would reduce to eight Tornados plus “a number of” supporting aircraft and 18 helicopters.

**101.** When the AHMGIR met on 12 June, Lord Goldsmith advised that:

“It was not clear whether the Interim Administration currently envisaged was entirely consistent with the resolution [1483] ... The resolution does not confer full legislative powers on the Coalition and therefore individual proposals must be judged on their merits. If the Interim Administration was under direct Coalition control its powers would be limited by the Geneva and Hague Conventions and resolution 1483.”<sup>36</sup>

**102.** Lord Goldsmith undertook to speak to his US counterpart, and to write to Mr Blair explaining his concerns. He would also advise on the legality of currency reform.

**103.** In the course of the meeting, Ministers observed that UN engagement in the political process was vital (with DFID offering funding to strengthen Mr Vieira de Mello’s office) and that the US was still not fully committed to the involvement of women in the Iraqi political process.

**104.** The AHMGIR noted that it had been decided that the UK area of military operations would be expanded to cover four governorates, to match the area of CPA(South). Ministers agreed to take forward measures to improve the synergies between the UK-led military division in the South, and CPA(South).

**105.** Closing the meeting, Mr Straw commissioned for the next meeting “a short Iraq strategy paper agreed at UK official level prior to seeking agreement with the US”.

**106.** On 12 June, Mr Tony Brenton, Chargé d’Affaires at the British Embassy Washington, wrote to Sir David Manning in the context of “considerable concern around Whitehall that our views are not being taken sufficiently into account in the formulation of policy on governing Iraq”.<sup>37</sup>

<sup>35</sup> House of Commons, *Official Report*, 11 June 2003, columns 51-52WS.

<sup>36</sup> Minutes, 12 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>37</sup> Letter Brenton to Manning, 12 June 2003, ‘Iraq: UK/US Co-operation’.

**107.** Mr Brenton felt that “some new structures are needed” and recommended that the UK should:

“... beef up John Sawers’ (and his successor’s) office so that we have a mechanism in Baghdad which can make effective input on behalf of the UK into CPA decision-making. We cannot continue to rely on the Sawers/Bremer link alone. Secondly ... we need the Americans to establish a formal decision-making body within the CPA, on which a UK representative is included – given our responsibilities, we really should have a formal say, rather than having to depend on friendly influence and persuasion.”

**108.** On 12 June, a Permanent Joint Headquarters (PJHQ) briefing reported that there was “a trend of intelligence reporting from the UK AOR [Area of Responsibility] showing increasing dissatisfaction of the civil populace”.<sup>38</sup>

**109.** The PJHQ attributed the deterioration in the relationship between UK forces and the local population 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. The briefing said that:

“The Iraqis are ... used to having stability and security, albeit provided by a dictatorial regime ... If these services and a feeling of security fail to transpire ... then attitudes towards the Coalition may well harden ... An increase in political engagement by the Iraqi population, provided it remains short of violence and insurrection, should be taken as evidence of progress towards normality.”

**110.** On 16 June, a Cabinet Office official wrote to the IPU to propose that work on the Iraq strategy paper commissioned by the AHMGIR on 12 June should not continue because:

“It now transpires that the CPA is in the process of drafting its own strategy/vision document.”<sup>39</sup>

**111.** The CPA document was due to be finalised by late June/early July. The Cabinet Office official recommended:

“Rather than developing a rival UK version, it would seem sensible to use the existing work we have done as a basis to feed into the US version.”

**112.** Within the CPA’s formal structure, the most senior UK official was Mr Andy Bearpark, CPA Director of Operations and Infrastructure, who arrived in Baghdad on 16 June.<sup>40</sup>

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<sup>38</sup> Minute DACOS J3(Ops Sp) and DACOS J2(Int) to MA/DCJO(Ops), 12 June 2003, ‘Relations with the Basrah Population’.

<sup>39</sup> Minute Dodd to Crompton, 16 June 2003, ‘Iraq: Ad Hoc Ministerial’.

<sup>40</sup> Briefing Cabinet Office, 18 June 2003, ‘Iraq: Update for Ministers’.

**113.** 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. He told the Inquiry that when he was asked by the UK Government to go to Iraq:

“It was made very clear to me ... I would be expected to concentrate on what is my professional background ... economic reconstruction and physical reconstruction ... [What] I detected was that the British Government would have preferred... it if I was the deputy administrator. This was never going to be acceptable to Jerry [Bremer].”<sup>41</sup>

**114.** Mr Bearpark added:

“I had been given by the British Government to the CPA, but my allegiance was meant to be 100 percent to the CPA and it was very important that I demonstrated that allegiance every single day.”<sup>42</sup>

**115.** On 18 June, Mr Sawers reported Ambassador Bremer's view that the main security threat in Iraq still came from former members of Saddam Hussein's regime and from Al Qaida.<sup>43</sup>

**116.** Ambassador Bremer remained concerned about the risk of Iranian intervention in Iraq and the activity of a Shia militia known as the Badr Brigade, which had strong links to Iran, where many of its members had been exiled until the Coalition invasion of Iraq. However, in his view the priority was:

“... dealing with the Ba'athist remnants and possible al-Qaida elements in the Sunni areas, and he had no wish to open up a second front at this stage. So no action would be taken against the Badr brigade for now.”

**117.** In the absence of a meeting of the AHMGIR, on 18 June Cabinet Office officials provided a paper to bring Ministers up to date.<sup>44</sup> They reported that:

“Bremer's goal remains to convene the Political Council by mid-July, and the Constitutional Conference as soon as possible thereafter. Bremer's current plan is that Constitutional Conference members should be nominated by the Political Council and from the governorates, with Bremer making the final appointments and adding members as the CPA thinks necessary to ensure a balanced body.”

**118.** The update recorded progress on female participation, including a women's conference planned for 9 July, with a United Nations Development Fund for Women (UNIFEM) follow-up in August.

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<sup>41</sup> Public hearing, 6 June 2010, pages 3-4 and 17.

<sup>42</sup> Public hearing, 6 June 2010, page 17.

<sup>43</sup> Telegram 042 IraqRep to FCO London, 18 June 2003, 'Iraq: the Badr Brigade and Iranian influence'.

<sup>44</sup> Minute Cabinet Office, 18 June 2003, 'Iraq: Update for Ministers, 18 June 2003'.

**119.** The lack of consultation by the CPA persisted, and the paper noted that UK officials had been unable to delay a recent announcement of a new Central Criminal Court long enough for the Attorney General to consider its legality.

**120.** It was expected that the immediate consultation problem would be eased by the return to Baghdad of Mr Sawers, who had been instructed to make clear the UK's need for effective co-decision-making.

**121.** The same paper confirmed that Sir Jeremy Greenstock would take over from Mr Sawers in September.

**122.** The update also said that a "threat of missile attacks is likely to delay the opening of Baghdad airport to commercial traffic".

**123.** Secretary Powell raised indications of "British unease about co-ordination and leadership in Iraq" with Mr Straw on 19 June.<sup>45</sup>

**124.** Mr Straw said that the problems "all went back to our suggestion for an MOU which would have divided the country". Since that had not been acceptable to the US "we were now jointly and severely liable for everything that went on in all of Iraq". They agreed that a high level of consultation was needed.

**125.** Mr Blair told Cabinet on 19 June that despite negative media comment "progress was being made in Iraq".<sup>46</sup>

**126.** The same day, Mr Sawers reported that "the security situation in the Baghdad area has taken a turn for the worse" with demonstrations against the Coalition, some of which resulted in fatalities among the US military.<sup>47</sup>

**127.** Mr Sawers asked for the security threat assessment for UK civilian staff to be updated, observing as he did that "I would not want us to lose<sup>48</sup> UK civilians before we apply the necessary expertise to the issue".

**128.** On 24 June, Mr Hoon made a statement in the House of Commons describing two incidents in Majar al-Kabir, a town in Maysan province.<sup>49</sup>

**129.** The first was an attack by Iraqi gunmen on members of the 1st Battalion the Parachute Regiment in which eight individuals were injured, two very seriously. There was then a subsequent attack on the helicopter sent to assist them.

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<sup>45</sup> Letter McDonald to Manning, 19 June 2003, 'Foreign Secretary's Conversation with US Secretary of State, 19 June'.

<sup>46</sup> Cabinet Conclusions, 19 June 2003.

<sup>47</sup> Telegram 044 IraqRep to FCO London, 19 June 2003, 'Iraq: Security Situation'.

<sup>48</sup> Read in context, the Inquiry understands "lose" to mean depart the country rather than be killed.

<sup>49</sup> House of Commons, *Official Report*, 24 June 2003, column 996.

**130.** The second resulted in the deaths of six members of the Royal Military Police (RMP).<sup>50</sup>

**131.** In his statement to Parliament Mr Hoon said he would:

“... caution against reaching any wider conclusions about the overall security situation in southern Iraq, particularly in the United Kingdom’s Area of Responsibility. Coalition Forces have worked hard to secure Iraq in the aftermath of decisive combat operations. They will not be deflected from their efforts by the enemies of peace.”

**132.** A minute provided to Sir David Manning by Mr Julian Miller, Chief of the Assessments Staff, described what had happened to the members of the RMP in Majar al-Kabir:

“On 22 June, house searches by British forces in the town had led to demonstrations and shots being fired. Subsequent discussion with the British military and local leaders resulted in an agreement to postpone the searches for one month, however this agreement was not widely known. As a result an RMP patrol of 24 June was assumed to indicate plans for further British house searches. A spontaneous demonstration against the RMP presence followed.”<sup>51</sup>

**133.** General Sir Peter Wall, former General Officer Commanding 1st (UK) Armoured Division, described the incident to the Inquiry as:

“... they were making a routine call in accordance with a plan, a planned patrol. And it is fair to say we had some difficulty with communications, of calling in reserves, general situational awareness, all of which has been taken account of in inquiries since the time, but they were subjected to a deliberate attack from a group of people from a nearby town. It then generated a riot in Majar al-Kabir and we don’t know the precise catalyst for it. Some of it may be to do with some tribal sensitivity about the way that we were operating at the time.”<sup>52</sup>

**134.** On 25 June, Mr Annan called on Mr Blair.<sup>53</sup> Part of their hour-long discussion covered Iraq.

**135.** Mr Annan said that Mr Vieira de Mello had established good relations with Mr Sawers and Ambassador Bremer. The UN was “encouraging him [Bremer] to go as fast as possible, or at least set out a political vision, to avoid Iraqi frustration of an overly long Occupation” and Mr Annan said that Ambassador Bremer should engage more with the Iraqi public.

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<sup>50</sup> Sergeant Simon Hamilton-Jewell, Corporal Russell Aston, Corporal Paul Long, Corporal Simon Miller, Lance Corporal Benjamin Hyde, Lance Corporal Thomas Keys.

<sup>51</sup> [Minute Miller to Manning, 25 June 2003, ‘Iraq: 24 June Attack on British Troops’](#).

<sup>52</sup> Public hearing, 14 December 2009, page 57.

<sup>53</sup> [Letter Rycroft to McDonald, 25 June 2003, ‘Prime Minister’s Meeting with UN Secretary General, 25 June’](#).

**136.** Mr Annan commented:

“Bremer was a centraliser – good at taking quick decisions, but there was a risk of reduced consultation.”

**137.** Mr Annan also warned that:

“... de-Ba’athification had gone too deep, since for most Iraqis it was Saddam, not Iraq, who had been defeated. We should find a way to reemploy many more former policemen, as the UN had done in Bosnia.”

**138.** Mr Blair said that de-Ba’athification needed to be implemented “pragmatically and flexibly” and that he would continue to raise the issue with President Bush.

**139.** The AHMGIR met again on 26 June.<sup>54</sup> The Annotated Agenda for the meeting, prepared by the Cabinet Office, stated that “the Iraqi Interim Administration will be composed of a number of elements, including a Political Council, a Constitutional Convention and reform Commissions”. It reported positive progress on appointing the Council, but that “finding the right women remains a challenge”.

**140.** Cabinet Office officials recorded that Ambassador Bremer:

- intended the Political Council to exercise increasing powers over time: its two immediate tasks would be to propose ministers, and to advise the Coalition on long-term issues such as regulation of political parties, and educational and judicial reforms;
- had given an undertaking that, once the Interim Administration was formed, the CPA would not take any major decisions without consulting it; and
- remained keen to establish a Constitutional Conference by the end of July, but Iraqi participants in the consultation process were undecided whether this should be elected or appointed, and how.

**141.** The Annotated Agenda said that the UN remained closely involved. The UK was trying to involve the UN in other aspects of the democratic process, such as holding a census and drawing up an electoral register.

**142.** The AHMGIR was given a draft of the CPA’s Strategic Plan which the Cabinet Office described as “a good basis for further work” but “still deficient” and “not in a form digestible to Iraqi and regional audiences”. It included the CPA’s planning assumptions that:

- Iraqi people will accept the legitimacy of the Interim Administration.
- The election of an accountable and representative government will be based upon a Constitution borne [sic] of a popular participative process.

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<sup>54</sup> Annotated Agenda, 26 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting attaching ‘OCPA Strategic Plan’.

- The Iraqi people will embrace and remain committed to electoral reform.
- The Iraqi people will support a united national government structure.”

**143.** Cabinet Office officials commented that the plan did not include dates for the restoration of fully sovereign Iraqi government. It also lacked reference to macro-economic management, exaggerated the role of the free market, lacked reference to the environment and did not include proper linkage to resolution 1483.

**144.** In the course of the AHMGIR’s meeting on 26 June, an FCO official emphasised the importance of keeping Shia groups on board.<sup>55</sup> In discussion it was observed that CPA attention was focused on Baghdad at the expense of the South.

**145.** The AHMGIR agreed that the UK should continue to ensure the involvement of Iraqis and the UN in the formation of a viable, credible and representative Interim Administration in a manner consistent with resolution 1483.

**146.** Ministers agreed that officials should push for improvements to the CPA Strategic Plan, particularly on macro-economic issues and linkage to resolution 1483 but did not specifically address the absence in the plan of indicative dates for the restoration of a sovereign government.

**147.** Ministers 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 MOD and DFID could do and what would need CPA intervention.

**148.** Cabinet met immediately after the AHMGIR on 26 June.<sup>56</sup>

**149.** Mr Straw told his Cabinet colleagues that Ambassador Bremer “intended to bring the Iraqi Political Council into being by the end of July, together with a Constitutional Convention”. Summing up the meeting, Mr Blair observed that “the coming months would show more clearly the improvements being made”.

**150.** Mr Hoon told Cabinet that the preliminary view was that the incidents in Majar al-Kabir were isolated and would not affect the way British forces undertook their security duties in southern Iraq. The issue of bringing to justice those responsible for the killings remained.

**151.** After Mr Straw had updated Cabinet on reconstruction in Iraq, Mr Blair summed up that the killings were “a tragic event, but the fact was that rebuilding Iraq was a difficult task”.

**152.** On 26 June, Grand Ayatollah al-Sistani, the most senior authority in the Iraqi Shia community, issued a fatwa stating that the CPA did not have jurisdiction to select the

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<sup>55</sup> Minutes, 26 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>56</sup> Cabinet Conclusions, 26 June 2003.



members of the assembly that would draft the new Iraqi Constitution.<sup>57</sup> The fatwa said that the CPA plan was “unacceptable from the outset”, and that in its place:

“First of all there must be a general election so that every Iraqi citizen – who is eligible to vote – can choose someone to represent him in a foundational Constitution preparation assembly. Then the drafted Constitution can be put to a referendum.”

**153.** Grand Ayatollah al-Sistani concluded his fatwa:

“All believers must insist on the accomplishment of this crucial matter and contribute and contribute to achieving it in the best way possible.”

### Grand Ayatollah al-Sistani

Grand Ayatollah al-Sistani is Iraq’s senior Shia theologian.<sup>58</sup>

Born in Iran, al-Sistani is considered to be the most senior of the four Grand Ayatollahs based in Najaf, although that position is not a formal one.<sup>59</sup> All four advocate the principle of a clear separation between religion and politics, in contrast to Grand Ayatollah Khomeini in Iran. They exercise their influence through a network of clerics and mosques, and through Shia political parties, in particular the Supreme Council for an Islamic Revolution in Iraq (SCIRI) and Dawa.

As religious leader of around 60 percent of the Iraqi population, al-Sistani has a very significant influence.<sup>60</sup>

**154.** Sir David Manning raised concerns about the US lack of consultation with the UK with Dr Rice on 27 June.<sup>61</sup> Dr Rice indicated that she had heard about the problems, and had “taken these on board”.

**155.** In a meeting with Mr Hoon on the same day, Dr Rice raised a US concern that the drawdown of UK forces in southern Iraq meant a lessening of UK commitment to the area.<sup>62</sup>

**156.** Mr Hoon replied that force levels were based on an assessment of the security situation. In the South “a heavy hand might be a destabilising factor” but more troops were available “if the situation demanded”. It was important that “significant funds” for reconstruction flowed into the area if a successful outcome was to be achieved.

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<sup>57</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>58</sup> Minute Owen to Rycroft, 13 January 2004, ‘Iraq: Sistani’.

<sup>59</sup> Telegram 50 Baghdad to FCO London, 21 January 2005, ‘Iraq: Key Political Players: Shia: Part One of Two’.

<sup>60</sup> Minute Straw to Prime Minister, 13 January 2004, ‘Iraq: Sistani’.

<sup>61</sup> Letter Rycroft to McDonald, 27 June 2003, ‘Iraq: Meeting with Condi Rice, 27 June’.

<sup>62</sup> Letter Williams to McDonald, 27 June 2003, ‘Defence Secretary’s meeting with Condi Rice – 27 June 2003’.



**157.** Baroness Amos visited Iraq at the end of June. She provided her immediate impressions to Mr Blair on 27 June and a detailed report with recommendations for action on 2 July. Her Principal Private Secretary reported separately on meetings with Mr Vieira de Mello and Ambassador Bremer.

**158.** In her detailed report, Baroness Amos noted that security in Baghdad was fragile, with attacks on US troops on an almost daily basis, and remained a key concern for Iraqi people.<sup>63</sup> The situation appeared to be worsening; it was the overwhelming and immediate priority without which “little else will be possible”. Security concerns had reached such a level that the UN planned to scale back its representation in Baghdad by one third to a total of 200 staff. As a result, Baroness Amos recommended re-considering the case for additional troops on the ground – either Coalition or Iraqi.

**159.** The attached report said:

“... in CPA itself, there are still too many people with the wrong skill set – policy focus rather than operational expertise, and insufficient experience of post-conflict developing country situations.”

**160.** Baroness Amos therefore recommended:

“We need more UK people with political skills on the ground. These should be Arabic speakers, with knowledge of the region, to strengthen capacity in CPA South and CPA Baghdad.”

**161.** But this approach brought risk:

“UN workers reported that increasingly Iraqis were beginning to lump all foreigners together. It is just a matter of time before international civilians are caught up in these attacks [on US troops].”

**162.** In her report, Baroness Amos also highlighted the need to agree and communicate to the Iraqi people a clear timetable for the political transition to Iraqi self-government. She observed that:

“Until Iraqis can see that we are serious about handing authority back to them, and can see a defined process leading to the withdrawal of Coalition Forces, they will continue to doubt our intent and the reasons for our continuing presence.”

**163.** Baroness Amos asked Mr Blair to raise with President Bush in their telephone conversation scheduled for 3 July the urgent need to get a grip on the security situation as well as:

“... the need for a public and well communicated timetable for the political transition to Iraqi self-government. An immediate objective would be to transfer maximum authority to Iraqi ‘ministers’ appointed by the Governing Council – we should put Iraqis in charge of helping to sort out the problems that Iraq faces.”

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<sup>63</sup> [Letter Amos to Prime Minister, 2 July 2003, \[untitled\] attaching Paper, ‘Iraq: Visit Report’.](#)

**164.** In her covering letter, Baroness Amos wrote that “the UK focus in security in the South, leaving security in Baghdad largely to the US, is not good enough”.

**165.** Baroness Amos’ Principal Private Secretary reported that Baroness Amos had asked Mr Vieira de Mello whether the establishment of a Political Council, followed by the drafting and agreement of a Constitution leading to elections in around two years would be acceptable to the Iraqi people.<sup>64</sup> Mr Vieira de Mello thought there was a danger that they would say it was too little, too late:

“But with a clear road map and timeframe, showing them that their humiliation was finite; and if the PC [Political Council] and interim ministers were given real, tangible responsibilities ... he thought they could be persuaded to be realistic. And if the PC was genuinely representative from across Iraq, he believed that the Secretary-General and he would be able to recommend the Security Council accept it as the Interim Authority set out in SCR 1483.”

**166.** Baroness Amos subsequently asked Ambassador Bremer if there was a timeframe for the political process. He indicated that the Political Council should be set up by mid-July, and the Constitutional Council shortly after that. Once the Councils had been established, Ambassador Bremer was reluctant to impose any deadlines, believing that responsibility for doing so should lie with the Iraqi people themselves.

## July 2003

**167.** Reporting to No.10 on security and troop levels in Iraq on 1 July, Mr Hoon’s Private Secretary wrote:

**“Security situation in Iraq varies from area to area: but we do not currently judge that Al Majar Al Kabir was the start of a trend, but rather a local incident.”**<sup>65</sup>

**168.** The Private Secretary reported that the security environment remained very difficult in places, particularly in and around Baghdad and Fallujah. The MOD had considered whether troop reinforcements would make a difference:

“... we continue to assess that we have the right size and shape of forces to do the job. The British Commander, General Wall, is aware that reinforcements could be generated if he judged that they were needed.”

**169.** General Sir Peter Wall told the Inquiry that the incidents in Majar al-Kabir:

“... turned out to be consistent with the broad mood across Maysan as it developed over time, and ... the events in 2004 in al-Amara ... were really linked to that sort of same resentment against our presence.”<sup>66</sup>

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<sup>64</sup> Minute Bewes to Malik, 28 June 2003, ‘Meeting with Sérgio De Mello’.

<sup>65</sup> [Letter Williams to Rycroft, 1 July 2003, ‘Iraq: Security and Troop Levels’](#).

<sup>66</sup> Public hearing, 14 December 2009, pages 57-58.

**170.** On 1 July, in a letter to Sir Jeremy Greenstock, who would be succeeding Mr Sawers as the Prime Minister’s Special Representative for Iraq, Mr Peter Ricketts, FCO Political Director, wrote that he hoped the close consultation between Mr Sawers and Ambassador Bremer could “be expanded to allow even greater access to the US machine in Baghdad”.<sup>67</sup>

**171.** Mr Ricketts continued that “we need to keep working on establishing mechanisms for more systematic US/UK consultation” and suggested that was a key priority for Sir Jeremy’s first few weeks.

**172.** The Joint Intelligence Committee (JIC) reviewed the situation in Iraq on 2 July and concluded that:

“Numerous groups and individuals, including extremists, are competing for influence in post-war Iraq. A number of them have already demonstrated that they are prepared to use violence to achieve their ends, and all have easy access to weapons.

“For most Iraqis, the immediate concerns are security and living conditions. Most are, for now, acquiescent in the Coalition presence. But events in Iraq will depend heavily on Coalition action.

“Extremist groups currently pose a direct threat to Coalition Forces, and to ordinary Iraqis who work with the Coalition. For now, the activities of these groups are largely unco-ordinated. However, it is likely that the links between groups will become stronger.

“In the medium to long term, disagreements over political, economic and security issues also have the potential to escalate into conflict. Particular points of friction are likely to include:

- political representation, and the future direction of Iraq;
- access to property, revenue and employment;
- the composition of the new national army and the future role of militias.”<sup>68</sup>

**173.** Sir John Sawers told the Inquiry that:

“ ... what we were faced with increasingly through 2003 were a series of challenges to the Coalition’s position that collectively represented an onslaught on us. There were the remnants of the Ba’athist regime, the elements of the presidential guard, the Fedayeen Saddam, all these specialist intelligence and security units that Saddam set up, who had dissolved into the mainly Sunni areas and were reconstituting and posing a terrorist threat to the Coalition. There was Al-Qaida linked groups, who saw Iraq as an opportunity for them to continue their global

<sup>67</sup> Letter Ricketts to Greenstock, 1 July 2003, ‘Iraq: UK Special Representative’.

<sup>68</sup> [JIC Assessment, 2 July 2003, ‘Iraq: Potential Flashpoints’](#).

terrorist campaign. There were sundry Jihadists and Salafists and other extremists who were attracted to Iraq as a vehicle for having a pot shot at the Americans and the Brits.”<sup>69</sup>

**174.** Mr Straw visited Iraq and met Ambassador Bremer at CPA Headquarters in Baghdad on 2 July.<sup>70</sup>

**175.** Ambassador Bremer reported that he hoped to have a Governing Council of 20-30 “fairly representative Iraqis” within two weeks. The mechanism by which they would be appointed had not yet been finalised. The Council would be able to appoint ministers, examine the budget and establish Commissions on elements of reform.

**176.** Mr Straw urged Ambassador Bremer to articulate a calendar for the political process because:

“This would help dissipate some dissatisfaction, even if the milestones were some months away. It would change the dynamic of the debate and help get Iraqi buy-in for the process.”

**177.** In a private meeting with Mr Straw later the same day, Mr Vieira de Mello welcomed Ambassador Bremer’s commitment to:

“... get the Governing Council off the ground soon. This would alleviate some discontent ... Giving some Iraqi leaders visible responsibility for developments should also reduce criticism of the CPA’s efforts.”<sup>71</sup>

**178.** The day before a video conference with President Bush planned for 3 July, Sir David Manning sent a note to Mr Blair offering advice on the conversation.<sup>72</sup> Sir David wrote:

“This is a key exchange.”

**179.** 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.

**180.** Sir David also highlighted that US analysis of Iranian involvement in Iraq differed from the JIC’s assessment and questioned the value of taking action.

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<sup>69</sup> Public hearing, 10 December 2009, pages 79-80.

<sup>70</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>71</sup> Telegram 25 FCO London to IraqRep, 4 July 2003, ‘Iraq: Foreign Secretary’s Meeting with UN Secretary General’s Special Representative for Iraq, 2 July’.

<sup>72</sup> [Minute Manning to Prime Minister, 2 July 2003, ‘Iraq: Your video conference with President Bush’](#).

**181.** Sir David emphasised that:

“Bush needs to hear the alarm now. He needs to focus, and to galvanise action, if we are not to find ourselves increasingly embattled in Iraq and unable to achieve a successful post-war settlement.”

**182.** The weekly meeting of Cabinet took place before Mr Blair and President Bush spoke on 3 July. In the course of the meeting Mr Straw, Baroness Amos and Mr Hoon all emphasised that security was the main issue.<sup>73</sup>

**183.** Mr Hoon identified “greater organisation” in anti-Coalition forces and said that the vicious circle of opposition to the Coalition, which prevented improvements to the life of the average Iraqi citizen, must be broken.

**184.** Mr Blair concluded that we should make CPA(South) into “a model”. Political progress was essential to the stability of Iraq.

**185.** Mr Blair and President Bush spoke by video conference on 3 July.<sup>74</sup>

**186.** Mr Hoon, Gen Walker, Mr Jonathan Powell and Sir David Manning joined from London, along with key White House officials, Secretary Rumsfeld and Vice President Cheney in the US. Ambassador Bremer, Mr Sawers and General Ricardo Sanchez (Commander of CJTF-7) dialled in from Iraq.

**187.** Mr Blair began by congratulating Ambassador Bremer on the “remarkable performance” of the CPA. He then set out areas of concern:

- Security. This was hampering CPA efforts at reconstruction; what more did the CPA need?
- Reconstruction. The power and water infrastructure needed to be rebuilt urgently; were there particular obstacles that needed to be removed?
- Communications. It was essential to improve the CPA’s capacity to communicate with the people of Iraq.
- WMD. The search needed to be redoubled and the atrocities of the Saddam regime documented and publicised.
- Politics. Was the political process on track?

**188.** On security, Mr Blair asked Mr Sawers and Ambassador Bremer to draw up a list of their requirements, telling them “whatever they needed, we would do our utmost to provide” and reiterating that the UK would “do our level best to meet any demand for additional resources”. Mr Blair added that if there were any obstacles that needed clearing, Mr Sawers and Ambassador Bremer should tell him.

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<sup>73</sup> Cabinet Conclusions, 3 July 2003.

<sup>74</sup> Letter Cannon to McDonald, 3 July 2003, ‘Iraq: Prime Minister’s Video-Conference with President Bush, 3 July’.

**189.** Ambassador Bremer told Mr Blair that in his view there were four security threats:

- former Ba’athists;
- international terrorists (Al Qaida and Ansar al-Islam);
- civil criminals (whose activities contributed to the sense of insecurity for the general public); and
- Iranian agents, particularly in the South and West.

**190.** The AHMGIR met after the video conference.<sup>75</sup>

**191.** The Annotated Agenda for the meeting, written by Cabinet Office officials, described the security situation and observed that it was “constraining the reconstruction work of the CPA, the UN and other international actors”.<sup>76</sup> As a result of security concerns, UK CPA secondees were “operating a night-time curfew”.

**192.** The Annotated Agenda reported growing attacks on US forces, acts of economic sabotage and intimidation of Iraqis working with the CPA, all of which were beginning to have an effect on reconstruction. Tensions in the UK Area of Responsibility, however, had not worsened.

**193.** Cabinet Office officials described action being taken by the UK to improve security, including:

- training US soldiers in “urban peace support operations”;
- increasing police numbers and “standing up local guard forces”; and
- Security Sector Reform, which was “a long term process”.

**194.** Cabinet Office officials observed that “**real improvements will depend in part on wider progress on political reform and reconstruction**”.

**195.** In southern Iraq, the Annotated Agenda recorded that the UK was about to assume command of Multi-National Division South-East (MND(SE)), expanding by two the number of provinces over which it had command. Capacity in CPA(South) was being bolstered, and staffing numbers had reached 60, although “operational funding has still to arrive”.

**196.** The Annotated Agenda explained that the Political Council had been renamed the Governing Council (GC),<sup>77</sup> and was expected to convene “by the second half of July”. Members would “nominate themselves to the CPA, on the basis of a consensus emerging from the CPA-led political consultations”. It was expected that Mr Vieira de Mello would endorse the GC when he reported to the UN Security Council in mid-July.

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<sup>75</sup> Minutes, 3 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>76</sup> Annotated Agenda, 3 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>77</sup> The Governing Council (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 chosen IGC.

**197.** The Constitutional Convention had been postponed, and instead a Preparatory Commission on the Constitution would be created, to advise on how the Constitutional Convention should be established.

**198.** During the meeting of the AHMGIR, officials from the FCO added that it was hoped the Constitution would be completed by May 2004 and that elections would then follow.<sup>78</sup>

**199.** Mr Hoon reported to the meeting on the video conference that had taken place earlier in the day, observing that the US was becoming concerned that Saddam Hussein had not yet been captured.

**200.** Gen Walker, who had also taken part in the video conference, observed that “the US appeared to have no clear plan for security in the centre”.

**201.** In discussion, the (unattributed) point was made that “there was no need, at present, to increase UK forces”. The Chair of the meeting, Mr Hoon, summed up the discussion stating “real improvements [in security] would depend in part on progress on political reform and reconstruction”.

**202.** A telegram from Mr Sawers on 3 July containing points to follow up after the video conference with President Bush said:

“It didn’t come up today, but our forces in the South are thinly stretched. I discussed this with the Foreign Secretary yesterday. 3 Div will be responsible for the four Southern provinces, as opposed to the two covered by 1 Div. We will have less than 10,000 troops to cover Basra and Maysan and provide a reserve for any problems in the other two provinces ...

“It is not for me to recommend how many forces we need for our mission. But I expect the task facing our forces to get more difficult over the summer ... Seen from here, we would be better off putting extra capability in place now than rather than risking being exposed by events.”<sup>79</sup>

**203.** Sir David Manning marked the telegram for Mr Blair to see, and wrote “Reinforces my worries about troop numbers” on the document. Mr Blair replied “Can’t we leave 10,000 in + at least bolster with foreign troops”.

**204.** A telegram from the IPU in London to Mr Sawers in Baghdad on 7 July stated “we are pleased with the progress on the Governing Council ... and continue to attach importance to a clearly articulated vision statement and a calendar against which Iraqis and the international community can judge us”.<sup>80</sup>

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<sup>78</sup> Minutes, 3 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>79</sup> Telegram 64 Sawers to FCO London, 3 July 2003, ‘Personal: Iraq: Follow up to the Bush/Blair VTC’, including Manuscript Comments Manning and Blair.

<sup>80</sup> Telegram 27, FCO London to IraqRep, 7 July 2003, ‘Iraq: Priorities’.



**205.** The IPU also welcomed news that the CPA Strategic Plan ('The Vision for Iraq') was almost ready for publication, and told Mr Sawers that they thought it had been "lost in the weeds".<sup>81</sup> The IPU's view was that the document required "some more work ... and clarity".

**206.** On 8 July, Mr Blair gave evidence to the House of Commons Liaison Committee.<sup>82</sup>

**207.** Mr Blair told the Committee that "the fact that we will probably have a political council up and running within the next few weeks, indicates that there is change and progress being made".<sup>83</sup>

**208.** In response to a question from Mr Edward Leigh, the Committee Chairman, about his exit strategy for Iraq, Mr Blair replied:

"We stay until we get the job done. The job is to get the country back on its feet, to give it a proper functioning political system which means that the Iraqis themselves in a representative way control their country and to make sure that it has the ability to be a stable and prosperous partner in the region."<sup>84</sup>

**209.** Mr Blair also told the Committee that:

"The British troop requirement ... is already just under a third of what it was at the height of the conflict, so we are not at the same troop strength as we were even two months ago."

**210.** On 9 July, Cabinet Office officials briefed members of the AHMGIR that:

"A **Governing Council** should be established within the next two weeks. The Council is likely to meet our core requirements: it will emerge by consensus among leading Iraqis; the main ethnic and religious groups will be represented in a balanced way; at least 4-5 women will be involved ... and it will have UN consent."<sup>85</sup>

**211.** The same Annotated Agenda also reported the CPA's announcement of a new Dinar note, a 1:1 replacement for the Saddam Dinar, Iraq's pre-conflict currency.<sup>86</sup> But there were signs that the CPA's failure to consult had not been resolved. Cabinet Office officials reported:

"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."

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<sup>81</sup> Telegram 27 FCO London to IraqRep, 7 July 2003, 'Iraq Priorities'.

<sup>82</sup> The Liaison Committee is appointed to consider general matters relating to the work of select committees and, amongst other duties, to hear evidence from the Prime Minister on matters of public policy.

<sup>83</sup> House of Commons, Select Committee on Liaison, *Minutes of Evidence*, 8 July 2003, Q168.

<sup>84</sup> House of Commons, Select Committee on Liaison, *Minutes of Evidence*, 8 July 2003, Qs189-191.

<sup>85</sup> Annotated Agenda, 10 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>86</sup> The conversation rate was 150:1 for the Old Dinar (or Swiss Dinar) used in the Kurdish north.



**212.** On 9 July, Mr Rycroft wrote to Sir David Manning to recount a phone call from Mr Sawers in Baghdad.<sup>87</sup> He reported that Mr Sawers considered that troops in Basra were “badly stretched”. The answer to several of his questions (for example, about guarding specific sites) had been “we don’t have enough troops to do that”.

**213.** Mr Sawers described his main security concern as the border with Iran in Maysan Province, which might be seen as a soft target for attacks, and proposed that the UK should “go back to having a full brigade, and crucially the HQ that goes with it, rather than the battalion it now has”.

**214.** Mr Rycroft had explained the MOD view that “more troops weren’t the answer and that what was needed was progress on the political track”. Mr Sawers agreed this would help but “just as there could be no purely military answer to the security issue, so political progress would need to be underpinned by the military”.

**215.** Sir David Manning sent Mr Rycroft’s minute to Mr Blair, annotating it:

“I still think we have too few troops on the ground. This discussion which Matthew had with John Sawers in my absence confirms me in my views.”

**216.** On 10 July, Mr Hoon’s Private Secretary wrote to Mr Rycroft to explain that:

“As at 3 July, there were a total of **13,404** UK military and civilian personnel deployed in the Gulf region on activities relating to Operation TELIC ... A process of roulement is ongoing which is due to complete by 1 August. At that stage, the UK presence in theatre is due to have reduced from its peak of around 46,000 to some **12,000** ... By late August, it is expected that the number will fall ... to around **10,500** across the three Services.”<sup>88</sup>

**217.** Mr Rycroft provided Mr Blair with a copy of the letter, noting on it that:

“Our new area, comprising four provinces, comes into being on 12 July. 5,500 foreign troops will come into it.”

**218.** At the meeting of the AHMGIR on 10 July, Mr Straw reported on his recent visit to Baghdad and Basra.<sup>89</sup> Iraqi political leaders he met had clearly welcomed the end of Saddam Hussein’s regime, but not the US military presence. Even opponents of the old regime felt that this was a humiliation for the Iraqis who had failed to remove Saddam Hussein themselves.

**219.** Ms Patricia Hewitt, the Trade and Industry Secretary, reported that she had also visited Baghdad and attended a Women’s Conference. She expressed disappointment that there were likely to be only four women in the GC. The political parties were refusing to nominate women.

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<sup>87</sup> [Minute Rycroft to Manning, 9 July 2003, ‘Iraq: John Sawers’ views’](#).

<sup>88</sup> Letter Williams to Rycroft, 10 July 2003, ‘UK force levels in Iraq’ including Manuscript comment Rycroft.

<sup>89</sup> Minutes, 10 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

**220.** Later that afternoon, Mr Straw told Cabinet that the GC would be a broadly inclusive body, incorporating “Iranian influenced Shia and communist elements”.<sup>90</sup> It would “progressively” take over authority for areas of government, subject to the CPA’s approval.

**221.** On 11 July, Mr Straw’s Private Secretary wrote to Mr Rycroft with a draft message for Mr Blair to send to the Governing Council when it met for the first time two days later.<sup>91</sup> The Private Secretary’s letter recorded that:

“The last two weeks have seen intensive consultations with political leaders, religious figures, tribal leaders and civil society representatives ... Sérgio Vieira de Mello has been closely involved. He has expressed firm support for our approach ... Our approach is in accordance with UNSCR 1483.”

**222.** The letter went on to say:

“GC will be the Iraqi interface with the CPA and international community. It will nominate interim ministers and oversee day to day running of ministries. CPA will consult GC on all areas of policy. Only in exceptions would CPA act without GC support. GC will formulate new national reconstruction and security policies ... and submit these recommendations to the CPA ... Operational security matters will remain the responsibility of the CPA.”

### **New military structures**

Multi-National Division (South-East) (MND(SE)) was formally established on 12 July.<sup>92</sup> This coincided with a change of UK forces within the area as 1st (UK) Armoured Division handed over to 3rd (UK) Mechanised Division.

The senior UK military commander in MND(SE) – the General Officer Commanding (GOC MND(SE)) – reported to the US General in charge of CJTF-7, Lt Gen Sanchez. The first GOC MND(SE) was Major General Graeme Lamb, who held the position from July to December 2003.

### **Tour lengths**

Throughout the course of Op TELIC, 11 different commanders held the post of GOC MND(SE), changing roughly every six months:

- July 2003 to December 2003: Major General Graeme Lamb
- December 2003 to July 2004: Major General Andrew Stewart
- July 2004 to December 2004: Major General William Rollo

<sup>90</sup> Cabinet Conclusions, 10 July 2003.

<sup>91</sup> Letter Owen to Rycroft, 11 July 2003, ‘Iraq: Governing Council Launch’.

<sup>92</sup> Report Lamb, 30 January 2004, ‘Post Operational Tour Report – Version 1 Operation Telic 2/3 11 July to 28 December 2003’.

- December 2004 to June 2005: Major General Jonathon Riley
- June 2005 to December 2005: Major General James Dutton
- December 2005 to July 2006: Major General John Cooper
- July 2006 to January 2007: Major General Richard Shirreff
- January 2007 to August 2007: Major General Jonathan Shaw
- August 2007 to February 2008: Major General Graham Binns
- February 2008 to August 2008: Major General Barney White-Spunner
- August 2008 to March 2009: Major General Andrew Salmon

A number of those who served as GOC MND(SE) gave the Inquiry their views about the length of their tour in Iraq.

Lt Gen Riley told the Inquiry that he was “firmly of the view” that GOCs needed “an extended period of duty” if they were “in any way to understand local societies” and gain the trust and confidence of those with whom they were working.<sup>93</sup> He said he believed that the six month rotation period was changing and said that his last tour in Afghanistan had been for 14 months.

The Inquiry asked Lt Gen Rollo and Lt Gen Cooper how much they were able to build on their predecessors’ success during a six month GOC MND(SE) posting.<sup>94</sup>

Lt Gen Rollo said that he felt that six month postings were “too short” and that longer tours would have been “entirely sensible” given that MND(SE) was a “vastly complicated place, for commanders in particular”. He added that GOCs did, however, approach the role with “a common doctrine”, common background of experience and a desire “to achieve the same things”.

Lt Gen Cooper told the Inquiry that he felt that postings should last for at least 12 months. He said that he agreed with Lt Gen Rollo’s assessment that GOCs would look at key issues but observed:

“ ... clearly I looked at it slightly differently to my predecessor, and my successor looked at it slightly differently to me, his successor looked at it slightly differently to him”.

Lt Gen Dutton told the Inquiry that there was “no doubt” that six months was not long enough for a GOC to be in post, but that years in post were needed to develop the level of understanding necessary for the role.<sup>95</sup> He said that the duration should certainly be increased to a year.

Lt Gen Shirreff told the Inquiry that in his opinion divisional commanders “must do more than six months” and so senior commanders should do “much longer” because:

“ ... just as you are getting up to speed, just as you are establishing trust, confidence, with all your interlocutors, it is time to pull out, and, of course, your interlocutors have to start all over again ... ”<sup>96</sup>

<sup>93</sup> Public hearing, 14 December 2009, pages 20-21.

<sup>94</sup> Public hearing, 15 December 2009, pages 45-47.

<sup>95</sup> Public hearing, 12 July 2010, pages 51-52.

<sup>96</sup> Public hearing, 11 January 2010, page 46.

Lt Gen Shirreff observed, however, that for soldiers on the ground, six months was “about right”.

Maj Gen Shaw told the Inquiry that he thought it was an “illusion” that the six-month tour lengths created a lack of continuity:

“I think the problem ... is more a methodological one. It’s more that there is no laid-down methodology. There’s nobody that owns the campaign and takes the incoming commander and says, this is what we’re going to do, drive on.”<sup>97</sup>

Maj Gen Shaw said that, during his time in Northern Ireland, there had been a clear long term vision so that commanders knew their place in the bigger picture but this was lacking from his experience in Iraq. As an example, he said that what he and Lt Gen Shirreff did during their respective postings as GOC MND(SE) “were diametrically opposite things” but that both were supported by the system because they were “allowed to do what we judged was the right thing to do”.

Lt Gen Binns told the Inquiry that he thought there was a need to improve “campaign continuity” and that one solution was for senior commanders to serve longer, where appropriate, but:

“... we have to be careful that this doesn’t become the default setting, because one can get very tired, if you are being rocketed every day, if you have got the responsibility of command during a very difficult period, then simply extending people’s period there isn’t necessarily the answer.”<sup>98</sup>

Throughout the course of Op TELIC, 11 individuals held the post of Senior British Military Representative-Iraq, changing roughly every six months until September 2006:

- May to September 2003: Major General Freddie Viggers (also appointed as Deputy Commander of CJTF-7)
- September 2003 to April 2004: Major General Andrew Figures
- April 2004 to October 2004: Lieutenant General John McColl
- October 2004 to April 2005: Lieutenant General John Kiszely
- April 2005 to October 2005: Lieutenant General Robin Brims
- October 2005 to March 2006: Lieutenant General Nicholas Houghton
- March 2006 to September 2006: Lieutenant General Robert Fry
- September 2006 to July 2007: Lieutenant General Graeme Lamb
- July 2007 to March 2008: Lieutenant General William Rollo
- March 2008 to March 2009: Lieutenant General John Cooper
- March 2009 to July 2009: Lieutenant General Chris Brown

Some of those who served as SBMR-I offered the Inquiry similar views to those who served as GOC MND(SE).

Lt Gen Brims told the Inquiry: “I would happily have stayed there for a year, and I think I could have done a good job.”<sup>99</sup>

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<sup>97</sup> Private hearing, 21 June 2010, pages 53-55.

<sup>98</sup> Public hearing, 15 January 2010, page 48.

<sup>99</sup> Public hearing, 14 December 2009, page 37.

Lieutenant General Sir John Kiszely went further, and said that six months was “manifestly not long enough”.<sup>100</sup> One risk of a six month tour was that Iraqi interlocutors might judge that the postholder was “passing trade”, and would not establish as a close a relationship with them as they would with an individual who would be in post for a year or more. He made similar points in 2005 in his end of tour report, which can be found in Section 9.3.

Lt Gen Lamb told the Inquiry that he agreed to extend the length of his tour because “it was exactly the right place to be”.<sup>101</sup>

The Inquiry asked Air Chief Marshal Sir Glenn Torpy to what extent the conduct of the campaign was determined by individual GOCs rather than by the CJO.<sup>102</sup>

ACM Torpy replied:

“In terms of the overall campaign objectives set by CDS and then down through myself to the GOC ... that provided a degree of continuity but there is no doubt we had a debate over how long tour length should be ... There were army reasons for keeping it at six months. That’s what we stuck with. In hindsight and what we have now shifted to is much longer between nine months, a year, maybe even longer for certain key people.”

ACM Torpy said that he thought that commanders would have benefited from longer tours in Iraq because “it gives you an opportunity to build relationships, understand the environment” and that this was “an acknowledged lesson out of the campaign”.

General Sir Mike Jackson told the Inquiry that “six months seems to be self-evidently too short” given the importance of relationship-building.<sup>103</sup> He indicated that tour lengths for senior officers in Baghdad had begun to extend to nine or 12 months during his time as Chief of the General Staff (CGS).

General Sir Richard Dannatt, who succeeded Gen Jackson as CGS, told the Inquiry that he was “pretty convinced” that six months “in the front line” was as much as a soldier should be asked to do.<sup>104</sup> For some senior commanders and staff officers, and those engaging with local leaders and in training local forces, the circumstances were different. Consequently, “we have significantly changed the number of posts that go for nine months, 12 months and some even longer”.

General the Lord Walker told the Inquiry that he considered “a minimum tour length for operation, intelligence-type commanders should be a year long” but that six months was “a good time for people on the ground”.<sup>105</sup>

Air Chief Marshal the Lord Stirrup told the Inquiry that:

“... there is a very clear view that a brigade needs to train, fight and recover together. So that presents you with a difficulty, since you would actually like your command team ... to stay there longer.

“The way we sought to balance this circle is to have more and more continuity posts that are in theatre for a year, and they run over from one brigade to another ... particularly in the areas of intelligence and cultural understanding.”<sup>106</sup>

<sup>100</sup> Public hearing, 14 December 2009, pages 37-39.

<sup>101</sup> Public hearing, 9 December 2009, page 34.

<sup>102</sup> Public hearing, 18 January 2011, pages 100-101.

<sup>103</sup> Public hearing, 28 July 2010, pages 91-92.

<sup>104</sup> Public hearing, 28 July 2010, pages 39-40.

<sup>105</sup> Public hearing, 1 February 2010, page 59.

<sup>106</sup> Public hearing, 1 February 2010, page 73.

**223.** On 13 July, the Governing Council met for the first time.

**224.** Ambassador Bremer described its inauguration in his account of his year in Iraq:

“The choreography we had agreed upon with the UK, UN and GC members called for the twenty-five Council members to gather in a building not far from the palace ... The plan was for the group then to constitute themselves as the Governing Council. (This became known to us irreverently as the ‘immaculate conception’ option).”<sup>107</sup>

**225.** Chairmanship of the Council would rotate on a monthly basis. According to the RAND report, Ambassador Bremer observed that a body that could not agree on its own Chairman could hardly be ready to rule.<sup>108</sup>

**226.** The Chiefs of Staff discussed Iraq in their regular meeting on 16 July.<sup>109</sup> In discussion the point was made that:

“The level of Iraqi consent to Coalition Occupation had deteriorated and COS assessed that it might be lost by the end of 04 were the current trend to continue. Retention of Iraqi consent depended on an effective, culturally attuned information strategy to inform local people about the progress being made on governance and reconstruction. The CPA had a mature, albeit unpublished, long term strategy, but there was a need to develop measures to retain consent of the middle ground and avoid extremism in the short and medium term.”

**227.** Cabinet Office officials provided an Annotated Agenda for the meeting of the AHMGIR on 17 July.<sup>110</sup>

**228.** Attached to the Agenda was a copy of a document entitled ‘Authorities of the Governing Council’, which had been agreed between the CPA and GC as a description of the initial powers of the Council. It began:

“The Governing Council is the principal body of the interim administration of Iraq called for in Security Council Resolution 1483.”

**229.** The document set out that the CPA would be “required to consult” the GC on “all major decisions and questions of policy”. The GC had “the right to set policies and take decisions in cooperation with the CPA”.

**230.** The Annotated Agenda said:

- a bare majority of the GC members were Shia;

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<sup>107</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>108</sup> Dobbins J, Jones SG, Runkle B & Mohandas S. *Occupying Iraq: A History of the Coalition Provisional Authority*. RAND Corporation, 2009.

<sup>109</sup> Minutes, 16 July 2003, Chiefs of Staff meeting.

<sup>110</sup> Annotated Agenda, 17 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting attaching Paper, 13 July 2003, ‘Annex B: Authorities of the Governing Council’.



- there were 14 leaders of political parties, three women (a result of the Kurdish parties failing to put forward strong female candidates), and two from Basra;
- membership of the GC was agreed by consensus; and
- it declared itself to be a representative group of the Iraqi people and the Governing Council of the interim administration called for under resolution 1483.

**231.** In relation to Security Sector Reform (addressed in detail in Section 12.1) the Annotated Agenda said that:

“CPA plans are to develop policies in conjunction with emerging Iraqi authorities, to ensure that the major decisions on the size, shape and structure have full Iraqi involvement.”

**232.** Cabinet Office officials also explained that the newly-formed Basra Province Interim Council was not connected to the GC. A link would need to be established so that funding could move south from Baghdad.

**233.** Sir John Sawers told the Inquiry that the CPA denied itself the authority to appoint any ministers who were not nominated by the GC.<sup>111</sup> In the ‘Authorities’ document, the GC alone was given power to appoint, oversee and dismiss interim ministers, as well as appointing international representatives of Iraq, such as Ambassadors. Although the GC would appoint the Finance Minister, the budget for 2004 would be drawn up “with the CPA, and with the involvement of representatives of the IMF, World Bank and UNDP”.

**234.** Sir John also told the Inquiry that the GC itself agreed that it represented the ethnic composition of the country, and had the correct ethnic balance between Arabs and Kurds, representatives of all the major cities and provinces of the country; and a balance between Islamists and non-Islamists.<sup>112</sup> According to Sir John, the majority of members had lived in Iraq under Saddam Hussein.

**235.** The Cabinet Office Annotated Agenda for 17 July also informed members of the AHMGIR that:

“The CPA Strategic Plan has been finalised and circulated internally within the CPA. At present there are no plans to publish it. Although not perfect, it meets our basic requirements. Next steps: CPA staff will use the Strategic Plan to inform further work in planning and prioritisation of the CPA’s work. A revised, detailed implementation plan is due by 22 July. UK secondees in CPA will continue to try to shape this to ensure that it is coherent and commits the CPA to an ambitious but realistic timetable.”<sup>113</sup>

**236.** Cabinet Office officials described the CPA’s decision to create 18 CPA teams to match the 18 Governorate offices in the Iraqi administrative structure.

<sup>111</sup> Public hearing, 10 December 2009, page 93.

<sup>112</sup> Public hearing, 10 December 2009, page 94.

<sup>113</sup> Annotated Agenda, 17 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.



**237.** The US would run 14 of them, and the UK four. No decision had been taken as to whether these four should all be within the South-East to match the UK area of military responsibility. Mr Andy Bearpark had advised against such a move, because of concern that the US might then expect the UK to fund the entire effort in the South-East, meaning that the South-East might not receive its proper share of CPA funds.

**238.** At the meeting of the AHMGIR on 17 July, FCO officials reported that:

“International reactions [to the GC] had been mixed, with some countries ... notably cautious. Bremer was beginning to think a further transitional step was necessary between the Governing Council and a fully representative government to provide cover for other countries to support reconstruction.”<sup>114</sup>

**239.** In discussion, a member of the AHMGIR made the point that a better communications strategy was needed to explain the role of the GC to the Iraqi people.

**240.** On 17 July, Mr Blair visited Washington to deliver a speech to a joint session of the US Congress,<sup>115</sup> which had awarded him the Congressional Gold Medal. He also met the Congressional leadership and, separately, President Bush.<sup>116</sup>

**241.** Mr Blair told Congress that:

“... when we invade Afghanistan or Iraq, our responsibility does not end with military victory.

“Finishing the fighting is not finishing the job.

...

“We promised Iraq democratic government. We will deliver it.

“We promised them the chance to use their oil wealth to build prosperity for all their citizens, not a corrupt elite, and we will do so. We will stay with these people so in need of our help until the job is done.”<sup>117</sup>

**242.** Mr Rycroft suggested to Mr Blair that, in relation to Iraq, the aim of his meeting with President Bush should be:

“Agreement on a joint line on yellowcake [uranium] etc; public focus on the Governing Council; commitment to provide whatever resources are needed (a) to find the WMD, (b) to put Iraq on a stable footing, and (c) to resolve the communications problems dogging the CPA.”<sup>118</sup>

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<sup>114</sup> Minutes, 17 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>115</sup> Comprising members of the House of Representatives and the Senate.

<sup>116</sup> Letter [Private Secretary] to Adams, 18 July 2003, ‘Prime Minister’s Visit to Washington, 17 July’.

<sup>117</sup> www.CNN.com, ‘Transcript of Blair’s speech to Congress’.

<sup>118</sup> Minute Rycroft to Prime Minister, 16 July 2003, ‘Washington’.

**243.** In their meeting, 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.<sup>119</sup> Mr Blair observed that if security could be improved, the pace of reconstruction could quicken.

**244.** In mid-July, the CPA sent its 'Vision for Iraq', the strategic plan in anticipation of which the UK had halted work on its own strategy in June, to Washington for approval.<sup>120</sup> By 18 July, senior officials in the Pentagon had approved it.

**245.** The 'Vision' defined the CPA's ultimate goal as working to achieve:

“... a unified and stable, democratic Iraq that: provides effective and representative government for the Iraqi people; is underpinned by new and protected freedoms for all Iraqis and a growing market economy; is able to defend itself but no longer poses a threat to its neighbours or international security.”<sup>121</sup>

**246.** The highest priority was to create a secure and safe environment through recruiting and training Iraqi police and armed forces. *Hard Lessons* describes its other goals as promoting a rapid transition to a market economy, establishing an effective rule of law system, and establishing programmes to develop democracy.<sup>122</sup>

**247.** A plan for the implementation of the Vision, 'Achieving the Vision to Restore Full Sovereignty to the Iraqi People',<sup>123</sup> was circulated to members of Congress on 23 July.<sup>124</sup>

**248.** The introduction to 'Achieving the Vision' by Ambassador Bremer said:

“This progressive plan is an overview of the strategy necessary for early restoration of full sovereignty to the Iraqi people. The strategy is driven by more detailed action plans (e.g. plans for the New Iraqi Army, the police, restoring electrical power, etc.).”<sup>125</sup>

**249.** In his memoir Sir Hilary Synnott, who became Head of CPA(South) in July 2003, recalled:

“I forced myself to sit down and try to read the Vision's electronic manifestation ... If the Vision amounted to a goal, the Plan which accompanied it sought to make

<sup>119</sup> Letter Rycroft to Adams, 18 July 2003, 'Prime Minister's Visit to Washington, 17 July'.

<sup>120</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>121</sup> Synnott H. *Bad Days in Basra: My Turbulent Time as Britain's Man in Southern Iraq*. IB Tauris & Co Ltd., 2008.

<sup>122</sup> Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

<sup>123</sup> Report Coalition Provisional Authority, 21 July 2003, 'Achieving the Vision to Restore Full Sovereignty to the Iraqi People'.

<sup>124</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>125</sup> Report Coalition Provisional Authority, 21 July 2003, 'Achieving the Vision to Restore Full Sovereignty to the Iraqi People'.

progress towards five objectives: security; governance; essential services; the economy; and strategic communications.

“The trouble was that 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>126</sup>

**250.** ‘Achieving the Vision’ is described in more detail in Section 10.1.

**251.** At the Chiefs of Staff meeting on 23 July Lieutenant General John Reith, Chief of Joint Operations, reported that Saddam Hussein’s two sons, Qusay and Uday, had been killed by US forces after a gun battle in Mosul.<sup>127</sup> The impact of their deaths would take some time to assess, although celebrations had been reported.

**252.** In the UK’s Area of Responsibility, an Italian brigade had assumed responsibility for Dhi Qar province.

**253.** Cabinet Office officials told the AHMGIR on 24 July that Mr Vieira de Mello had reported to the UN, welcoming the formation of the Governing Council.<sup>128</sup> He had called for a clear timeline for the transition to a representative government, and for an Iraqi-led constitutional process.

**254.** Views within the GC were divided on timelines for the constitutional reform process leading to elections: some wished to press ahead; others favoured a slower, more cautious approach.

**255.** On 24 July, Ministers agreed that the UK would offer to lead four Governorate teams, 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>129</sup>

**256.** On 28 July, Lt Gen Reith set out the results of a Force Level Review for Basra and Maysan provinces in a paper for the Chiefs of Staff.<sup>130</sup>

**257.** As background to his conclusions, he wrote:

“Following the incident on 24 Jun, when six RMP were murdered at Al Majar al-Kabir, the level of tasking for UK forces in Basra and Maysan provinces has routinely exceeded that originally envisaged. GOC 1(UK) Armd Div conducted

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<sup>126</sup> Synnott H. *Bad Days in Basra: My Turbulent Time as Britain’s Man in Southern Iraq*. IB Tauris & Co Ltd., 2008.

<sup>127</sup> Minutes, 23 July 2003, Chiefs of Staff meeting.

<sup>128</sup> Annotated Agenda, 24 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>129</sup> Minutes, 24 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>130</sup> Paper CJO, 28 July 2003, ‘Op TELIC – UK Force Level Review in Maysan and Basrah Provinces’.

an initial force level review that identified the possible requirement for additional manpower. GOC MND(SE) has taken this work forward and produced a detailed force level review of UK tasks across MND(SE).”

**258.** Lt Gen Reith described a shift in the role of the military to one of support, in all lines of operation other than security, which remained primarily a military responsibility. In the UK’s area, he judged that there was no direct threat requiring a war-fighting capability, but armoured forces continued to be useful for “protection, over-match, presence and domination”. Other threats included paramilitary attacks, terrorism (including Improvised Explosive Devices) and a breakdown of public order.

**259.** Further calls on military resources were being generated by:

- the reconstruction effort (in particular the need to protect key sites and facilities);
- SSR activities;
- the need to provide security for the Embassy compound in Baghdad and a potential Consulate in Basra;
- plans to open border crossings;
- the need for river patrols to combat smuggling; and
- the need to fill personnel gaps in the CPA structure.

**260.** In addition, in the event of “localised resurgences in violence” Lt Gen Reith anticipated that the UK might come under pressure to conduct cross-boundary operations.

**261.** Lt Gen Reith wrote:

“The overall impact of these additional commitments is almost two companies of manpower. This can just be met from within current resources, but has the penalty of leaving absolutely no slack at all and no uncommitted reserve. The level of tasks is also beginning to bite hard, now that R&R [Rest and Recuperation] has started, and is assessed as being unsustainable.”

**262.** As a result, Lt Gen Reith recommended deployment of:

- an additional four-platoon<sup>131</sup> infantry company as soon as possible;
- identification of a reserve capability that would allow for rapid reinforcement, the first part of which should be a four-platoon company already in Cyprus; and
- some additional specialist capabilities, including Arabic speakers.

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<sup>131</sup> A platoon comprises between 26 and 55 people.

**263.** Lt Gen Reith's recommendations were discussed by the Chiefs of Staff on 30 July. The minutes of that meeting record that:

"CJO [Chief of Joint Operations] had discussed the Review with GOC MND(SE) who was content that the adjustment to force levels would be adequate. CDS [Chief of the Defence Staff] invited CJO to investigate the merit in deploying the SLE [Spearhead Land Element] to Cyprus to acclimatise in order that they might be better prepared were they called upon for deployment to Iraq. COS [Chiefs of Staff] agreed to CJO's recommendations, and CDS directed DG Op Pol [Director General Operational Policy] to submit to Ministers."<sup>132</sup>

**264.** On 30 July, Sir Hilary Synnott took up post as the Head of CPA(South). His appointment is described in Section 10.1.

**265.** Mr David Richmond succeeded Mr Sawers as the Prime Minister's Special Representative for Iraq on an interim basis at the end of July 2003, and remained in post until Sir Jeremy Greenstock arrived in September. Mr Richmond remained as Sir Jeremy's Deputy until Sir Jeremy left at the end of March 2004.<sup>133</sup>

**266.** Asked about his key responsibilities, Sir David Richmond told the Inquiry:

"The first was really a thirst for information about what was going on. They wanted me to establish a good working relationship with Bremer and to find out as much as I could about what was going on and ensure that London were kept fully informed ...

"[the second] to ensure they [British secondees] fitted into the organisation, that they [were] able to operate effectively and look after their safekeeping and well being, which became an increasing burden as time went on.

"... [the third] to try to ensure an orderly transition to a ... sovereign representative Iraqi government and associated with that was obviously trying to hand over to them in the best possible condition, which meant the whole range of issues that the CPA dealt with ..."<sup>134</sup>

**267.** Sir David considered that:

"... the area where we [Greenstock, Sawers and Richmond] could make the greatest contribution as representatives was to the political process. This is because as diplomats that's the sort of thing we know or are expected to know something about."<sup>135</sup>

**268.** Mr Blair and President Bush spoke by telephone on 31 July.<sup>136</sup>

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<sup>132</sup> Minutes, 30 July 2003, Chiefs of Staff meeting.

<sup>133</sup> [Telegram 109 IraqRep to FCO, 26 March 2004, 'Iraq Valedictory: Six Months in the Cauldron'](#).

<sup>134</sup> Public hearing, 26 January 2011, pages 3-4.

<sup>135</sup> Public hearing, 26 January 2011, page 6.

<sup>136</sup> Letter Rycroft to Adams, 31 July 2003, 'Iraq: Prime Minister's Conversation with Bush, 31 July'.

**269.** During the conversation on Iraq, Mr Blair described the GC as a “complete antidote” to the view that Iraqis were not “delighted” that Saddam Hussein had gone.

**270.** 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.

### Iranian activity and influence in Iraq

Throughout April and May, concerns were beginning to emerge within the US Administration about possible Iranian activity in Iraq.<sup>137</sup>

The RAND report on the Occupation of Iraq records that the US authorities tracked the activity of the Iranian Revolutionary Guard Corps (IRGC) within Iraq and occasionally picked some individuals up for questioning.<sup>138</sup> There was suspicion, within the Coalition, that the Iranians were actively supporting and arming the Shia Badr Corps. On one occasion, UK and Danish patrols identified seven armed Iranian “border posts” located within Basra and Maysan Provinces, displaying the Iranian flag within Iraqi territory.

On 11 June 2003, the JIC issued an Assessment of Iran’s goals for Iraq, its activity in support of them and the level of its influence in Iraq.<sup>139</sup> The JIC judged that:

“Iran wants Iraq to be a stable, non-threatening neighbour with no long-term foreign, especially US, presence. It wants influence in a future Iraqi administration. It favours a unified State, but probably does not have a blueprint for how the administration should be structured. It does not expect the Iranian theocratic system to be a model for Iraq. But it believes that the Iraqi Shia population must have political representation broadly commensurate with its numbers in a democratic government ... Iran also wants resumed trade, a role in reconstruction, the repatriation of some 200,000 Iraqi refugees and Iraq’s formal recognition of the border. It still hopes, if possible, for reparations for the 1980-88 Iran/Iraq war and closure on missing prisoners-of-war ...

“Iran would have preferred a greater UN role in post-conflict Iraq and the early withdrawal of US forces ... The presence of large US forces adds to Iran’s sense of encirclement ... And a longer-term worry is that the resurgence of Najaf as a centre of Shia teaching, and the emergence of Iraq as a successful Shia state, could undermine the legitimacy of Iran’s theocratic system ...

“We judge that the Iranians instinctively see progress by the Coalition as detrimental to Iran, but pragmatically realise that chaos would ensue without the Coalition presence ... On the basis of Iranian activity so far, we judge this remains the broad thrust of Iran’s policy as implemented on the ground: to avoid direct conflict with the Coalition, to develop its influence, and to take advantage of the political process where possible. But it will retain the option of causing trouble for the Coalition if it is not satisfied by the outcome of events.

<sup>137</sup> Minute Reilly to Chaplin, 1 May 2003, ‘Iran: Their Iraq Policy: Next Steps’.

<sup>138</sup> Dobbins J, Jones SG, Runkle B & Mohandas S. *Occupying Iraq: A History of the Coalition Provisional Authority*. RAND Corporation, 2009.

<sup>139</sup> JIC Assessment, 11 June 2003, ‘Iraq: Iranian Activity and Influence’.

“Iran continues to be ... associated with the SCIRI leadership, but is also in touch with other Iraqi political groups and influential individuals.”

In early July, Mr Sawers briefed Mr Rycroft that his main security concern was the UK’s ability to patrol the border with Iran in Maysan Province:

“If we remain stretched there, we could end up being seen as the soft underbelly, and therefore at risk of even more attacks.”<sup>140</sup>

Since the US had no diplomatic relations with Iran, Mr Sawers was sent to Tehran at the end of July to deliver “strong messages ... on [the] need to stop playing a malign role in internal Iraqi security”.<sup>141</sup>

His interlocutors denied that any such activity was taking place, but were “keen to stress that Iran shared the same goals as the Coalition”.<sup>142</sup>

On 10 September, the JIC again considered Iranian activity and influence in Iraq.<sup>143</sup> It judged:

“Iran wants to exercise significant influence over the post-Saddam government. Much Iranian activity in Iraq is aimed at ensuring that Shia groups, particularly its main ally, the Supreme Council for the Islamic Revolution in Iraq (SCIRI) make progress in the political process ...

“Iran sees itself as competing with the Coalition for influence in Iraq. Tehran probably draws a distinction between stirring up trouble and authorising terrorist attacks on Coalition targets ...

“Recent events, including the arrest in the UK of the former ambassador to Argentina, Hadi Soleymanpur, have caused Iranian attitudes to harden. They could provoke violent protests against the UK.”

The JIC judged that the assassination on 29 August of SCIRI’s spiritual leader, Muhammed Baqir al-Hakim, represented a “serious blow to Iranian aspirations” in Iraq although it was difficult to assess the wider impact of his death on intra-Shia relations “which were already tense”.

The JIC observed:

“The loss of a more moderate Shia leader poses the risk that a more radical Shia leader, such as cleric Muqtada al-Sadr, will fill the vacuum.”

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<sup>140</sup> [Minute Rycroft to Manning, 9 July 2003, ‘Iraq: John Sawers’ views’](#).

<sup>141</sup> Telegram 267 Tehran to FCO London, 30 July 2003, ‘Iran/Iraq: Visit of John Sawers: Security Issues’; Dobbins J, Jones SG, Runkle B & Mohandas S. *Occupying Iraq: A History of the Coalition Provisional Authority*. RAND Corporation, 2009.

<sup>142</sup> Telegram 267 Tehran to FCO London, 30 July 2003, ‘Iran/Iraq: Visit of John Sawers: Security Issues’.

<sup>143</sup> JIC Assessment, 10 September 2003, ‘Iraq: Iranian Activity and Influence’.



## August 2003

**271.** On 1 August, Dutch troops assumed responsibility for the province of Muthanna within MND(SE).<sup>144</sup>

**272.** On 4 August, Mr Hoon's Private Secretary wrote to Mr Rycroft 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.<sup>145</sup>

**273.** 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).”

**274.** Those additions would bring the total number of UK troops in theatre up to 10,000.

**275.** The Operational Update given to the Chiefs of Staff meeting on 6 August said:

“The levels of consent in Baghdad and the Baqubah and Fallujah corridors were ‘cautionary’, while the rest of Iraq was ‘compliant’. Daily attacks continued against US Forces in Baghdad; increasingly sophisticated IEDs were being used more frequently.”<sup>146</sup>

**276.** The Chiefs were also told of “a slight increase in activity” in the UK's Area of Responsibility.

**277.** On 7 August, Mr Adam Ingram, Minister for the Armed Forces, told the AHMGIR that UK forces in Iraq would be “re-balanced” by the deployment of an additional infantry company.<sup>147</sup> This would mean a net increase of 120 personnel.

**278.** The situation was getting worse in the South, with riots in Basra in August over lack of fuel and electricity.<sup>148</sup>

**279.** Minutes of the Chiefs of Staff meeting on 13 August recorded that:

“The toll of civilian casualties (one dead and five wounded throughout the AO) may have been higher had some 76 baton rounds not been fired to control crowd behaviour. GOC MND(SE) had initiated a range of measures to secure the delivery of fuel to the Basra area in the immediate term, and CPA subject matter experts planned to visit Basra and discuss the issue with GOC.”<sup>149</sup>

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<sup>144</sup> Minutes, 6 August 2003, Chiefs of Staff meeting.

<sup>145</sup> [Letter Latham to Rycroft, 4 August 2003, ‘Iraq: Force Level Review’](#).

<sup>146</sup> Minutes, 6 August 2003, Chiefs of Staff meeting.

<sup>147</sup> Minutes, 7 August, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>148</sup> Public hearing, Stewart, Synnott and Lamb, 9 December 2009, pages 19 and 54-57.

<sup>149</sup> Minutes, 13 August 2003, Chiefs of Staff meeting.

**280.** Sir Hilary Synnott wrote in his memoir:

“With the rising summer temperatures and the sudden influx of funds from increased salaries and reconstruction contracts, the local people had been buying up newly available electrical goods, especially air conditioners. The demand for electrical power and fuel generators soared. Suddenly, the supply failed to keep pace. Generators tripped and the diesel fuel distribution chain broke apart. 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>150</sup>

**281.** Cabinet Office officials reported on 14 August that “Daytime Improvised Explosive Devices (IEDs), followed up with sniper or rocket propelled grenade attacks, are becoming increasingly common”.<sup>151</sup>

**282.** Officials from the FCO reported “cautious progress” on the political process. Ambassador Bremer and Mr Richmond were “encouraging the Governing Council to make decisions”. A list of ministerial names was being drawn up but it was not clear how the Constitutional Preparatory Committee would be chosen. Foreign Ministers from the Arab League had announced that they would not recognise the Governing Council, but would work with it.

**283.** On 14 August, the UN Security Council adopted resolution 1500 (2003). There were 14 votes in favour. Syria abstained.

**284.** This short resolution welcomed the formation of the GC as “an important step towards” the creation of an internationally-recognised representative government in Iraq.<sup>152</sup>

**285.** Operative paragraph 2 of the resolution created the United Nations Assistance Mission for Iraq, to support the Secretary-General in fulfilling the responsibilities he had been given in resolution 1483.

**286.** The Cabinet Office assessed that:

“The passage of UNSCR 1500 and UK lobbying have contributed to a more positive **regional attitude** to the Governing Council.”<sup>153</sup>

**287.** On 14 August, Cabinet Office officials reported to members of the AHMGIR that the GC had announced the formation of “a 25-member, all male committee of technocrats to prepare for the Constitutional Convention”.<sup>154</sup>

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<sup>150</sup> Synnott H. *Bad Days in Basra: My Turbulent Time as Britain's Man in Southern Iraq*. IB Tauris & Co Ltd., 2008.

<sup>151</sup> Briefing Cabinet Office, 14 August 2003, ‘Iraq: Update for Ministers, 14 August 2003’.

<sup>152</sup> UN Security Council resolution 1500 (2003).

<sup>153</sup> Briefing Cabinet Office, 20 August 2003, ‘Iraq: Update for Ministers, 21 August 2003’.

<sup>154</sup> Minute Drummond to Owen, 14 August 2003, ‘Iraq: Update for Ministers’.

**288.** That committee had begun work by 21 August.<sup>155</sup>

**289.** On 18 August, Lt Gen Robert Fry, who had become Deputy Chief of Defence Staff (Commitments) in July, briefed the Chiefs of Staff that there had been:

“... a decline in Iraqi consent to the Coalition in MND(SE) due to the failure by the Coalition to deliver improvements in essential services ...

“There is no doubt that across the MND(SE) the honeymoon period that followed the conflict is now over. The Shia leaders are suggesting that the Coalition now has a short period of grace before a significant deterioration in local consent. Without progress in infrastructure, MND(SE) is finding that work in security sector reform, political development, welfare provision and so forth is stalled.”<sup>156</sup>

**290.** An update for the AHMGIR, produced on 20 August, said that:

“Basra is now calmer, following last week’s disturbances ... However ... the willingness of local leaders to issue, and the public to respond to, appeals for calm may be short-lived if the Coalition cannot maintain at least the current level of service delivery. Security across MND(SE) remains volatile ... Security concerns have led Japanese staff in CPA(South) to be withdrawn.”<sup>157</sup>

**291.** In a meeting on the same day, the Chiefs of Staff were told that:

“There had been no deterioration of the situation in the UK AO, possibly as a result of the order for restraint from Ayatollah Sistani and possibly as a rejection of the call for action by the Shia against the Coalition from Saddam Hussein. Most of the MND(SE) contacts over the reporting period were related to criminal activity.”<sup>158</sup>

**292.** Two days after that update, there was an attack on a Royal Military Police patrol, in which three were killed<sup>159</sup> and another seriously injured.<sup>160</sup> Up to five Iraqis were also understood to have been killed or seriously injured.

**293.** UK forces in theatre responded by restricting their movements to essential journeys only.<sup>161</sup>

**294.** The following week, another British soldier was killed<sup>162</sup> in an incident in Maysan.<sup>163</sup>

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<sup>155</sup> Briefing Cabinet Office, 20 August 2003, ‘Iraq: Update for Ministers, 21 August 2003’.

<sup>156</sup> Minute DCDS(C) to COSSEC, 18 August 2003, ‘Essential services in MND(SE)’.

<sup>157</sup> Briefing Cabinet Office, 20 August 2003, ‘Iraq: Update for Ministers, 21 August 2003’.

<sup>158</sup> Minutes, 20 August 2003, Chiefs of Staff meeting.

<sup>159</sup> Major Matthew Titchener, Company Sergeant Major Colin Wall and Corporal Dewi Pritchard.

<sup>160</sup> Public hearing White, 21 July 2010, page 18.

<sup>161</sup> Minute No.10 [junior official] to Prime Minister, 23 August 2003, ‘Update: Iraq; MEPP’.

<sup>162</sup> Fusilier Russell Beeston.

<sup>163</sup> [Letter Williams to No.10 \[junior official\], 28 August 2003, ‘Iraq: situation in UK area of operations’.](#)

**295.** Mr Hoon's Private Secretary wrote to Mr Blair's office that the MOD did not see a link to previous incidents and there was "no reason ... to suppose that they represent a trend". He added:

"It is worth noting that the number of UK Servicemen killed by enemy action since the beginning of May is now greater than the number killed during major combat operations in March and April."

### The UN bombing

On 19 August, a bomb exploded outside UN headquarters at the Canal Hotel, Baghdad. It killed 22 UN staff and visitors, including Mr Vieira de Mello.<sup>164</sup>

No.10 officials told Mr Blair that "It was a large explosion – about a ton of explosives, probably in a truck".<sup>165</sup>

Lieutenant General Andrew Ridgway, Chief of Defence Intelligence, told the Chiefs of Staff on 20 August that:

"Further attacks were expected. The bombing would affect coalition building, NGO confidence, and the reconstruction of utilities, which if not expedited could lead to a significant loss of consent."<sup>166</sup>

There was a second bomb attack on the UN on 22 September.<sup>167</sup>

One member of DFID staff was slightly injured in the first attack.<sup>168</sup>

The FCO and DFID immediately reviewed security for staff in Iraq; security advisers said that they were "generally content" with security arrangements for UK staff in CPA Baghdad, but made a number of recommendations for improvement.

At the time, it was unclear who was responsible for the attack, but it was considered that the method and target suggested Islamist extremists rather than Ba'ath Party loyalists.<sup>169</sup>

Sir John Sawers told the Inquiry that the attacks were subsequently attributed to Al Qaida.<sup>170</sup>

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<sup>164</sup> *Report of the Independent Panel on the Safety and Security of UN Personnel in Iraq*, 20 October 2003, page 13.

<sup>165</sup> Minute No.10 [junior official] to Prime Minister, 19 August 2003, 'Update on Baghdad UN Bombing: 19:45'.

<sup>166</sup> Minutes, 20 August 2003, Chiefs of Staff meeting.

<sup>167</sup> *Report of the Independent Panel on the Safety and Security of UN Personnel in Iraq*, 20 October 2003, page 16.

<sup>168</sup> Annotated Agenda, 29 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting; Minutes, 29 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>169</sup> Briefing Cabinet Office, 20 August 2003, 'Iraq: Update for Ministers, 21 August 2003'.

<sup>170</sup> Public hearing, 16 December 2009, page 36.

The JIC assessed in early September that:

“In most cases, we do not know who carried out specific attacks. The intelligence picture is incomplete. But intelligence indicates several categories of groups are responsible:

- supporters and officials of the former Iraqi regime;
- ‘Mujahedin’ (mainly foreign fighters, but also Iraqi Sunni extremists);
- Sunni Islamic terrorist organisations, mainly Ansar al-Islam;
- unaffiliated Iraqis, motivated by personal, local or tribal grievances or by payment from one of the groups listed above.”<sup>171</sup>

The JIC also judged that:

“The security environment will remain poor, and will probably worsen over the next year, unless the Coalition, in conjunction with Iraqis, can reverse current trends. There are likely to be more spectacular attacks.”

Tension in central Iraq increased after the bombing.<sup>172</sup>

By 29 August, the World Bank and 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>173</sup>

Lieutenant General Freddie Viggers told the Inquiry that the attack on the UN was:

“... a huge blow ... they knew precisely where to put that truck ... Of course it shook up the workers of the UN right across the country, and the threats kept coming, and it was of no surprise that within a few days they said ‘We can’t sustain this’.”<sup>174</sup>

On 29 August, Sir Nigel Sheinwald, Mr Blair’s Foreign Policy Adviser, suggested to Mr Blair that a ‘next step’ for the UK should be to:

“... persuade the UN to adopt a realistic approach to security. Give more security advice and equipment to UNAMI [United Nations Assistance Mission in Iraq] so that it can continue with as many operations as possible in the greater threat environment. Where the UN operates, other international bodies and NGOs will follow.”<sup>175</sup>

Mr Bearpark told the Inquiry:

“It is very difficult to overstate the chaos that [the UN bombing] caused for the CPA, because all your interlocutors suddenly vanished and you didn’t even know where they were.”<sup>176</sup>

<sup>171</sup> [JIC Assessment, 3 September 2003, ‘Iraq: Threats to Security’.](#)

<sup>172</sup> Briefing Cabinet Office, 20 August 2003, ‘Iraq: Update for Ministers, 21 August 2003’.

<sup>173</sup> [Minute Sheinwald to Prime Minister, 29 August 2003, ‘Iraq’ attaching Note Cabinet Office, ‘Iraq: Update 29 August 2003’.](#)

<sup>174</sup> Public hearing, 9 December 2009, page 57.

<sup>175</sup> [Minute Sheinwald to Prime Minister, 29 August 2003, ‘Iraq’ attaching Note Cabinet Office, ‘Iraq: Update 29 August 2003’.](#)

<sup>176</sup> Public hearing, 6 July 2010, page 29.

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 [UN Special Adviser on Iraq] arrived, initially in the end of January 2004 and then again in April 2004, he was really working on his own.”<sup>177</sup>

Sir David Richmond told the Inquiry that Mr Vieira de Mello would have played a very influential role in Iraq.<sup>178</sup> Firstly because of his personal qualities, and secondly because:

“... he had a direct link to Ayatollah Sistani, which neither Bremer nor the UK Special Representatives had. Indeed he had, so we are led to believe ... suggested to Ayatollah Sistani that elections could be held in Iraq really quite quickly. It was this fact that caused a huge amount of complications in the autumn of 2003 as we were trying to find a political process that would lead to the transition to a sovereign government. Had he not been killed he, of course, would have been the link with Sistani, and the problems we had with Sistani I think would have been far fewer. The fact he had that – because at the time in August you have to be clear we had not realised in the CPA that Sistani was going to be as influential as he was. We knew that he had issued this fatwa and so on but we did not know the fatwa was going to be an insurmountable obstacle. That became apparent as time progressed.”

**296.** The first Coalition update to the Security Council under the terms of resolution 1483 was provided on 21 August.<sup>179</sup>

**297.** The US and the UK had planned to go into some detail about achievements in Iraq, but the UN bombing on 19 August meant Ambassador Negroponte, US Permanent Representative to the UN, and Sir Emyr Jones Parry, UK Permanent Representative to the UN in New York, instead delivered a much shorter and more downbeat report.<sup>180</sup>

**298.** The report highlighted both the need for the international community to increase its contribution to building a secure future for Iraq and the vital role of the UN.<sup>181</sup>

**299.** Reporting on the Security Council’s reaction, Sir Emyr recorded that “responses were only preliminary. But all those that spoke expressed their willingness to work together on a new resolution, and welcomed the open approach we were taking.”

**300.** Mr Duclos, French Permanent Representative to the UN, said that the “UN could not be expected to share more of the burden without sharing more of the authority” and Mr Sergei Lavrov, Russian Permanent Representative to the UN, remarked on the need for clarity on the UN’s role before member states would contribute more.

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<sup>177</sup> Public hearing, 26 January 2011, page 43.

<sup>178</sup> Public hearing, 26 January 2011, pages 41-42.

<sup>179</sup> Telegram 1208 UKMIS New York to FCO London, 22 August 2003, ‘Iraq: Coalition Update and New Resolution’.

<sup>180</sup> Telegram 1512 UKMIS New York to FCO London, 27 October 2003, ‘Iraq: Second Update Under 1483’.

<sup>181</sup> Telegram 1208 UKMIS New York to FCO London, 22 August 2003, ‘Iraq: Coalition Update and New Resolution’.



**301.** Sir Emyr suggested in his message to London that “we need to clarify our thinking on what precisely we want to achieve on the various areas”. He recorded continued interest from the Security Council in the political timetable, and proposed:

“Possible ways forward might be to invite the Secretary-General to consult or to stimulate the Governing Council itself to work up a timetable which the Security Council could take note of.”

**302.** On 26 August, Mr Richmond reported from Baghdad that August had been “a difficult month” and described attacks on the Jordanian Embassy and on the UN’s headquarters as “major escalations”.<sup>182</sup> He advised that the UK needed to hold its nerve; problems were being identified and fixed, but “we are in for a bumpy ride”.

**303.** On 28 August, the British Embassy Baghdad reported the number of significant security incidents reported by Coalition Forces in August as:

- 17 to 19 August: 71 incidents;
- 21 to 23 August: 94 incidents;
- 24 to 26 August: 72 incidents.<sup>183</sup>

**304.** The August violence had not been confined to Baghdad. On 29 August a bomb attack on the Imam Ali mosque in Najaf killed 80 people, including Ayatollah Mohammed Baqir al-Hakim, the leader of the Shia political party the Supreme Council for an Islamic Revolution in Iraq (SCIRI).<sup>184</sup>

**305.** Sectarian violence between Turkomen and Kurds broke out in Kirkuk, but was calmed by community leaders.<sup>185</sup>

**306.** Mr Miller sent No.10 a brief on the GC’s membership, personalities and progress on 28 August.<sup>186</sup> Out of the 25 GC members he wrote that 13 were Shia, and there were five Sunni, five Kurds, one Turkoman and one Christian.

**307.** In the Annotated Agenda for the 28 August meeting of the AHMGIR, Cabinet Office officials advised that, since its creation on 13 July, the GC had:

“... made only limited progress. Unable to agree on a single chairperson, the IGC agreed a 9-man leadership council.”<sup>187</sup>

**308.** Cabinet Office officials advised that internal wrangling was delaying the appointment of ministers, and that ministries were being allocated along sectarian lines, identical in number and balance to the GC itself.

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<sup>182</sup> Telegram 139 IraqRep to FCO London, 26 August 2003, ‘Iraq: How it Looks from Baghdad’.

<sup>183</sup> Telegram 129 Baghdad to FCO London, 28 August 2003, ‘Iraq Sitrep, 28 August’.

<sup>184</sup> *BBC News*, 29 August 2003, *Iraq holy city blast kills scores*.

<sup>185</sup> Annotated Agenda, 28 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>186</sup> Minute Miller to Sheinwald, 28 August 2003, ‘Iraq: Key Groups’.

<sup>187</sup> Annotated Agenda, 28 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.



**309.** Cabinet Office officials also set out UK objectives for a new Security Council resolution. They were:

- to broaden the UN Special Representative's role, especially on the political process;
- to ask the GC to set a timetable for elections;
- to encourage international engagement with the GC;
- to stimulate funding for reconstruction; and
- to encourage contributions of troops and police, "without undermining the legal basis of our current military presence (a significant caveat)".<sup>188</sup>

**310.** Mr Straw told the AHMGIR when it met on 28 August that:

"... the US and UK had seized the opportunity, provided by the international solidarity following the UN bombing, to work on a new UN resolution. There was UN consensus on the need for a strengthened UN mandate for military forces in Iraq, and that they should operate under single command but not be a blue-hatted operation."<sup>189</sup>

**311.** FCO officials told the meeting that secularists wanted a slow political timetable in Iraq but Islamists a quicker one, believing they would benefit from early elections. Mr Neil Crompton, who had succeeded Mr Chilcott as the Head of the Iraq Policy Unit, described progress as "limited".

**312.** On 28 August Mr Crompton advised Mr Straw's Private Secretary that:

"... there is a head of steam within the MOD about the lack of progress on reconstruction. As the military see it, 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>190</sup>

**313.** A letter from Mr Hoon's Private Secretary of the same date confirmed this assessment. It reported the MOD's view that:

"The nub of the problem is the failure to deliver an adequate (even to pre-war standards) level of essential services ... electricity, water and fuel."<sup>191</sup>

**314.** On 29 August, Sir Nigel Sheinwald, successor to Sir David Manning as Mr Blair's Foreign Policy Adviser, updated Mr Blair on Iraq.<sup>192</sup> He attached a Cabinet Office note incorporating the conclusions of the previous day's meeting of the AHMGIR.

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<sup>188</sup> Annotated Agenda, 28 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>189</sup> Minutes, 28 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>190</sup> [Minute Crompton to PS \[FCO\], 28 August 2003, 'Ad Hoc Ministerial'](#).

<sup>191</sup> [Letter Williams to No.10 \[junior official\], 28 August 2003, 'Iraq: Situation in UK Area of Operations'](#).

<sup>192</sup> [Sheinwald to Prime Minister, 29 August 2003, 'Iraq' attaching Note Cabinet Office, 29 August 2003, 'Iraq: Update 29 August 2003'](#).

**315.** In relation to the political process, the Cabinet Office note said:

- the Governing Council had appointed a preparatory Constitutional Committee, which should mean a Constitutional Convention by the autumn;
- national elections were possible in summer 2004, followed by the establishment of a sovereign Iraqi Government in the autumn;
- the CPA was slowly transferring power to the GC;
- the nine-member Presidency of the GC was unwieldy and politically inexperienced; and
- decisions, including on the appointment of interim ministers, were being taken on ethnic and sectarian lines and were slow to emerge.

**316.** The Cabinet Office note said that the UK should:

- persuade the GC to choose ministers quickly, establish the Constitutional Convention and agree and announce a clear political timetable in consultation with the CPA;
- work on a new resolution; and
- persuade Mr Annan to choose a suitable successor to Mr Vieira de Mello.

**317.** In relation to security, the Cabinet Office note recorded that:

“The security situation in central and southern Iraq had worsened since July. It is likely to deteriorate into the autumn. Numbers of attacks in and around Baghdad remain broadly the same, but the **sophistication** has increased.”

**318.** The recommended next steps were to:

- broaden and increase Coalition Forces in Iraq, necessitating a new resolution;
- accelerate training of Iraqi Security Forces;
- gather more intelligence on Islamic groups to improve targeting; and
- persuade the UN to adopt “a more realistic approach” to security.

**319.** In his minute Sir Nigel Sheinwald gave Mr Blair his view of immediate priorities for Iraq.<sup>193</sup> They were:

- increasing UK resources, both military and civilian;
- improving utilities, especially electricity generation in the South;
- accelerating the arrival of police trainers;
- improving CPA media handling;
- a new UN Security Council resolution “to spread the military and reconstruction load”;

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<sup>193</sup> [Minute Sheinwald to Prime Minister, 29 August 2003, ‘Iraq’ including manuscript comment Blair.](#)

- the investigation of crimes by the former Iraqi regime; and
- managing expectations on WMD in anticipation of “thin pickings” in the Iraq Survey Group’s report (see Section 4.4).

**320.** Sir Nigel recommended a “beginning-of-term talk to President Bush” and a meeting with the key players in London ahead of it.

**321.** Mr Blair wrote on Sir Nigel’s minute:

“This isn’t really working at present. I will have to reflect on how we progress ... I need a meeting next week.”

## September 2003

**322.** After the UN bombing in mid-August, a “follow-on review” took place.<sup>194</sup> Its conclusions were sent to senior military figures and copied to Sir Nigel Sheinwald and others on 1 September. It listed the following as key requirements:

- “a. Surge forces amounting to around a battalion between now and late Nov to support current operations and to offer protection to the CPA; and
- b. Enduring requirement to increase force protection, commence ICDC [Iraqi Civil Defence Corps] training and to improve the ISTAR capability in MND(SE) amounting to around a battalion ...”

**323.** There were reports from MND(SE) of former regime loyalists returning to southern Iraq; they and terrorist groups (such as Ansar al-Islam and Al Qaida) were expected to operate in southern Iraq and to carry out terrorist attacks there “for the foreseeable future”.<sup>195</sup>

**324.** The meeting Mr Blair requested in his note to Sir Nigel Sheinwald was held on 2 September.<sup>196</sup> It was attended by Mr Straw, Mr Hoon, Mr Hilary Benn (Minister of State for Development), Gen Walker, Sir Richard Dearlove (C), Mr John Scarlett (Chairman of the JIC), Sir Jeremy Greenstock, Mr Sawers (FCO Director General Political)<sup>197</sup> and No.10 officials.

**325.** A brief for the meeting provided to Mr Hoon’s Assistant Private Secretary by the MOD Assistant Director, Iraq said that Mr Straw was “likely to argue that what is needed is ... reinforcement of UK forces with a Brigade” and that, at the meeting, Gen Walker would “lead on whether this is possible and in what timescales”.<sup>198</sup>

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<sup>194</sup> Minute SECCOS to [Chiefs of Staff], 1 September 2003, ‘Op Cos Paper: Op TELIC – UK Force and Resources Review an Update’ attaching Paper DCJO(Ops), 2 September 2003, ‘Op Telic – UK Force and Resources Review – an Update’.

<sup>195</sup> Paper HQ MND(SE) [junior officer], 1 September 2003, ‘HQ MND(SE) Forces and Resources Review’.

<sup>196</sup> [Letter Cannon to Adams, 2 September 2003, ‘Iraq: Briefing for Prime Minister’](#).

<sup>197</sup> The title of this post changed from Political Director to Director General Political. It is the role previously held by Mr Peter Ricketts.

<sup>198</sup> Minute AD Iraq to APS/SofS [MOD], 2 September 2003, ‘Post-Najaf; Meeting with the Prime Minister’.

**326.** The brief said that “the priority for the MOD is to underline to the Prime Minister the need for delivery on essential services in the South-East in the very near future” but stated that there was a need for “urgent measures that will relieve the military of tasks unrelated to security” because:

“... the military’s role should be to set the conditions for others to secure and regenerate Iraq’s basic utilities. While we can patch up utilities, we have neither the numbers, capabilities nor the money to overhaul Iraq’s infrastructure.”

**327.** In a handwritten comment, Mr Hoon’s Private Secretary added that while there might be a short-term need for:

“... a surge deployment of troops to protect the work – we should not agree to a major ‘symbolic’ deployment of troops over and above this.”<sup>199</sup>

**328.** Gen Walker received a brief on the security situation in preparation for the meeting.<sup>200</sup> A handwritten note from his Principal Staff Officer added that it appeared that the FCO was moving away from the view that responsibility lay with a cross-Government effort in Iraq. He relayed the MOD concern that if more troops were offered “the heat will be less on infrastructure requirements as driven by FCO/DFID”.

**329.** Sir Hilary Synnott sent a telegram entitled ‘Southern Iraq: What Needs to be Done?’ in time for Mr Blair’s meeting on 2 September. He wrote:

“The main immediate need is a vastly increased effort, well beyond the current capabilities of CPA(S) or MND(SE), to provide visible improvements in the provision of power, water and fuel in a short timescale.”<sup>201</sup>

**330.** Sir Hilary concluded that:

“CPA(S) needs to do even more to organise itself into a more streamlined and effective organisation and we are doing this. In order to deliver the goods according to our terms of reference and be a true co-ordinating authority we must have ... more resources, a new location very soon and protective cover.”

**331.** In a separate telegram, Sir Hilary proposed “An Emergency Plan for Essential Services in Southern Iraq” which would require “extraordinary and rapid procurement, contractual and management arrangements, enhanced funding, more staff in theatre and the active engagement and involvement of CPA(Baghdad)”.<sup>202</sup>

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<sup>199</sup> Manuscript comment Williams to Hoon on Minute AD Iraq to APS/SofS [MOD], 2 September 2003, ‘Post-Najaf; Meeting with the Prime Minister’.

<sup>200</sup> Note PSO to CDS, [undated], [untitled] attaching ACDS(Ops) to PSO/CDS, 2 September 2003, ‘Iraq – Security Assessment’.

<sup>201</sup> Telegram 9 Synnott to FCO London, 1 September 2003, ‘Southern Iraq: What Needs to be Done?’

<sup>202</sup> Telegram 10 Synnott to FCO London, 1 September 2003, ‘An Emergency Plan for Essential Services in Southern Iraq’.

**332.** Sir Hilary observed that “formally” it was for CPA(Baghdad) to own and resource the plan “but that is not quite how things work in practice ... there is a certain expectation that the regions should take a lead to sort out their own problems”. He suggested that a “high level task force” should be established in Whitehall to provide the support he needed.

**333.** The Essential Services Plan is covered in detail in Section 10.1.

**334.** Immediately after the meeting on 2 September Mr Cannon wrote to the FCO with a request for eight pieces of advice, to be delivered two days later.<sup>203</sup>

**335.** The advice was to cover police and internal security, infrastructure in the South, CPA finances, oil and electricity, media, the political process, conditions of service for UK civilian staff, and Iraqi assets overseas.

**336.** Mr Cannon wrote that Mr Blair “wanted action on Iraq taken forward with a heightened sense of urgency”. He had observed that “the key to the security situation in Iraq is the rapid mobilisation of an effective Iraqi police force”.

**337.** In response to Sir Hilary’s telegrams, Mr Blair wanted “the maximum possible support given to Sir Hilary’s proposals for immediate infrastructure projects in the CPA(South) area, with appropriate military cover”.

**338.** Mr Cannon’s letter asked Sir Jeremy Greenstock to talk through the issues discussed with Ambassador Bremer, so as to avoid “cutting across [his] position in raising these issues with Bush”.

**339.** On 3 September, the JIC produced an Assessment of threats to security in Iraq.<sup>204</sup> Its first three Key Judgements were:

I. The security environment will remain poor, and will probably worsen over the next year, unless the Coalition, in conjunction with Iraqis, can reverse current trends. There are likely to be more spectacular attacks.

II. The violent opposition comprises former regime officials, Sunni Iraqi extremists, Sunni ‘Mujahedin’ and Sunni Islamic terrorist organisations, mainly Ansar al-Islam. But we do not know who is responsible for specific attacks.

III. Sunni Islamic extremists/terrorists see Iraq as the new focus for Jihad. They are likely to present the main long-term threat to Coalition interests in Iraq, as they can draw on external recruits and finance.”

**340.** The JIC recorded daily attacks on the Coalition, including a recent increase in the South. The most significant attacks were vehicle bombs in Najaf and Baghdad and at the Jordanian Embassy and UN HQ. There had been attacks using mortars, man-portable surface-to-air missiles, small arms and – increasingly – small improvised explosive devices. Those conducting attacks had shown “growing competence, determination and sophistication”.

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<sup>203</sup> [Letter Cannon to Adams, 2 September 2003, ‘Iraq: Briefing for Prime Minister’.](#)

<sup>204</sup> [JIC Assessment, 3 September 2003, ‘Iraq: Threats to Security’.](#)

**341.** The JIC assessed that:

“... many Mujahedin, willing to accept martyrdom, have come to Iraq since the war ... Most are probably not affiliated or connected with specific terrorist groups ... It appears that the networks see Iraq as the new focus for Jihad ... We do not know how many Mujahedin there are within Iraq, or how integrated they are ...

“The main organised Islamic terrorist group in Iraq is Ansar al-Islam (AI), which is closely associated with Al Qaida (AQ). The group suffered significant casualties in Coalition attacks, but about 450 members escaped ... AI has since reorganised, with some assistance from elements of the Iranian regime, and its members are now present in at least northern and central Iraq, with large quantities of weapons ... and explosives. Intelligence suggests Islamic extremists and possibly AI are also trying to establish themselves in southern Iraq, though with what success is uncertain. It seems that AI is becoming an important co-ordinator for Islamic volunteers from across the Arab world, possibly reflecting an ambition to become a significant international actor.”

**342.** The Assessment continued:

“... Mujahedin groups and AI have conducted some of the low-level attacks on Coalition Forces, but we cannot specify how many or which ones ...

“Bin Laden has called on Muslims to fight the Coalition and encouraged extremists to travel to Iraq. al-Zarqawi, closely associated with AI and AQ was reported before the war to be establishing cells that would conduct attacks in the event of a Coalition Occupation. Terrorists associated with al-Zarqawi probably remain in Iraq.

“Islamic extremists/terrorists can draw on external recruits and finance. We judge that they are likely to present the main long-term threat to Coalition interests in Iraq.”

**343.** The JIC also judged that:

“Attacks by Iraqi Shia groups have been limited to date ... reporting indicated supporters of militant Shia cleric Muqtada al-Sadr are acquiring weapons, planning attacks on Coalition targets and may have already attacked Iraqi officials.”

**344.** The JIC characterised Shia consent as “fragile and eroding” and judged that any attempt to disarm Shia militia groups such as al-Sadr’s Mahdi Army “could be a significant additional cause of friction”. The JIC assessed that:

“Hitherto, the general tenor of Shia clerical advice has been to give the Coalition a year in which to make a difference. But the recent attacks are likely to have shortened this timeline substantially. If the acquiescence of senior clerics and others with influence ... changes to hostility, it would have the most serious consequences for the security situation in southern Iraq.”



### Muqtada al-Sadr and Jaysh al-Mahdi

Muqtada al-Sadr was descended from a long line of distinguished Shia clerics known for their political activism.<sup>205</sup> His father, Grand Ayatollah Sadiq al-Sadr, was jailed under Saddam Hussein's regime and assassinated in 1999.

Muqtada inherited from his father a network of quasi-political offices in Baghdad and across the south of Iraq called "Offices of the Martyr Sadr" (OMS) which were used to spread the Sadrist message and provide social welfare.

After the bombing of the Imam Ali Mosque in Najaf by Al Qaida in August 2003, Muqtada al-Sadr established an armed militia, Jaysh al-Mahdi (JAM) or the Mahdi Army, to protect Shia religious establishments, counter the Badr Corps and resist the Occupation of Iraq.

**345.** Sir David Richmond told the Inquiry that concern about the problem of Sunni marginalisation was growing through August and September 2003.<sup>206</sup> The problem had been "relatively easily diagnosed": the Sunnis had gone from having a very dominant role in all aspects of the Iraqi state under Saddam Hussein to having a very different future in a democratic state in which they made up approximately 20 percent of the population. The disbandment of the army and the de-Ba'athification process had also had a huge effect on employment in the Sunni provinces of Iraq.

**346.** A message from Baghdad on 4 September confirmed that Ambassador Bremer had no problem with the issues to be discussed with President Bush.<sup>207</sup> He was reported to be requesting between US\$20bn and US\$22bn in additional funding to pay for investment in infrastructure as well as the daily running of Iraq.

**347.** The eight pieces of advice Mr Blair had requested were submitted the same day.<sup>208</sup>

**348.** The IPU's paper on security said that:

"Attacks on Coalition Forces, the UN and Iraqis working with the Coalition are undermining confidence and holding back efforts to restore basic services. The cumulative effect is to undermine the consent of the Iraqi people to the presence of Coalition Forces and raise the risk of strategic failure."<sup>209</sup>

**349.** The papers on security and essential services had been discussed by the AHMGIR earlier in the day. On security, Mr Straw as Chair had commissioned further work, in particular on addressing Iraq's "porous borders".<sup>210</sup>

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<sup>205</sup> [JIC Assessment, 12 July 2007, 'Muqtada al-Sadr: Keeping His Distance'](#).

<sup>206</sup> Public hearing, 26 January 2011, pages 52-57.

<sup>207</sup> Telegram 150 IraqRep to FCO London, 4 September 2003, 'Iraq: Briefing for Prime Minister'.

<sup>208</sup> [Letter Adams to Cannon, 4 September 2003, 'Iraq: Briefing for the Prime Minister'](#).

<sup>209</sup> [Letter Adams to Cannon, 4 September 2003, 'Iraq: Briefing for the Prime Minister' attaching Paper IPU, 4 September 2003, 'Iraq: security'](#).

<sup>210</sup> Minutes, 4 September 2003, Ad Hoc Group on Iraq Rehabilitation meeting.



**350.** The AHMGIR also endorsed Sir Hilary’s plan for essential services and stated that it should be taken forward urgently.

**351.** A US draft of the proposed Security Council resolution was also provided to the meeting. Mr Straw explained that it “included a timetable for the transfer of sovereignty, expanding the United Nations role and calling for a multi-national force under unified command”. Mr Straw expected that the French and German governments would be “constructive”.

**352.** The AHMGIR was also made aware of a new senior officials group on Iraq, chaired by Sir Nigel Sheinwald, that would meet twice weekly. This group was known as the Iraq Senior Officials Group (ISOG).

**353.** Mr Hilary Benn wrote to Mr Blair on 4 September to explain that he had approved £20m of DFID funding in support of the essential services plan. The balance would need to come from the CPA in Baghdad. Mr Benn explained that he had:

“... held back from committing to meet the full cost, to avoid giving the impression to the CPA that HMG wants to take on full responsibility for the south of the country including the future funding of all infrastructure.”<sup>211</sup>

**354.** RAND reported that, in early September, Ambassador Bremer published a plan for the restoration of Iraqi sovereignty.<sup>212</sup> The steps described by the plan were:

- (i) the creation of the GC;
- (ii) the formation of the Constitutional Preparatory Committee (CPC) to propose how to write the Constitution;
- (iii) increasing day-to-day responsibility of the GC;
- (iv) writing the Constitution;
- (v) ratifying the document;
- (vi) national elections to choose a government; and
- (vii) the dissolution of the CPA and the resumption of Iraqi sovereignty.

**355.** This ‘Seven Step Plan’ did not include a timescale.

**356.** On 4 September, Mr Straw’s Principal Private Secretary sent a paper to Mr Cannon to update Mr Blair on “the political process, including the possibility of an accelerated transfer of sovereignty to an Iraqi interim government”.<sup>213</sup>

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<sup>211</sup> Letter Benn to Blair, 4 September 2003, ‘Iraq: Restoring Essential Services in the South’.

<sup>212</sup> Dobbins J, Jones SG, Runkle B & Mohandas S. *Occupying Iraq: A History of the Coalition Provisional Authority*. RAND Corporation, 2009.

<sup>213</sup> [Letter Adams to Cannon, 4 September 2003, ‘Iraq: Briefing for the Prime Minister’ attaching Paper, ‘Political Process’.](#)

**357.** The paper said that elections were not yet possible because there was no Constitution, no accurate electoral roll, no free media, and political parties were not well established. Realistically, the process of drafting a Constitution would take six to eight months. Elections might then happen within two months of the ratification of the Constitution, which would mean summer 2004.

**358.** The paper also recorded calls for an earlier transfer of sovereignty and suggested that Sir Jeremy Greenstock should explore with the GC and Ambassador Bremer whether there was a “credible or viable way to move to a provisional Government, with or without sovereignty, in advance of elections”.

**359.** On 4 September, Mr Hoon’s Private Secretary wrote to Mr Rycroft 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 ... 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 ...”<sup>214</sup>

**360.** In advance of a planned conversation between Mr Blair and President Bush on 5 September, Sir Nigel Sheinwald spoke twice to Dr Rice.<sup>215</sup>

**361.** Sir Nigel emphasised “the need to reflect in our [security] strategy our assessment of the new and growing threats to the Coalition. There was a mood of considerable concern in London, requiring a response across the board.”

**362.** Dr Rice agreed that there was “reason for concern”, but there was also a sense on the US side that things were not going as badly as the media portrayed and that an effort should be made to inject more balance. Sir Nigel and Dr Rice “agreed that the level of overall concern in London was maybe a notch or two higher than in Washington”. They also agreed that the video conference between the Prime Minister and the President should concentrate on security, reconstruction, infrastructure and utilities, media, and prospects for international contributions.

**363.** Sir Nigel congratulated Dr Rice on the US draft of the new Security Council resolution. He observed that the UK “had some comments; but if we could get something like it agreed, it should make a substantial difference internationally”.

**364.** After their conversations, Sir Nigel sent Dr Rice a Note from Mr Blair for President Bush to see ahead of the video conference on 5 September.<sup>216</sup>

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<sup>214</sup> [Letter Williams to Rycroft, 4 September 2003, ‘Iraq: UK Forces and Resources Review’.](#)

<sup>215</sup> Letter Sheinwald to Adams, 4 September 2003, ‘Conversations with Condi Rice, 3 and 4 September: Iraq’.

<sup>216</sup> [Letter Sheinwald to Rice, 5 September 2003, \[untitled\], attaching Note \[Blair to Bush\], \[untitled\].](#)

**365.** In his Note, Mr Blair proposed doubling the number of Iraqi police and speeding up the process of letting reconstruction contracts. In the South, he wrote that he had “authorised” the CPA to “just spend the money and recoup later from CPA(Centre)”.

**366.** Mr Blair confirmed that an increase in the numbers of British troops would be announced in the following days. He expressed support for Ambassador Bremer, and queried whether he had all the administrative and technical support he needed.

**367.** On the developing resolution, Mr Blair wrote “I wouldn’t bet on too much help coming forward ... I suspect that unless we sort security, help will be hard to find”.

**368.** 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.”

**369.** Mr Cannon reported the video conference between Mr Blair and President Bush to Mr Straw’s Private Office on 5 September.<sup>217</sup> The conversation had followed Mr Blair’s Note closely.

**370.** Dr Rice and Sir Nigel had been asked to draw up a list of concrete measures that could be taken to improve the situation.

**371.** Sir Nigel and Dr Rice spoke later on 5 September and agreed that their report should cover:

- security;
- infrastructure – including the UK specifying problems with financial flows from the centre of the CPA;
- the media; and
- personnel – including a more precise set of requirements for the CPA in Baghdad and in CPA (South).<sup>218</sup>

**372.** Mr Hoon informed Parliament on 8 September that there would be an increased deployment of UK troops to Iraq.<sup>219</sup> His statement said:

“While the full scale of the requirement, which will be largely driven by initiatives of the Coalition Provisional Authority and the Department for International Development (DFID) to accelerate reconstruction activities across Iraq, has yet to be fully developed, there is an immediate requirement for two battalions and some additional specialist personnel, vehicles and equipment to allow him [the UK Divisional

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<sup>217</sup> Letter Cannon to Adams, 5 September 2003, ‘Iraq: Prime Minister’s video-conference with Bush, 5 September’.

<sup>218</sup> Letter Sheinwald to Adams, 5 September 2003, ‘Conversation with Condi Rice: 5 September: Iraq’.

<sup>219</sup> House of Commons, *Official Report*, 8 September 2003, columns 2-3WS.

Commander in theatre] to fulfil the expanding range of tasks for UK forces in Multi-National Division (South-East) ...”

**373.** To meet the immediate requirement, the rest of 2nd Battalion the Light Infantry – one company of which was already in Iraq – would be deployed from Cyprus along with 1st Battalion the Royal Green Jackets, plus some specialist personnel. They would remain in Iraq until around November.

**374.** By 11 September, reporting from Iraq suggested that the Constitutional Preparatory Committee would recommend to the GC that membership of the Constitutional Convention, which would lead the process of drafting Iraq’s Constitution, should be decided by nationwide elections.<sup>220</sup>

**375.** The report also said that the fatwa issued by Grand Ayatollah al-Sistani at the beginning of July was “exerting enormous influence” on their deliberations.

**376.** Elections would mean delay, which Mr Richmond anticipated might lead to a push for the early restoration of Iraqi sovereignty, through the GC. Ambassador Bremer did not consider that a viable option.

**377.** Mr Richmond commented that it was:

“... also impractical: a transfer of sovereignty which left – as it would have to do – security, and given the US financial investment, economic/financial issues in Coalition hands would be pretty meaningless.”

**378.** Mr Straw updated Cabinet on Iraq on 11 September.<sup>221</sup> He reported that the security situation was uncertain after the terrorist incidents of the summer; greater international involvement was required.

**379.** A new Security Council resolution was being negotiated, and Mr Annan was holding a meeting of Foreign Ministers to address outstanding issues. Mr Blair observed that improved Iraqi capacity to provide security for themselves was essential.

**380.** As requested by Mr Blair and President Bush, Sir Nigel Sheinwald sent Dr Rice a note “which seeks to define our objectives and specify ongoing and future actions” on 11 September.<sup>222</sup> It covered security, intelligence, infrastructure, media and personnel.

**381.** The objectives were:

- Security: stabilise the security situation quickly and achieve visible momentum before the onset of Ramadan in late October. Change the emphasis from static guarding to proactive operations.

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<sup>220</sup> Telegram 162 IraqRep to FCO London, 11 September 2003, ‘Iraq: Political Process’.

<sup>221</sup> Cabinet Conclusions, 11 September 2003.

<sup>222</sup> [Letter Sheinwald to Rice, 11 September 2003, ‘Iraq’ attaching Note 10 Downing Street, 10 September 2003, ‘Iraq: UK/US Action Plan 10 September’.](#)

- Intelligence: increased intelligence and better intelligence analysis in order to take the offensive against terrorists and “Ba’athist remnants”.
- Infrastructure: radical and rapid improvement in basic service provision (particularly water, electricity and fuel) to maintain Iraqi consent.
- Media: a “step change on media” to counter “distorted” reporting by Al Jazeera and other satellite channels. Better presentation for the CPA and Governing Council.
- Personnel: more specialist support for the CPA in Baghdad and in the provinces.

**382.** Sir Nigel and Dr Rice discussed the note during Sir Nigel’s visit to Washington on 11 and 12 September.<sup>223</sup>

**383.** Sir Nigel reported to Mr Blair:

“We share **objectives**; and there now appear to be detailed **plans** under development by the CPA in all the priority areas. Condi was particularly clear on the urgency of work on **electricity** (including imports from Iran), **police** and **CDC** [Civil Defence Corps] training, and confident that we were starting to develop a coherent strategy on the **media**.”

**384.** 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”.

**385.** Sir Jeremy Greenstock reported on the political process a few days later. He wrote that:

“An early transfer of sovereignty ... raises constitutional and practical problems and is unlikely to deliver our aim of a democratic and stable Iraq. The current political process still offers the best way forward and has not yet been derailed. Nevertheless we should be thinking about fallbacks.”<sup>224</sup>

**386.** Sir Jeremy explained that the Seven Step Plan had already run into trouble. Firstly, as Mr Richmond had set out, because of a desire for an elected Constitutional Convention.

**387.** Secondly, because of pressure from Members of the UN Security Council to accelerate the process of handing over sovereignty to the Iraqis.

**388.** Sir Jeremy observed that if sovereignty were handed to the GC “questions about legitimacy come to the fore”. Alternatively, it would be possible to:

“... hold ‘quick and dirty’ elections for a provisional assembly, which would then draft a Constitution and provide an interim but sovereign government. But holding

<sup>223</sup> Minute Sheinwald to Prime Minister, 14 September 2003, ‘Visit to Washington’.

<sup>224</sup> [Telegram 165 IraqRep to FCO London, 15 September 2003, ‘Iraq: Political Process’](#).

elections begs questions about electoral method, constituency boundaries, allocation of seats, political party laws, relationship with Government [sic] Council etc.”

**389.** Sir Jeremy repeated that Ambassador Bremer was not supportive of an early handover of power. He assessed that:

“As long as the Coalition remains a major presence in Iraq, it is difficult to see how it could cede ultimate authority over policy decisions which would affect the Security of the Coalition Forces, the expenditure of Coalition resources or Iraq’s commitment to human rights, a free market and democracy. If we on the UK side think differently because we judge the Coalition does not have the time and the opportunity to deliver these wider goals, then we have a gap in perceptions and objectives with the US we need to resolve.”

**390.** Replying to Sir Jeremy the following day, Mr Sawers wrote:

“I welcome your confirmation that the political process we mapped out last July remains, in your and Bremer’s view, achievable. Sticking to that approach would be our best bet.”<sup>225</sup>

**391.** Mr Sawers explained that the UK’s priority should be to stick to the timescale leading to elections in mid-2004 that he and Ambassador Bremer had envisaged. He added:

“We are looking at fallback options, including the possibility of the sort of two stage transition that you were advocating earlier this year from New York ...

“We agree with your conclusion that we should explore this alternative route. But we will do so circumspectly, and only activate it if the existing plan has to be reviewed. We are not at the point where we and the Americans seriously differ; but we are more open than them to considering alternatives, should that be necessary.”

### Mr Baha Mousa

On 14 September, soldiers of the 1st Queen’s Lancashire Regiment (1 QLR) arrested seven Iraqi citizens including Mr Baha Mousa, a 26 year old hotel receptionist, at the Hotel Ibn Al Haitham in Basra, during an operation to detain a number of individuals who had been identified as former regime loyalists.<sup>226</sup>

A Public Inquiry into the circumstances of Mr Mousa’s death on 15 September, and the treatment of nine others who were detained with him, was announced in May 2008 and published its findings on 8 September 2011.

<sup>225</sup> [Telegram 71 FCO London to IraqRep, 16 September 2003, ‘Iraq: Political Process’](#).

<sup>226</sup> *The Report of the Baha Mousa Inquiry*, 8 September 2011, HC 1452-I, II, III.

**392.** Sir Jeremy Greenstock responded on 19 September to say that “discussion of possible timings for the political process needs to take more careful account of the variables”.<sup>227</sup>

**393.** Sir Jeremy reported that “indications that the CPC [Constitutional Preparatory Committee] would recommend elections to the Constitutional Conference ... are being tempered”, he did not sense that there was “real momentum” within the GC to press for the transfer of executive power quickly. Ambassador Bremer was encouraging the GC to come up with a timetable for the Seven Steps.

**394.** Sir Jeremy recommended that a “sensible strategy is to be serious about the Seven Steps, but to watch carefully, and try to affect the outcome of, the variables”. Those variables were, in his view: security incidents, Iraqi public reaction, Iraqi political developments and securing external resources.

**395.** When they spoke on 16 September, Mr Blair and President Bush agreed to hold regular video conferences, “usually weekly”.<sup>228</sup>

**396.** On 17 September, General Mike Jackson, Chief of the General Staff, sent a report of his visit to Iraq to Gen Walker.<sup>229</sup>

**397.** On troop numbers, Gen Jackson wrote:

“GOC MND(SE) ... does not require a third additional battalion ... at the moment and is confident that he can meet any potential tasks that arise from the essential services short-term 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. I see a requirement to establish a mechanism that earmarks forces ... at an appropriate notice to move.”

**398.** Gen Jackson reported:

“The threats to Coalition and indigenous security stem from a wide variety of sources including organised crime, former regime loyalists (FRL) and international terrorism. Attacks are focussed against both Coalition troops and infrastructure, whilst organised crime, looting and smuggling continue to erode essential services ... At every level the Coalition is finding it difficult to obtain a cohesive picture of these various threats.”

**399.** Gen Jackson proposed moving the focus of intelligence-gathering assets away from the search for weapons of mass destruction and towards counter-terrorism.

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<sup>227</sup> [Telegram 175 IraqRep to FCO London, 19 September 2003, 'Iraq: Political Process'](#).

<sup>228</sup> Letter Cannon to Adams, 16 September 2003, 'Iraq: Prime Minister's Video Conference with Bush, 16 September 2003'.

<sup>229</sup> Minute CGS to CDS, 17 September 2003, 'CGS Visit to Op.TELIC 12-15 Sep 03'.



**400.** Mr Benn visited Baghdad from 17 to 19 September and reported that neither Ambassador Bremer nor the GC wanted to set a timetable for the transfer of power from the CPA to an Iraqi administration. He added, “Interestingly, none of the Iraqis we talked to raised this issue.”<sup>230</sup>

**401.** Mr Benn thought that the UK should continue to explore the potential for transition steps, as suggested by Sir Jeremy Greenstock. Interim Iraqi ministers had by now begun work. Ambassador Bremer talked about handing over power to them but seemed “reluctant to let go”.

**402.** Mr Benn’s experience contrasted with that of Secretary Powell, whose own visit was reported by Sir Jeremy Greenstock to have included “a meeting with the IGC during which IGC members made a strong pitch for immediate transfer of sovereignty”.<sup>231</sup>

**403.** Sir Jeremy also reported that the GC had been “very active”. It had agreed a package of economic reforms (including bank regulations, measures to encourage foreign investment and new tax rates), approved a new nationality law and visited Najaf where it had taken action to protect holy shrines.

**404.** The activities of the GC’s High National De-Ba’athification Commission are recorded in Section 11.1.

### The assassination of Dr Aqila al-Hashemi

On 20 September, Dr Aqila al-Hashemi, a member of the GC, was ambushed and shot while driving near her home in Baghdad.<sup>232</sup>

The GC’s Secretary General had been targeted in a similar – but unsuccessful – attack two days earlier.

Dr al-Hashemi died of her injuries on 25 September.<sup>233</sup>

Sir Jeremy Greenstock commented to the FCO in London that the attack on Dr al-Hashemi:

“... brings into sharp relief the need for professional and effective Iraqi security forces. An early UK gesture of help would be widely noticed and appreciated.”<sup>234</sup>

He explained that it seemed likely that Dr al-Hashemi had been deliberately targeted as she lived “in a neighbourhood surrounded by ex-Ba’ath party members and had received many warnings that she was being watched.” Sir Jeremy reported that Dr Ahmad Chalabi had expressed strong concerns to the CPA “over the personal security of all

<sup>230</sup> [Minute Benn to Prime Minister, 20 September 2003, ‘My visit to Iraq: 17-19 September’.](#)

<sup>231</sup> Telegram 174 IraqRep to FCO London, 18 September 2003, ‘Iraq: Governing Council Roundup’.

<sup>232</sup> Telegram 176 IraqRep to FCO London, 21 September 2003, ‘Iraq: assassination attempt on Governing Council member’.

<sup>233</sup> Telegram 181 IraqRep to FCO London, 25 September 2003, ‘Iraq: Governing Council roundup: death of Aqila Hashemi: security’.

<sup>234</sup> Telegram 176 IraqRep to FCO London, 21 September 2003, ‘Iraq: assassination attempt on Governing Council member’.

GC ... members, explaining that standards varied widely” and had made a number of recommendations to improve the security provisions, which the CPA was taking forward.

Sir Jeremy Greenstock reported on 24 September that the attack on Dr al-Hashemi had “sharpened the angst in the GC ... more broadly, about whether they are on the right track in hitching themselves to a CPA which may be a dead end”.<sup>235</sup>

On 25 September, Sir Jeremy described the impact of the attack on GC members’ concerns about the overall security situation – “if IGC members were not safe, what about the general public? ... There were also questions about who was ultimately responsible for security.”<sup>236</sup> Sir Jeremy had explained to the GC that “this was a collective effort. Neither of us could ensure security without the co-operation of the other.” He concluded his telegram by observing that the debate had increased interest in the idea of:

“... greater involvement of already present Iraqi militia forces (the Peshmerga, the Badr Brigade) in helping managing the security demands. Authorising militias to perform security tasks is clearly beyond the pale. But we may have to start thinking creatively – and I said this to the GC – about how we can use these forces within national, clearly controlled structures.”

**405.** A UK Iraq Strategy was considered by the newly established Iraq Senior Officials Group (ISOG), chaired by Sir Nigel Sheinwald, on 19 September, by which time the strategy was in its third draft.<sup>237</sup>

**406.** The ISOG had commissioned a short-term Action Plan, subordinate to the UK strategy, focused on “practical objectives where the UK can make a quantifiable difference up until the end of 2003”. Departments were tasked to populate a template.

**407.** Funding for the major initiative on infrastructure in the South still remained uncertain. Sir Hilary Synnott was “confident of obtaining further CPA funds ... although the processes by which these would be transferred to CPA(South) are unclear”.

**408.** Reporting from Basra on 22 September, Sir Hilary Synnott wrote that security was:

“... the main and constantly expressed concern of everyone we talk to ... Straight criminality may be developing into organised crime: a result of Saddam’s emptying of the jails and general amnesty and the lifting of his draconian controls ... Many, perhaps most, of the citizenry would like the Army to go in and shoot a few criminals and, if we insist that they follow due process of law, have them hanged.

“We prefer to use different methods, including the Maoist technique of depriving terrorists and others of the political water in which to swim ... Hence the crucial importance of the Emergency Infrastructure Plan and the other plans in hand

<sup>235</sup> Teleletter Greenstock to Sheinwald, 24 September 2003, [untitled].

<sup>236</sup> Telegram 181 Iraqrep to FCO London, 25 September 2003, ‘Iraq: Governing Council roundup: death of Aqila Hashemi: security’.

<sup>237</sup> Minute Cabinet Office [junior official] to Sheinwald, 22 September 2003, ‘Iraq: Senior Officials Group’.

(education, agriculture, 13th month payment) to ensure a quiet Ramadan. The creation of Local Security Forces (described by MND(SE) Chief of Staff as 'Neighbourhood Watch with Attitude'), which is now being tried in a pilot scheme, should harness selected men under 19 Brigade control and, crucially, pre-empt the otherwise inevitable formation of uncontrolled militias if there were to be security crises in the future."<sup>238</sup>

**409.** On 24 September, Sir Jeremy Greenstock warned:

"... 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>239</sup>

**410.** On 25 September, the JIC produced its Assessment of the overall security situation in Iraq.<sup>240</sup> It said that:

"Since the end of August there has been an increase in the number of attacks against Coalition Forces in Iraq ... In the large majority of cases we cannot attribute attacks to specific groups. Most of the attacks are against US forces in the centre and north of the country and casualties continue to be taken at a steady rate. We have no accurate figures for civilian casualties. The tactics of the armed opposition groups continue to evolve, including the increased use of more sophisticated IEDs and more elaborate attacks ... Intimidation of Iraqis working [for] or seen to be supporting the Coalition, criminal activity, and attacks against the police, have all continued ... There has been limited violence between Sunni and Shia communities in the aftermath of the al-Hakim murder and any further attacks against the Shia leadership [are] likely to lead to further inter-communal violence.

"Counter to the overall trend, the number of attacks against CF [Coalition Forces] in ... MND(SE) has reduced since mid-August and had reached its lowest level since June. Of the total of 1,025 incidents [across Iraq, in the period 10 June to 9 September] only 22 took place in the UK area."

**411.** On Shia attitudes, the JIC assessed that:

"Some Shia groups have demanded greater latitude to provide their own security and this has resulted in the emergence of militias supporting Shia parties, some with a capability to gather intelligence, conduct patrolling and mount vehicle check points ... However the militias are also carrying out illegal arrests, interrogations, and in some cases murder ... Any Coalition attempts to disarm the Shia militia groups could be a flashpoint for trouble."

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<sup>238</sup> Telegram 27 Basra to FCO London, 22 September 2003, 'South Iraq: Basra City'.

<sup>239</sup> Teleletter Greenstock to Sheinwald, 24 September 2003, [untitled].

<sup>240</sup> [JIC Assessment, 25 September 2003, 'Iraq Security'](#).

**412.** The JIC assessed that there continued to be a significant volume of reporting on the flow into Iraq of extremists, whose affiliation was often unknown. It also remained unclear how many mujahedin were operating in Iraq. AI was privately claiming to be responsible for 80 percent of the attacks against Coalition Forces but the JIC concluded that those claims were probably exaggerated. The group:

“... appeared to have built on its local contacts and presence in the Kurdish Autonomous Zone to position itself as the main organised Islamic terrorist group in Iraq, and is likely to be working with other groups.”

**413.** The JIC assessed that AI was developing a long-term strategy which suggested that “future targeting should focus on infrastructure and strike as opposed to martyrdom operations”.

**414.** The JIC wrote that, in a new development since early September:

“AQ may be trying to establish an operational capability in Iraq ... There are some reports that al-Zarqawi ... is in Iraq.”

**415.** On 26 September, the UK Iraq Strategy was circulated to members of the AHMGIR for comment.<sup>241</sup>

**416.** Major General Andrew Figgures, who succeeded Maj Gen Viggers as Senior British Military Representative-Iraq in September 2003, told the Inquiry that by October 2003 central Iraq was in the grip of a growing insurgency.<sup>242</sup> Understanding the insurgency took a considerable time because of a “severe lack of human intelligence” and the “lack of the ability to fuse it together to gain the understanding of the situation”.<sup>243</sup>

## October 2003

**417.** On 2 October, Sir Jeremy Greenstock sent an update on the GC’s meeting the previous day.<sup>244</sup> Many members (including the then President, Dr Ayad Allawi) were absent, the meeting was poorly organised and GC approval of the 2004 budget was delayed.

**418.** Ambassador Bremer had raised the GC announcing decisions without consulting the CPA as a problem because “if the CPA could not deliver what the GC announced, then the GC would lose credibility, which was in neither of our interests”.

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<sup>241</sup> [Minute Dodd to Sheinwald, 8 October 2003, ‘UK Iraq Strategy’](#).

<sup>242</sup> Public hearing, 9 December 2009, page 16.

<sup>243</sup> Public hearing, 9 December 2009, page 52.

<sup>244</sup> Telegram 195 IraqRep to FCO London, 2 October 2003, ‘Iraq: Iraqi Governing Council Update, 1 October’.

**419.** When the AHMGIR met on 2 October it did not discuss the draft Iraq Strategy.<sup>245</sup> Attendees were provided with the, now populated, Short-Term Iraq Action Plan.

**420.** The Annotated Agenda for those attending the meeting observed that:

“The new UNSCR has lost momentum in the US administration with the Pentagon losing enthusiasm and little pressure for decision from Bremer.”<sup>246</sup>

**421.** The new resolution was unlikely to be passed until late October, shortly before a planned Iraq Donors’ Conference, to be held in Madrid. The UK’s objective for the conference was “to broaden international support for reconstruction in Iraq and secure the necessary funding”.

**422.** On 4 October, Sir Jeremy Greenstock reported that the CPA was developing ideas on how to reach out to the Sunni population in Iraq.<sup>247</sup> Mr Richmond had been asked to play a leading role. Discussions at a senior level in CPA acknowledged that it had not spent much effort on involving the Sunnis. There needed to be a comprehensive political strategy to give them a stake in the process.

**423.** Sir David Richmond told the Inquiry that the CPA had consulted widely with Sunni community leaders, and with Coalition commanders and CPA Co-ordinators in the Sunni governorates.<sup>248</sup> They drew up a programme with 30, 60 and 90 day targets covering employment, including recruitment into the Iraqi Civil Defence Corps, and talked about whether de-Ba’athification could be made more flexible. They also discussed trying to reconnect Sunnis with the political process.

**424.** Sir David concluded:

“... quite a lot happened. Did it make a difference? Sadly not. This all coincided with the marked increase in the insurgency towards the end of October.”<sup>249</sup>

**425.** Sir David said he had been very concerned that there was “too much stick and not enough carrot” and that aspects of the response to the Sunni insurgency were not well handled. Getting the Sunni involved in the political process had been extremely difficult because:

“... it wasn’t possible to go to the Sunnis and say ‘Here is a political process and your part in this is as follows. This is how you get involved and influence the process’. We were never able to do that.”<sup>250</sup>

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<sup>245</sup> Minutes, 2 October 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>246</sup> Annotated Agenda, 2 October 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>247</sup> Teleletter Greenstock to Buck, 4 October 2003, ‘Sunni Outreach’.

<sup>248</sup> Public hearing, 26 January 2011, pages 52-58.

<sup>249</sup> Public hearing, 26 January 2011, page 56.

<sup>250</sup> Public hearing, 26 January 2011, pages 57-58.

**426.** On 5 October, Sir Nigel Sheinwald sent Dr Rice a Note written by Mr Blair for President Bush.<sup>251</sup>

**427.** In his Note Mr Blair suggested that he and the President had a common political problem; losses in Iraq plus the failure to find “enough on WMD” were leading the public to doubt the value of the invasion and the international community to “a sense of Schadenfreude”.

**428.** Mr Blair suggested that the solution was “a coherent strategy to get us back on the high ground and get the public, at home and abroad, to focus on the big picture”. That meant:

- getting a shared US/UK sense of what decisions on Iraq were vital and how to take them, plus what the blockages were and how to remove them;
- trying for a new UN resolution, but “only at the right price”;
- being unapologetic about the need to deal with the continued security threat from WMD; and
- tackling the wider agenda, including the MEPP, climate change and reactivating the World Trade Organization.

**429.** Mr Blair wrote that the way ahead should include a regular, perhaps weekly, stocktake on Iraq to “remove any blockages and give direction” and the need to “get our confidence in our story back. Iraq is better without Saddam.”

**430.** Mr Blair’s Note ended:

“And by this time next year, it better be going right, not wrong. For us and for the world!”

**431.** A video conference between Mr Blair and President Bush on 7 October, also attended by Vice President Cheney and Dr Rice, suggested that the US Administration was upbeat.<sup>252</sup> US Congressional visitors to Iraq from both American political parties had been struck by the extent to which the issue of Iraq was perceived in the US through the “biased filter” of the media.

**432.** Mr Blair told President Bush that he agreed with Ambassador Bremer that there should be no early handover of executive power in Iraq, observing that Iraqis themselves preferred stability under the Coalition umbrella to instability with an Iraqi government.

**433.** Mr Blair made the case for the new Security Council resolution, but concluded that it would not help much with extra troops or reconstruction. The US still wanted a further resolution.

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<sup>251</sup> [Letter Sheinwald to Rice, 5 October 2003, \[untitled\] attaching Note \[Blair to Bush\], \[undated\], ‘Note’.](#)

<sup>252</sup> Letter Cannon to Adams, 7 October 2003, ‘Iraq: Prime Minister’s video-conference with President Bush, 7 October’.



**434.** Sir Nigel Sheinwald told the Inquiry that:

“... by and large, the American political assessment of what was going on in Iraq was more positive than our own. In conversations with Bush and in conversations with other people ... by and large the impression was not that things were going well, but they didn't have the same sense of foreboding and concern which was evident in London from the summer of 2003.”<sup>253</sup>

**435.** On 7 October, PJHQ reported a “major public order disturbance” in Basra, at the site where former Iraqi army conscripts were paid their stipend.<sup>254</sup> It was thought to be the result of rumours that there was not enough money to pay all those who were eligible.

**436.** The protesters burned the records required to make the payments. PJHQ reported that “Iraqi police were present but were unable to control the incident and dispersed”.

**437.** During the incident, UK troops shot dead an Iraqi man. He was thought at the time to be a protestor, but later identified as an armed security officer in plain clothes.<sup>255</sup>

**438.** On 8 October, a final version of the UK Iraq Strategy was issued to members of the AHMGIR by Cabinet Office after “those Private Offices who responded indicated their Ministers' endorsement”.<sup>256</sup>

**439.** Sir Nigel Sheinwald annotated his copy: “I don't see a need for PM to see this.”

**440.** 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 it, but which set the framework for specific UK activities towards a common objective.

**441.** The Strategy identified the UK objective as:

“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 representative government, sustainable economic growth and rising living standards to all its people.”

**442.** The Strategy defined a Stabilisation Phase up to December 2003, for which the objective was that Iraq should be restored to pre-conflict levels of development and order.

**443.** During 2004 there would be a Recovery Phase, during which the CPA would pass all its powers to a sovereign, representative Iraqi Government.

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<sup>253</sup> Private hearing, 3 September 2010, page 15.

<sup>254</sup> Minute PJHQ-J9-POLOPS8 to PS/Secretary of State [MOD], 7 October 2003, ‘Op.TELIC: Unrest in Basrah and Death of Iraqi National’.

<sup>255</sup> Telegram 33 Basra to FCO London, 9 October 2003, ‘South Iraq: The Political Scene’.

<sup>256</sup> [Minute Dodd to Sheinwald, 8 October 2003, ‘UK Iraq Strategy’](#).



**444.** From 2005, Iraq would enter a Normalisation Phase, when the Strategy assumed the UK's objective would have been met, Iraq would be largely self-supporting and Coalition Forces (apart from trainers) would have been withdrawn.

**445.** Analysis of the conditions in Iraq acknowledged both that the UK did "not wish to remain Occupying Power of Iraq for any longer than is necessary" and that "our influence over US policy is limited".

**446.** The following risks were identified:

- The pace of political and reconstruction progress could fall.
- The resistance of forces opposing the Coalition could escalate significantly.
- Oil production could continue to lag.
- Iran and Turkey could increase their interference.
- Coalition support for the Occupation could collapse in the event of sustained high casualty levels.

**447.** The Strategy identified the highest threat as being a sustained insurgency, including frequent terrorist attacks. It also identified the "worst case scenario" as major Islamist terrorist groups, especially non-Iraqis, beginning to drive the opposition, as they would have no interest in engaging in the political process. The paper identified possible solutions:

"More security forces, particularly local. Greater intelligence collection and co-ordination, particularly in order to facilitate counter-terrorist operations. Greater co-operation with and pressure on neighbours to secure borders. Security package for UN to allow it to resume work."

**448.** The Defence and Overseas Policy Committee (DOP) met on 9 October, chaired by Mr Blair.<sup>257</sup> This was the first meeting of DOP in 2003 and the first to discuss Iraq since 1999. A background note on Iraq, a paper on political process by the IPU and a paper on the Madrid Conference were tabled.

**449.** The meeting began with an assessment of the security situation. Mr Scarlett reported that while attacks on the Coalition were rising, 80 percent of them were taking place in the "Sunni triangle". Disillusioned Sunnis, who did not see a future for themselves in the new Iraq, were the principal source of concern.

**450.** Lt Gen Fry reported that the security situation in southern Iraq was very different from that in the Sunni triangle. He argued that the Shia were largely co-operative and the British approach to making balanced progress on governance, the economy and security was paying dividends.

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<sup>257</sup> Minutes, 9 October 2003, DOP meeting.

**451.** Mr Blair said that he wanted to see more progress on the delivery of better media output by the Iraqi network. Overall, he believed that the security situation could be turned around. The key to this was to deal with the Sunni triangle, where political disaffection generated support for those acting against the Coalition. He invited Mr Straw to draw up a strategy to tackle this urgently.

**452.** The IPU paper on political process said that the “Bremer plan” remained the best way forward.<sup>258</sup> That view was shared in Baghdad.

**453.** IPU also reported that it remained likely that the GC would opt for elections to the Constitution Convention, resulting in a period of Occupation lasting two and a half years. Mr Annan was supporting a French/German proposal to create a provisional government, under a UN lead.

**454.** The IPU set out a new approach which inserted an interim “provisional government” to act as the repository of Iraqi sovereignty until the constitutional process was complete and an elected Iraqi Government in place, “modifying the Bremer plan, rather than redesigning it”.

**455.** IPU suggested that a provisional government might be formed by either bringing together the GC, ministers and the CPC or through “rough and ready” elections; or by a mixture of the two.

**456.** The paper asked members of DOP:

“... to agree that we should work to speed up the transfer of power to Iraqis; continue to work for a central UN role based on partnership; keep open that this process might make it possible to move to a Provisional Government once certain conditions are met; that we should explore such an approach with the US, if developments on the constitutional process dictate a change of tack.”

**457.** The minutes of DOP’s discussion show that Mr Blair concluded:

“The timetable conceived by the Bremer plan would deliver elections for a representative government in Iraq by this time next year. He looked forward to further advice on discussions between the Coalition Provisional Authority and the Governing Council about the handling of the political process in order to create greater stability in Iraq by next spring.”<sup>259</sup>

**458.** On 9 October, Sir Hilary Synnott reported to the FCO that:

“All observers close to the scene here detect markedly improved attitudes throughout the South over the last three months ... The overriding impression, backed by some firm evidence, is that the general population and its leadership have decided to give the Coalition the benefit of the doubt and thus to co-operate with us and to discourage opposition ...

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<sup>258</sup> Paper IPU, 7 October 2003, ‘Iraq: Political Process’.

<sup>259</sup> Minutes, 9 October 2003, DOP meeting.

“The feedback from our interlocutors is positive (and we collectively have a great deal of direct contact with a wide range of Iraqis, at many levels) ... The weekly number of attacks against the Coalition has declined from 20 in August to two last week (none the week before).”<sup>260</sup>

**459.** Sir Hilary continued:

“Of course it is not all peace and tranquillity. Violence is endemic in the South, as it is in Iraq generally. Now that Saddam’s yoke has been lifted, some new manifestations are becoming apparent. As in many developing countries, the irreducible level of violence could end up being quite high. Tribal feuds are common ... and involve bloodshed as well as bravado.

...

“Also worrying is continuing sectarian violence, although this is still at a low level.”

**460.** Sir Hilary told the Inquiry that:

“... there was still this tendency among some to regard the South as the British fiefdom, but actually, of course, it was not insulated from external factors and these external factors were very important in terms of the security and level of violence.”<sup>261</sup>

**461.** On 11 October, Sir Jeremy Greenstock reported that Ambassador Bremer was:

“... determined to stick to his preferred order of events – Constitution, referendum, national elections, transfer of sovereignty, if possible completed within the next 12 months – but is open to imaginative ideas along the way”.<sup>262</sup>

**462.** On 13 October, Lt Gen Fry put a paper to the Chiefs of Staff on the options for deployment of the ARRC HQ.<sup>263</sup> He considered there were three options – a moderate role in Afghanistan from August 2004; a more extensive role in Afghanistan, also from August 2004; or taking over as the Coalition HQ in Iraq (fulfilling the role then filled by the CJTF-7 HQ) from March 2005. He commented that all of these would have “significant personnel impact across the Army”.

**463.** Specifically in relation to Iraq, Lt Gen Fry commented that:

“Since the end of Op TELIC Phase 3, Iraq has offered the potential for the most challenging and high profile employment for HQ ARRC ... However, the prospect of deployment into Iraq in 04/05 continues to look unlikely. It remains the assessment that while US casualties are being taken at a steady rate, internationalising the three-star command is doubtful. Importantly, against this backdrop, it is difficult for the UK to bring its influence to bear to encourage the necessary conditions for HQ

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<sup>260</sup> Telegram 33 Basra to FCO London, 9 October 2003, ‘South Iraq: The Political Scene’.

<sup>261</sup> Public hearing, 9 December 2009, page 63.

<sup>262</sup> Telegram 211 IraqRep to FCO London, 11 October 2003, ‘Iraq: A Long Way To Go’.

<sup>263</sup> Minute DCDS(C) to COSSEC, 13 October 2003, ‘HQ ARRC – options for deployment’.

ARRC to be a genuine contender. Furthermore, given the pace of progress in Iraq, there is a risk that should deployment later be deemed appropriate, HQ ARRC could find itself employed as a stopgap between US commands rather than as part of a wider strategic shift as originally envisaged.”

**464.** On 13 October, Mr Richmond reported that Ambassador Bremer’s frustration with the GC, and in particular its ineffective decision-making processes, had led him to take steps to improve its operation. These were “focused on the need to make the current structures work” because he was “especially loathe to change the seven steps”.<sup>264</sup>

**465.** Sir Jeremy Greenstock called on Mr Blair in London on 15 October.<sup>265</sup> During their meeting, Sir Jeremy said that, unlike in Baghdad:

“... 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.”

**466.** Sir Jeremy also reported new security threats, which might include the risk of rioters storming their premises or of assassination by “suborning Iraqi support staff”. Sir Jeremy observed that the terrorists and supporters of Saddam Hussein “were ‘mutating’ in their structures and methods faster than Coalition intelligence could keep up”.

**467.** A response by the Coalition, in Sir Jeremy’s view, should include:

- Iraqiisation, but “real capability” was a year away;
- combatting Sunni marginalisation;
- a more flexible approach to de-Ba’athification;
- internationalisation; and
- improved border control, requiring up to 20,000 troops.

**468.** In relation to the new resolution, Sir Jeremy said that:

“... the timing of this had been far from ideal from a CPA perspective: it would have had a greater impact in two months’ time. He urged closer co-ordination between London and IraqRep on such issues.”

**469.** On 15 October, the JIC assessed that:

“The security situation remains difficult in central Iraq. The upward trend in the number of attacks against the Coalition Forces shows no sign of abatement ... The vast majority of attacks (some 80 percent) occur in Baghdad and the surrounding Sunni Arab areas. The level of attacks elsewhere is significantly less, although Mosul in the north may be a developing hotspot ...

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<sup>264</sup> Telegram 217 IraqRep to FCO London, 13 October 2003, ‘Iraq: Political Process’.

<sup>265</sup> [Letter Cannon to Owen, 16 October 2003, ‘Iraq: Sir Jeremy Greenstock’s call on the Prime Minister’](#).

“There has been fighting in Karbala between [Muqtada] al-Sadr’s supporters and rival Shia militias, probably allied to Grand Ayatollah Ali al-Sistani.”<sup>266</sup>

**470.** On the same day, at the request of the FCO, the JIC issued an Assessment of the areas that Sunni Islamist terrorists were using or were likely to use as bases to coalesce, recruit, train and plan attacks in safety.<sup>267</sup> It also considered the circumstances that terrorists might exploit in order to operate in this way.

**471.** The JIC judged:

“Iraq has already attracted significant numbers of mujahedin seeking jihad. It is possible that, if the security situation worsens, these mujahedin will be able to coalesce into relatively large groups in areas where the population is sympathetic to their causes, and where they can establish small training facilities and can co-ordinate terrorist activity both inside, and outside, Iraq.”

**472.** The JIC judged that some countries currently regarded as safe locations by Islamist terrorists would continue to improve their counter terrorism efforts, but that:

“... without significant Western support, others (eg ... Iraq) will be unable to prevent terrorists establishing a presence.”

**473.** At this point in October 2003, the MOD’s planning assumptions were:

“... [a] UK military presence in SE Iraq until at least the end of March 2006, at up to a 2-star HQ, a medium scale land contribution, and small scale naval and air contributions ... There are many variables whose effect on the outcome is very difficult to predict.”<sup>268</sup>

**474.** Those variables were:

- a stabilised security situation, with a functioning Iraqi criminal justice system;
- an Iraqi Government able to provide essential services; and
- the timetable for elections and the transfer of sovereignty.

**475.** On 16 October, Mr Hoon reported to Cabinet that there were increased attacks on Coalition Forces across Iraq as a whole, though there was a steady improvement in the security situation in the South.<sup>269</sup> He believed Coalition Forces responding to attacks in the Sunni triangle were alienating Iraqi opinion, thereby reducing consent.

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<sup>266</sup> [JIC Assessment, 15 October 2003, ‘Iraq Security’](#).

<sup>267</sup> JIC Assessment, 15 October 2003, ‘International Terrorism: Bases for Sunni Islamist Terrorists’.

<sup>268</sup> Minute Lee to Finance Director [MOD], 15 October 2003, ‘Op TELIC Planning Assumptions’.

<sup>269</sup> Cabinet Conclusions, 16 October 2003.

**476.** On 16 October, Sir Jeremy Greenstock told Mr Hilary Benn, the newly appointed International Development Secretary, that Ambassador Bremer would not give up the Seven Steps.<sup>270</sup> In Sir Jeremy's opinion that was too inflexible.

**477.** Mr Benn's Assistant Private Secretary reported to a senior DFID official Sir Jeremy's advice that:

"... the international community was shouting for a proper Iraqi Government, but this will not happen until there is a real election. In the interim, Bremer would be content for a front Government without real power."

**478.** On 16 October, resolution 1511 (2003) was adopted by the UN Security Council.<sup>271</sup>

**479.** The Security Council re-stated that the CPA's authority in Iraq "will cease when an internationally recognized, representative government established by the people of Iraq is sworn in and assumes the responsibilities of the Authority".

**480.** The resolution confirmed that the GC and its ministers were the principal bodies of the Iraqi Interim Administration, which embodied the sovereignty of Iraq until a representative government was established which assumed the responsibilities of the CPA. It declared that "the day when Iraqis govern themselves must come quickly".

**481.** In operative paragraph 13, the Security Council determined that "the provision of security and stability is essential to the successful completion of the political process ... and to the ability of the United Nations to contribute effectively to that process and the implementation of resolution 1483" and authorised "a multi-national force under unified command to take all necessary measures to contribute to the maintenance of security and stability in Iraq".

**482.** On 17 October, Mr Llewellyn sent his preliminary views of the effect of resolution 1511 on "the pre-existing position of the UK in Iraq" to Ms Adams.<sup>272</sup> He concluded that the UK did not cease to be an Occupying Power because resolution 1511 authorised the presence of a multi-national force, but that the resolution did define the point at which the Occupation would come to an end as being "when an internationally recognised, representative government established by the people of Iraq is sworn in and assumes the responsibilities of the Authority".

**483.** Mr Llewellyn wrote that the resolution required "a progressive diminution in the CPA's authority", without defining a specific timetable in which that should happen.

**484.** A conference seeking contributions to reform of the Iraqi Police Service was held in London on 20 October, and is covered in detail in Section 12.1.

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<sup>270</sup> Minute APS [DFID] to Drummond, 17 October 2003, 'Iraq: Meeting with Sir Jeremy Greenstock'.

<sup>271</sup> UN Security Council resolution 1511 (2003).

<sup>272</sup> Minute Llewellyn to Adams, 17 October 2003, 'Iraq: Security Council Resolution 1511'.

**485.** By 23 October, Mr Sawers was beginning to doubt that credible elections producing a good result, based on a legitimate Constitution, would be possible during the course of 2004 because of the length of time it was likely to take to produce a legitimate Constitution.<sup>273</sup>

**486.** Mr Sawers indicated in a letter to Mr Simon Webb, MOD Policy Director, that he had begun some new work on the political process in Iraq. The conclusion was that the UK should avoid its forces continuing as occupiers with a Bremer-type figure in control beyond 2004.

**487.** There was a case for a provisional government, with executive powers and full sovereignty, to provide more time in which to draw up a full Constitution. A provisional assembly would be chosen either by full elections or some form of indirect elections. FCO legal advice was that an interim Constitution would not be needed.

**488.** Mr Sawers set out how a provisional government could be stood up in six months:

- October: CPA begins discussions with the GC about possible formation of a Provisional Assembly, into which the GC and other institutions would be subsumed.
- 15 December: GC reports to UN Security Council and sets out a preference for a Provisional Assembly to last two years to allow time for drawing up a new Constitution.
- End January: UN Security Council agrees new resolution allowing the CPA three months for orderly handover.
- April/May 2004: Provisional Assembly inaugurated. CPA comes to an end.
- April/May 2004 to April May 2005: new Constitution drafted.
- April 2005: referendum on draft Constitution.
- Summer 2005: elections held, and internationally recognised Iraqi Government formed.

**489.** On 24 October, Sir Jeremy Greenstock supplied Mr Sawers with comments on his proposals. He explained:

“I agree that it is unlikely that, during the course of 2004, we will obtain both a permanent Constitution and the holding of credible elections. One or other is going to have to give.”<sup>274</sup>

**490.** Sir Jeremy did not think it necessary to complete a permanent Constitution before elections were held. Ambassador Bremer, however, felt that it was “the job of the

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<sup>273</sup> Letter Sawers to Webb, 23 October 2003, ‘Iraq: Political Process’ attaching Paper IPU, October 2003, ‘Iraq: Political Process: Possible Creation of a Provisional Government’.

<sup>274</sup> Minute Greenstock to Sawers, 24 October 2003 ‘Iraq Political Process’.



Coalition period to establish a Constitution for Iraq which will guarantee the values for which the United States has gone to all this trouble”.

**491.** Rather than argue with the US, Sir Jeremy’s preference was to see how discussions with the GC went, as it was “much more satisfactory for the Americans to change their views under the harsh light of the realities than under the importunate arguments of the British”. But there was a certain amount of “seeding” the UK could do to indicate to the Americans “the unwisdom of aiming too high in all this”.

**492.** A major donor conference for Iraq was held in Madrid from 23 to 24 October and is addressed in Section 10.1.

**493.** On 24 October, Sir Jeremy told the FCO that Lt Gen Sanchez had ordered a:

“... comprehensive review of security to try to regain operational momentum ... [He] has come to recognise that Coalition operations are at a standstill and that there is a need to regain momentum. The review focuses on two questions: is the direction of the strategic and operational approach to Coalition objectives valid? Second, what can CJTF-7 do to improve progress? The up-to-date military assessment is that operations have now lost momentum, that rates of attrition of Foreign Fighters and Former Regime Loyalists are outstripped by their ability to regenerate and that Coalition responses are motivated less by strategic objectives than by the need to react to unwelcome developments. It assesses that violent opposition is likely to endure and that the key to success in the political process will be management of the intensity of attacks.”<sup>275</sup>

**494.** Sir Jeremy judged that even at an early stage the review represented “a clear move from stabilisation towards Counter-Insurgency operations” and notified the FCO that in-depth discussions “of all this, and wider” chaired by Secretary Rumsfeld were to be held in Washington at the end of the month. Both Ambassador Bremer and General John Abizaid, Commander US Central Command (CENTCOM), were due to attend.

**495.** 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>276</sup>

**496.** 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.

**497.** One UK civilian seconded to the CPA was seriously injured.<sup>277</sup>

**498.** Sir David Manning, British Ambassador to the US, described it as “the bloodiest 48-hour period in Baghdad since March”.<sup>278</sup>

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<sup>275</sup> Telegram 230 IraqRep to FCO London, 24 October 2003, ‘Iraq: Security Update’.

<sup>276</sup> *BBC News*, 26 October 2003, *US shocked at Iraq hotel attack*.

<sup>277</sup> Briefing [unattributed], 30 October 2003, ‘Briefing for Foreign Secretary: Cabinet: 30 October’.

<sup>278</sup> Telegram 1426 Washington to FCO London, 28 October 2003, ‘Iraq: US Views 28 October’.

**499.** Mr Bearpark told the Inquiry that he viewed this attack as a turning point:

“We 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>279</sup>

**500.** On 30 October, Secretary Powell told Mr Straw that it had been agreed in Washington that the Seven Step Plan should be maintained, but accelerated.<sup>280</sup> At the same time, work would be undertaken to look for alternatives.

**501.** At the end of October, Mr Sawers wrote to Mr Straw with a paper on the political process in Iraq which described “ways of modifying the seven-point plan”.<sup>281</sup>

**502.** The paper was based on the twin assumptions that Occupation must end in 2004 and that a permanent Constitution and elections were not possible in that timescale.

**503.** Mr Sawers proposed changing the UK’s objective to the creation of a provisional government in 2004. It would be supported by a provisional assembly, which would be indirectly elected “perhaps using electoral colleges based on the Governorates”.

**504.** Since an end of Occupation would mean the end of the CPA the paper included a proposal for a new international structure “on the Bosnian model with a high representative appointed by the Coalition and having some reserved powers endorsed by the Security Council”.

**505.** In an annex to the paper Mr Sawers suggested that this new approach might encourage more nations to participate in the military security effort in Iraq, since troops would no longer be part of an Occupation and might be present in response to a request from an Iraqi Government.

**506.** US thinking appeared to be moving in a similar direction.<sup>282</sup> By the end of October, the British Embassy Washington reported that there was growing recognition in the US Administration that Ambassador Bremer’s Seven Step Plan would not lead to credible elections on the basis of a legitimate Constitution sufficiently quickly.

**507.** During internal discussions in Washington, however, Ambassador Bremer was reported to have stuck to his Seven Point Plan.<sup>283</sup>

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<sup>279</sup> Public hearing, 6 July 2010, pages 43-44.

<sup>280</sup> Letter Adams to Sheinwald, 30 October 2003, ‘The Foreign Secretary’s Conversation with the US Secretary of State, 30 October’.

<sup>281</sup> Minute Sawers to Foreign Secretary, 31 October 2003, ‘Iraq: Political Process’.

<sup>282</sup> Minute Sawers to Foreign Secretary, 31 October 2003, ‘Iraq: Political Process’; Letter Manning to Sheinwald, 28 October 2003, ‘Iraq: Political Process’; Telegram 1481 Washington to FCO London, 8 November 2003, ‘Iraq: MOD Policy Director’s Visit to Washington: 7 November’; Letter FCO [junior official] to Sawers, 31 October 2003, ‘Iraq: Political Process’.

<sup>283</sup> Telegram 1426 Washington to FCO London, 28 October 2003, ‘Iraq: US Views, 28 October’.

**508.** The NSC was reported by the British Embassy Washington to be leaning towards the idea of a provisional government.<sup>284</sup> No firm conclusion had been reached, but there was “broad agreement on the need to transfer sovereignty to the Iraqis during 2004”.

## November 2003

**509.** Sir Hilary Synnott told the Inquiry that:

“As time progressed, it became clear that ... there was a genuine insurgency developing. The influence of Muqtada al-Sadr was very great and, of course, it was primarily north of our region, but it became clear to me in about November that an infection was starting to spread south.”<sup>285</sup>

**510.** Gen Abizaid called on Sir Nigel Sheinwald on 4 November.<sup>286</sup> Gen Abizaid said that resistance was coalescing in the Sunni areas around former regime elements, backed to some extent by foreign fighters and international terrorists. Gen Abizaid saw the insurgency as “still at a low level” and lacking majority support even among the Sunnis.

**511.** Gen Abizaid’s solution was to accelerate Iraqisation of the security forces whilst also improving their quality, a political ‘road map’ and a reconciliation process for Sunni communities.

**512.** Mr Straw told Cabinet on 6 November that “adjustments to the current plan were needed” in relation to the political process.<sup>287</sup> He would pursue discussions in the US the following week, but it would be an “iterative process” involving the GC.

**513.** 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>288</sup> Mr Blair thought the quicker the better, “but both the Iraqis and we needed to be able to handle it”.

**514.** 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”. They wanted to provoke a reaction, so that the security presence became heavier and the population turned against the Coalition. Mr Blair suggested that some Sunnis were “desperate to be on our side” and that infrastructure projects that would benefit the Sunni community should be completed. He commented that:

“A stable, prosperous Iraq would send a powerful signal to the region. That was why the extremists were desperate to stop us, and why we had to succeed.”

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<sup>284</sup> Letter [junior official] to Sawers, 31 October 2003, ‘Iraq: Political Process’.

<sup>285</sup> Public hearing, 9 December 2009, page 62.

<sup>286</sup> Letter Cannon to Adams, 4 November 2003, ‘Iraq: General Abizaid’s call on Sir Nigel Sheinwald’.

<sup>287</sup> Cabinet Conclusions, 6 November 2003.

<sup>288</sup> Letter Rycroft to Adams, 6 November 2003, ‘Iraq: Prime Minister’s Conversation with President Bush, 6 November’.

**515.** Ambassador Bremer’s account of his time in Iraq records that, after a meeting on 6 November with leaders of the Governing Council, he had “realized that our seven-step process was dead”.<sup>289</sup>

**516.** Mr Richmond attended a meeting with Ambassador Bremer, Gen Abizaid and Lt Gen Sanchez on 7 November to discuss a strategy for engaging with the Sunni population.<sup>290</sup>

**517.** Gen Abizaid reported that his recent discussions with Sunni leaders in Mosul had focused on “jobs and money” though there was also a need for flexible application of de-Ba’athification to “reassure the average Ba’athist that he had a future in the new Iraq”.

**518.** Sir Nigel Sheinwald visited Iraq from 7 to 9 November.<sup>291</sup> He reported to Mr Blair on his return, asking for comments on his recommendations before Mr Straw was due to visit Washington. He described two major problems in the political arena:

- the failure of the GC to “get a grip” and “develop a political profile”; and
- continued CPA civilian weaknesses; strategic communications in particular remained a serious problem.

**519.** Sir Nigel proposed asking the FCO and the MOD to second a proper public affairs team to Iraq – Mr Blair commented “Yes. And get the Iraqi media sorted.”

**520.** On the security situation Sir Nigel wrote:

“No clear picture of the enemy exists ... The nexus of relations between ex-regime supporters, international terrorist and freelance jihadis is much discussed, but with little hard intelligence. As Jeremy Greenstock puts it, the enemy is mutating faster than our (rapidly evolving) security structures can keep up ... There is no lack of intelligence; but it’s not having a decisive impact, and there are problems of processing and co-ordination.”

**521.** Sir Nigel continued:

“We have to put our faith in a combination of (a) Iraqiisation and (b) better intelligence leading to more pre-emption of attacks. On the first, there is now an ambitious scheme for all parts of the security structure. But ICDC [Iraqi Civil Defence Corps] training will not be complete until the spring; and even then trainees will need mentoring and monitoring ... There is a bad need for Iraqi police on the streets to deal with basic crime – this, not terrorism, is the main concern for ordinary Iraqis.  
**The situation will remain very fragile, with continuing casualties.”**

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<sup>289</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>290</sup> Telegram 258 IraqRep to FCO London, 9 November 2003, ‘Iraq: Sunni Strategy Meeting with Bremer and Abizaid’.

<sup>291</sup> [Minute Sheinwald to Prime Minister, 10 November 2003, ‘Visit to Iraq’ including manuscript comments Blair.](#)

**522.** Sir Nigel told Mr Blair that:

“... [Lt Gen] Sanchez is planning an operation in Fallujah – the tribal chiefs have been given a two week deadline to control the terrorists or face a heavy US response. This could turn ugly ... but it would be wrong to question the need to get the initiative back.”

**523.** Sir Nigel reported that key GC members were beginning to support the idea of a transitional government. But his main conclusion was:

“... that we are unlikely by spring 2004 to have made the advances necessary, particularly on security, for a wholesale transfer to a provisional government.”

**524.** Instead, he and Sir Jeremy Greenstock set out an alternative political timetable which they thought might emerge:

- strengthening the GC so it could pass a basic Constitutional Law;
- electing an Assembly to appoint a transitional government;
- transferring sovereignty to the transitional government in September 2004;
- holding a census and elections for a Constitutional Assembly; and
- full election to a sovereign Iraqi Government in 2006.

**525.** Mr Blair indicated with a tick that he was content with this timetable.

**526.** Sir Nigel wrote that Iraq’s:

“... political, social and economic landmarks were swept away by the dictatorship. Our position rests largely on intangible Iraqi perceptions of credibility and consent. Most Iraqis are at best confused: they don’t want Saddam back, but want the Occupation to end.”

**527.** Mr Blair commented against that text “Is this right?”

**528.** Sir Nigel continued:

“This is an immense task: we have, at last, the right policies in place; but there is a sense of a race against time, with Iraqisation benefits not able to kick in properly until the spring, and continuing doubt about the CPA’s ability to get the practical jobs done.”

**529.** Sir Jeremy Greenstock reported that the key GC members were dismissive of Ambassador Bremer’s time constraints, arguing that direct elections to a Constitutional Convention were necessary, and that resolution 1511 allowed for a transitional government in the meantime.<sup>292</sup>

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<sup>292</sup> Telegram 257 IraqRep to FCO London, 9 November 2003, ‘Iraq: Sheinwald Visit’.

**530.** In a meeting with Sir Nigel Sheinwald, Ambassador Bremer said he believed that only a full constitutional process could meet the President's and the Prime Minister's political requirements for Iraq.<sup>293</sup> He believed it was still possible for this to be done by the end of 2004 if the GC moved quickly. But he conceded for the first time that he might have to consider an interim Constitution, if it was not possible to create the Constitutional Convention by indirect consultation rather than elections.

**531.** Sir Jeremy and Mr Richmond met Dr Ayad Allawi, the head of the Iraqi National Alliance on 9 November.<sup>294</sup> Dr Allawi expressed serious concerns about de-Ba'athification, noting that "there was a difference between Saddamists and Ba'athists". In his view the de-Ba'athification policy was "incompatible with security in Iraq".

**532.** Sir Jeremy and Mr Richmond emphasised the Coalition's intention to be flexible about the application of de-Ba'athification, but pointed to the harder line being taken by the GC. Dr Allawi commented that this was, in his view, the GC operating in a way that it believed the US wanted. He wanted to call a meeting with the CPA to discuss new proposals for using Ba'athists in the "security struggle" and indicated that this had the support of a number of other Iraqi parties.

**533.** On 11 November, Mr Rycroft wrote to the MOD, the Treasury, DFID, SIS, the Cabinet Office, the JIC and UK representatives in Iraq and the US with Mr Blair's views on next steps.<sup>295</sup>

**534.** Mr Rycroft described Mr Blair's view that elections in Iraq should not be postponed beyond the end of 2004 unless absolutely necessary. He confirmed that Mr Blair was comfortable with a timetable which led to:

"... elections in around September 2004 to an Assembly which would appoint a transitional government, with power and formal sovereignty then transferred from the CPA to this government."

**535.** Mr Rycroft's letter also confirmed the secondment of an FCO/MOD public affairs team to the CPA and directed that a British Office should be created in Basra "to handle trade contacts, cultural ties, visitors etc".

**536.** In a conversation by video conference with President Bush on 11 November Mr Blair said that the Coalition needed to improve its media handling. He commented that Iraqis were citing this, as well as the economy and crime, as key areas for Coalition attention.<sup>296</sup> The US was holding "seminal" meetings in Washington on the political process, about which Mr Blair would be consulted.

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<sup>293</sup> Telegram 176 Baghdad to FCO London, 8 November 2003, 'Iraq: Sir Nigel Sheinwald's call on Bremer'.

<sup>294</sup> Teleletter Greenstock to Sawers, 11 November 2003, 'Iraq: Iyad Allawi Meeting'.

<sup>295</sup> [Letter Rycroft to Adams, 11 November 2003, 'Iraq: Next Steps'](#).

<sup>296</sup> Letter Cannon to Adams, 11 November 2003, 'Iraq: Prime Minister's Video-Conference with President Bush, 11 November'.



**537.** Mr Blair told Cabinet on 13 November that President Bush would visit the UK the following week, and that it was important for policy issues, including Iraq, to be the focus of the visit.<sup>297</sup> Mr Blair judged that:

“While we should not expect that the visit would be universally acclaimed here, we should take political advantage by entering into debate on the issues.”

**538.** On 13 November, Sir Nigel reported a telephone conversation with Dr Rice in which she indicated that President Bush had agreed on a new sequence for the political process.<sup>298</sup> This was:

“... basic law; interim Parliament; provisional Government; transfer of sovereignty and end of the CPA.”

**539.** There was no firm plan for what would replace the CPA. The US envisaged elections by mid-June and the provisional Government in place in July, followed by the handover of power. Ambassador Bremer would put this new proposal to the GC.

**540.** During his visit to Washington, on 13 November Mr Straw discussed Ambassador Bremer’s revised proposals for the political process with Secretary Powell.<sup>299</sup>

**541.** Secretary Powell explained that Ambassador Bremer had proposed a target of June/July for the transfer of sovereignty. Sir Jeremy Greenstock suggested that the new timetable meant that instead of popular elections to a transitional assembly, a caucus process would be needed.

**542.** Mr Straw indicated “probable UK approval” of the new timetable.

**543.** On 14 November, Mr Crompton wrote to Mr Richmond on the Constitutional process.<sup>300</sup> He indicated general pleasure with US plans. For the selection of the “Transitional Legislative Assembly” he favoured:

“... a national conference of notables from all the Governorates to launch the process, and a further round of consultations at the end to debate, amend and, we hope, endorse the fundamental law.”

And instructed:

“You should continue to push this idea hard with Bremer.”

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<sup>297</sup> Cabinet Conclusions, 13 November 2003.

<sup>298</sup> Letter Sheinwald to Adams, 13 November 2003, ‘Iraq: Conversation with US National Security Adviser’.

<sup>299</sup> Telegram 1506 Washington to FCO London, 14 November 2003, ‘Foreign Secretary’s Lunch with US Secretary of State, Washington, 13 November’.

<sup>300</sup> Teleletter Crompton to Richmond, 14 November 2003, ‘Iraq: Constitutional Process’.



**544.** Mr Crompton also pointed out that:

“... it would be difficult to explain how we could hold full national elections in December to a Constitutional Convention but not in July to the Transitional Legislative Assembly.”

**545.** To remedy this he suggested “slippage of the timetable into 2005”.

**546.** On 15 November, the GC unveiled a timetable for transfer of sovereignty to a transitional administration by 30 June 2004, at which point the CPA would dissolve.<sup>301</sup> This became known as the 15 November Agreement.

**547.** The process involved creating an interim Constitution, known as the Transitional Administrative Law (TAL) or Fundamental Law, a Transitional National Assembly (TNA) that would be chosen by provincial caucuses, and an Interim Government to be chosen by the TNA.

**548.** The timetable was:

- drafting and approval of the Fundamental Law/TAL by 28 February 2004;
- bilateral Coalition/GC Security Agreement by end March 2004;
- election of a Transitional National Assembly (TNA) by 31 May 2004;
- election of the Transitional Administration (subsequently known as Iraqi Interim Government or IIG) by the TNA;
- Transitional Administration assumes responsibility from the CPA by 30 June 2004;
- elections for a Constitutional Convention by 15 March 2005; and
- elections for new government and expiry of Fundamental Law/TAL by 31 December 2005.<sup>302</sup>

**549.** The agreement had been drafted by the CPA governance team, working with the GC.<sup>303</sup> Ambassador Bremer and Mr Richmond were part of the GC’s final deliberations, and signed the Agreement on behalf of the Coalition. Four Shia members of the Council voted against it, with the 20 other members in favour.

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<sup>301</sup> Dobbins J, Jones SG, Runkle B & Mohandas S. *Occupying Iraq: A History of the Coalition Provisional Authority*. RAND Corporation, 2009.

<sup>302</sup> Minute Cannon to Prime Minister, 18 November 2003, ‘Iraq: Political Timetable’.

<sup>303</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

## Origins of the 15 November Agreement

Sir Jeremy Greenstock described to the Inquiry the stalemate the Coalition had faced on the political process.<sup>304</sup> Ambassador Bremer had not wanted elections to take place without constitutional principles being laid down to govern them; Grand Ayatollah al-Sistani had not wanted Iraq's Constitution to be written by or influenced by non-Iraqis. Sir Jeremy described his suggestion that:

“... when there was a chicken and egg problem, one of the ways to get through it is to design a double circuit ... two chickens, two eggs, it became known as, with some humour and disbelief on the American side ... we designed a process of drawing up some preliminary constitutional principles through an administrative law leading to a first round of elections, after which there would be the writing of a proper Constitution by elected officials, leading to a second round of elections under that Constitution.

“The Americans ... thought I was talking rubbish, but the Iraqis immediately understood what I was talking about, which was the point of my proposing it ... And that was the heart of the 15 November agreement.”

Sir David Richmond told the Inquiry:

“Undoubtedly Jeremy's influence was very important in the change of direction of the political process which led to the 15th November agreement. It is a dreadful phrase [two chickens two eggs], but actually it was a very clever idea and became in essence the policy that was then followed.”<sup>305</sup>

Sir David said that Ambassador Bremer's Seven Step Plan:

“... had really come unstuck. It wasn't a bad plan at all. It was almost a classic way of going about these things, but it had come unstuck largely because of the opposition of Sistani to certain aspects of that plan. Although we were ... perhaps slow to realise that they had hit an insurmountable obstacle and there was a lot of time lost, certainly by the middle or end of October there was a realisation that we were going to have to come up with a plan B ...”

“A plan was being developed and Bremer went back to Washington around about 13th or 12th November ... He came back with what became the 15th November agreement. There were certain aspects of it which we were expecting, including the idea that there might be some interim Constitution ... We were certainly expecting an end date, although I think we were expecting one a little later than 30th June, but I think we – certainly I was expecting that there would be elections before we handed over. We would handover to an elected interim government. It was a surprise and shock to me to discover when Bremer came back from Washington that this was not the case. Now I don't know – this decision had clearly been taken in Washington by the people in Washington. It was not what the CPA had been expecting. I don't know to what extent the British Government was involved in that decision to do things in a different way. I imagine they were, but I don't know.”<sup>306</sup>

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<sup>304</sup> Public hearing, 15 December 2009, pages 76-78; Private hearing, 26 May 2010, page 57.

<sup>305</sup> Public hearing, 26 January 2011, page 23.

<sup>306</sup> Public hearing, 26 January 2011, page 66.

**550.** On 18 November, Sir Jeremy Greenstock attended a meeting of the Iraq Strategy Group, chaired by Sir Nigel Sheinwald.<sup>307</sup>

**551.** Among the “main private messages” that Sir Jeremy believed that Mr Blair should raise with President Bush was the need for a “comprehensive and fully integrated approach [to security] including improved intelligence co-ordination, greater Iraqisation of security forces, bringing in more ex-Ba’athists and political outreach to the Sunnis”.

**552.** On 19 November, in a review of Al Qaida’s global operations, the JIC reported:

“There have been some indications of senior Al Qaida leaders ... aspiring to play a role in Iraq and enabling others to do so. The ‘Iraq jihad’ has been a focus for recent Al Qaida propaganda. We do not know for certain how much direct influence Al Qaida leaders have over activity, or how far ‘core’ Al Qaida terrorists have been involved in operations there. But groups affiliated with it (such as Ansar al Islam and al-Zarqawi’s network) are planning and carrying out operations and may have been responsible for some of the major attacks. The Iraq jihad is also likely to produce a new generation of battle hardened fighters prepared to use their expertise elsewhere.”<sup>308</sup>

**553.** In mid-November, the Defence Intelligence Service (DIS) created an Iraq Security Task Force to increase its analytical effort “into the nature of the insurgency in Iraq”.<sup>309</sup> The group was intended to work closely with PJHQ and the intelligence agencies to “identify the insurgents and their organisation, strategy, tactics, methods and logistics”.

**554.** Lt Gen Andrew Ridgway, the Chief of Defence Intelligence, cautioned that:

“... this effort does not come without a price. I will be forced to reduce effort elsewhere ... Assessment of non-insurgent related activity in Iraq will be reduced in the short term as Gulf branch is back-filled with analysts less familiar with the region.”

**555.** On 20 November, Mr Blair and President Bush made a joint statement in which they said:

“We reaffirm the resolve of our two countries, with many friends and allies, to complete the process of bringing freedom, security and peace to Iraq. We warmly welcome the Iraqi Governing Council’s announcement of a timetable for the creation of a sovereign Iraqi Transitional Administration by the end of June 2004 ...”<sup>310</sup>

**556.** The statement went on to say that the GC’s announcement was consistent with their long-stated aim of handing power to Iraqi hands as quickly as possible.

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<sup>307</sup> Minute Dodd to Sheinwald, 18 November 2003, ‘Iraq: Strategy Group’.

<sup>308</sup> JIC Assessment, 19 November 2003, ‘International Terrorism: Al Qaida Stocktake’.

<sup>309</sup> Minute CDI to PS/Policy Director, 19 November 2003, ‘DIS’ Iraq Security Task Force – Implications’.

<sup>310</sup> Statement Bush and Blair, 20 November 2003, ‘Declaration on Iraq’.

### Multi-national force levels in MND(SE)

An MOD report setting out lessons for the future from Op TELIC, published in December 2003, described force levels in MND(SE) on 17 November.<sup>311</sup> On that date, the UK force level in MND(SE) was 10,500, and contributions from other nations totalled 5,650 personnel. The numbers provided by each nation were:

- Czech Republic 100
- Denmark 480
- Italy 2,800
- Lithuania 30
- Netherlands 1,100
- New Zealand 100
- Norway 160
- Portugal 130
- Romania 750

UK force levels between 2003 and 2009 are set out at the end of Section 9.7.

**557.** In late 2003, the US Joint Chiefs of Staff made an informal request for the UK to consider deploying the HQ ARRC to Afghanistan in summer 2004.<sup>312</sup> At the time, the FCO's advice to Mr Straw was that the MOD did "not believe that it would be sensible to deploy the ARRC to Afghanistan under current levels of operational deployment, since they judge that it would need to deploy for a year, and with around 2,500 additional troops, to have the desired strategic effect".

**558.** The initial view of the FCO's Afghanistan Unit was that this underplayed the potential strategic value of the ARRC in Afghanistan. In relation to a deployment to Iraq, the Unit judged it:

"... unlikely ... that NATO would be willing to take on the overall command role. Nor is it clear that the US would be prepared to put their forces under UK command. Conversely, there is a risk, were the ARRC to deploy at the head of a multi-national operation, that the US would not retain enough forces in theatre to make sure that the security situation could be properly handled ... The political risk to the UK of a British HQ taking overall command of military operations would also be high, and our chance of success will be no better (or worse) than the Americans. We are unlikely to want to be put in such an exposed position for another two years."

**559.** Mr Edward Oakden, FCO Director International Security, commented on 20 November that he agreed with the Afghanistan Unit's initial advice, and

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<sup>311</sup> Ministry of Defence, *Operation in Iraq: Lessons for the Future*, December 2003, pages 84-85.

<sup>312</sup> Minute Thompson to Ehrman and Private Secretary [FCO], 20 November 2003, 'Possible Deployment of the ARRC to Afghanistan/Iraq'.

recommended that Mr Straw's Private Office write to No.10 to register these points.<sup>313</sup> Sir Peter Ricketts, UK Permanent Representative to NATO, endorsed Mr Oakden's views.<sup>314</sup>

**560.** Mr Oakden wrote:

"... there is a large element of tactics in the MOD's current approach ... there has been a strong body of opinion, including the CGS, that since there is no attractive prospect of using the ARRC in Iraq, we should use it ... in Afghanistan, both to do the real job that needs doing on the ground there, and because that is the way to maintain UK leadership in NATO."<sup>315</sup>

**561.** Mr Oakden wrote that in order to make an effective deployment of the ARRC "you would also need to deploy a 2,500 strong manoeuvre battalion<sup>316</sup> for the ARRC to have strategic effect". He also noted that Sir Kevin Tebbit had:

"... insisted that with the MOD facing a massive overrun, they could not put themselves in the position with HMT of arguing for additional commitments: they should let others impose this on them; and let these others, No.10 or whomever, will the necessary resources."

**562.** In the second report to the United Nations under the terms of resolution 1483, on 21 November 2003, the UK and US gave a detailed update on Coalition activities.<sup>317</sup>

**563.** A telegram from the UK Mission to the United Nations in New York (UKMIS New York) to the FCO recorded that Ambassador Negroonte had welcomed the 15 November Agreement as a step that would ensure rapid Iraqi control of their own affairs, that basic freedoms and rights were protected under the law; and an elected Constitutional Convention.

**564.** Ambassador Negroonte stated that the Multi-National Force would be needed until Iraq could take on its own security and, as with reconstruction, he hoped more international partners would participate. He emphasised that the UN also had a vital role and that its return would be welcome. The US stood ready to assist with security support.

**565.** Sir Emyr Jones Parry reported CPA progress in restoring basic services, including water and electricity; repairs to Baghdad International Airport and Umm Qasr port; and work on mobile phone networks.

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<sup>313</sup> Email Oakden to Ehrman and Adams, 20 November 2003, 'ARRC and Afghanistan'.

<sup>314</sup> Email Ricketts to Oakden, Ehrman and Adams, 21 November 2003, 'ARRC and Afghanistan'.

<sup>315</sup> Email Oakden to Ehrman and Adams, 20 November 2003, 'ARRC and Afghanistan'.

<sup>316</sup> It is not clear what force Mr Oakden is describing. It is larger than other battlegroups deployed to Afghanistan or Iraq but too small for a brigade.

<sup>317</sup> Telegram 1609 UKMIS New York to FCO London, 22 November 2003, 'Iraq: US/UK Update to the Council'.

**566.** Sir Emyr also said that nearly all 240 hospitals were now functioning and most schools had opened by the end of June. He also described progress with currency reform and emphasised that it was crucial for Member States to transfer funds belonging to the former Iraqi regime to the Development Fund for Iraq.

**567.** Finally, Sir Emyr reported that the CPA had enacted human rights legislation, and that the Central Criminal Court was now up and running; 600 Iraqi judges were now presiding over 500 Iraqi courts.

**568.** UKMIS New York told the FCO that:

“While generally welcomed, France, Germany and Russia stress three key considerations: the need to bring in those previously excluded; the need to bring on board Iraq’s neighbours; and the need for a substantive UN role. All three mention the idea of a national conference under UN auspices.”

**569.** On 21 November, the Oil-for-Food programme closed, after eight years in operation.<sup>318</sup> This met the terms of resolution 1483, which had called for it to be wound up within six months.

**570.** Responsibility for remaining activity passed to the CPA and the Iraqi Ministry of Trade. A one month “buffer stock” of key commodities would be purchased by the World Food Programme, but it was not expected that there would be a threat to food supply.

**571.** From 18 to 22 November President Bush visited the UK.<sup>319</sup>

**572.** Before the visit, Mr Rycroft gave Mr Blair a copy of a paper entitled ‘Iraq: Security’, for discussion with President Bush.<sup>320</sup> The document was described as “Jeremy’s paper” and the Inquiry assumes that it was written by Sir Jeremy Greenstock.

**573.** The paper began:

“The timetable for transfer of power to transitional government is challenging but can be done. Momentum is there. One thing that can throw this off course is **security**. Must be our highest priority from now until the handover. Current insurgency/terrorist campaign may not pose a traditional strategic threat. But mounting rates of attacks on Coalition will:

- sap domestic public and political support;
- wean away allies who have less of a stake in this than US/UK;
- risk withdrawal of civilian volunteer staff in the CPA and governorates;
- encourage the current insurgency to become a widespread, popular resistance.”<sup>321</sup>

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<sup>318</sup> Annotated Agenda, 27 November 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>319</sup> *BBC News*, 18 November 2003, *Bush arrives for state visit*.

<sup>320</sup> Minute Rycroft to Prime Minister, 18 November 2003, ‘Bush Visit – Private Talks’.

<sup>321</sup> Paper Greenstock, 18 November 2003, ‘Iraq: Security’.

574. Sir Jeremy then set out a number of areas that needed to be addressed, including:

#### **“Military**

- ... We need to do more to tackle use of IEDs; mortar and rocket attacks; and SAMs [Surface-to-Air Missiles]. *We should seek to avoid further alienation of Sunni population.* Overall approach needs to provide reassurance.

...

#### **Intelligence**

- ... We need much *better co-ordination of intelligence collection and analysis.* Intelligence sharing between the military and civilian Agencies must be improved
- Growth of Iraqi intelligence capacity is vital ...

...

#### **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.

#### **Civilian security**

- *Real risk of serious US and UK civilian losses.* When civilian volunteers begin to be hit the consequences are different to those for the military. Resulting mass pull-outs will undermine our ability to ensure an effective handover of responsibility to Iraqis.

...

- CPA must address this with urgency ...

#### **Iraqisation**

- *Must accept previously Ba’athist elements in the security forces,* provided not linked with former repression. *Militias ... need to be brought in an inclusive, transparent way ... Plans for this should be drawn up immediately with IGC ...*

#### **Economics**

- *Absolute priority must be given to job creation ...*



### Managing the transition/drawdown

- *Planning for withdrawal of 30,000 US troops by March need to be re-assessed against the growing security threat. We must have a secure overall environment in the period running up to the caucus elections. The enemy will exploit any gaps. Better to lower domestic expectations now and link to positive progress on the political timetable. Conditions on the ground and the views of the Governing Council/Transitional Assembly must inform the decision.*
- *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.*

### Co-ordination of policy

- *We need to tighten up high-level co-ordination between military, civil and intelligence elements, and between Coalition partners ...*

**575.** Mr Blair gave President Bush a slightly revised version of Sir Jeremy's paper, which included a different message under the heading "Managing the transition/drawdown".<sup>322</sup> It said:

"We need to look again at the levels and composition of US and UK troops, in theatre, given the new political timetable. We must have a secure overall environment in the period running up to the caucus elections. The enemy will exploit any gaps. Conditions on the ground and the views of the Governing Council/Transitional Assembly must inform the decision. We need US/UK troops capable of training Iraqi forces as well as direct military and intelligence tasks."

**576.** In the week before President Bush's visit, Sir Jeremy contacted Mr Desmond Bowen, the Deputy Head of the Overseas and Defence Secretariat in the Cabinet Office, who reported to Sir Nigel Sheinwald that:

"Jeremy believes that President Bush is not being warned that strategic failure cannot be ruled out.

...

"He feels that the Prime Minister should talk to the President in stark terms next week about the dangers we face if we do not get a grip on the security situation, while at the same time pushing forward the political programme and the massive reconstruction task now under way."<sup>323</sup>

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<sup>322</sup> [Paper \[Greenstock\], 20 November 2003, 'Iraq: Security'](#).

<sup>323</sup> Minute Bowen to Sheinwald, 14 November 2003, 'Iraq'.

**577.** Sir Nigel Sheinwald recorded that Mr Blair and President Bush spent most of their private meeting on 19 November discussing Iraq, drawing on Sir Jeremy’s paper, a copy of which Sir Nigel had also given to Dr Rice.<sup>324</sup>

**578.** At the end of the visit, Sir Nigel met Dr Rice to discuss follow-up.<sup>325</sup> During the discussion Dr Rice emphasised the need to “crush the insurgency hard”, mainly through better intelligence.

**579.** Politically, the GC had to work better, for which the Sunnis would be key. There was also a need to prioritise reconstruction projects. There was discussion about reuniting the international community, and Iraq’s neighbours.

**580.** Sir Nigel saw three elements to the post-CPA civilian arrangements: an international presence under some kind of UN umbrella; UK/US advisers inside the Iraqi ministries; and UK/US Missions or Embassies. Sir Nigel raised the question of contracts: the UK had done well in the first tranche and “hoped that DOD [Department of Defense] would give us a good crack of the whip in the oil and gas area, where three UK consortia had real expertise”.

**581.** Mr Blair and President Bush discussed the approach set out in Sir Jeremy’s paper once again when they met at Sedgefield at the end of the visit.<sup>326</sup> The meeting was a private one, but Sir David Manning reported that Mr Blair had interpreted the response as positive, and had stressed the importance of “effective follow-up”.

**582.** Soon after the announcement of the 15 November Agreement, reservations began to be expressed in the GC, in particular by Shia members, about its implementation.

**583.** Concerns raised at a meeting of the nine members of the GC’s rotating Presidency (the P9) on 21 November focused on the method of selecting provincial caucuses, the fate of the GC post-transition, a desire to protect the position of the Shia majority, a continued Coalition military presence and the lack of clarity on the UN’s role.<sup>327</sup>

**584.** Sir Jeremy reported that Ambassador Bremer had stressed the historic importance of the 15 November Agreement, and the commitment of Mr Blair and President Bush to it. Despite that, he was “willing to negotiate further some details”.

**585.** Despite the problems raised, Sir Jeremy commented that they did not appear “insurmountable” and no member of the GC seemed close to abandoning the Agreement altogether.

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<sup>324</sup> Letter Sheinwald to Adams, 20 November 2003, ‘Prime Minister’s Meetings with President Bush 19 and 20 November’.

<sup>325</sup> Letter Rycroft to Adams, 21 November 2003, ‘Iraq: Meeting with Condi Rice, 21 November’.

<sup>326</sup> Letter Rycroft to Adams, 21 November 2003, ‘Prime Minister’s Discussion with Bush, Sedgefield, 21 November’.

<sup>327</sup> Telegram 278 IraqRep to FCO London, 21 November 2003, ‘Iraq: Constitutional Process’.

**586.** A committee established by the P9 proposed five textual amendments on 23 November, including:

“... reforming the local and provincial councils, thereby ensuring ‘the highest possible degree of representation’; ensuring that security arrangements reaffirmed the sovereignty and independence of Iraq; asking the UN Secretary-General to appoint a representative to help in the political process; and defining a role for the IGC post-hand over and until a permanent Constitution is adopted.”<sup>328</sup>

**587.** Sir Jeremy reported that he and Ambassador Bremer would “remain firm on key principles”.

**588.** On 26 November, the JIC assessed security in Iraq.<sup>329</sup> It judged that the number of “significant incidents” had risen from 30 to 36 per day, though the frequency of significant attacks in MND(SE) had not increased and remained lower than in other parts of the country.

**589.** The JIC assessed that this was the result of increased involvement of “former regime elements” who had moved into MND(SE) from elsewhere:

“It does not, therefore, necessarily indicate a loss of local Shia support (there are some indications that this support may actually be increasing in MND(SE)).”

**590.** In addition to the ongoing threat from former regime elements, the JIC pointed to the threat to stability that came from “disaffected Iraqis – those without jobs, those who have been disadvantaged by the change in regime, or those who simply find the conditions of life worse than before the war”. It also assessed that, while Muqtada al Sadr’s supporters had “dwindled”, he still commanded “sufficient influence to be a threat, particularly in Najaf, Karbala and Baghdad”.

**591.** The Cabinet Office Annotated Agenda for the AHMGIR meeting the following day observed that:

“Although the number of security incidents has fallen in the last few days, it is too soon to say that this represents a trend to improved security.”<sup>330</sup>

**592.** The same document also recorded that Mr Jalal Talabani, President of the GC, had written to Mr Annan asking him to appoint a new UN Special Representative. A second letter set out the political timetable and asked the Security Council for a new resolution. Cabinet Office officials stated:

“The question of what future UNSCRs will be required to underpin the timetable is a matter for debate.”

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<sup>328</sup> Telegram 282 IraqRep to FCO London, 24 November 2003, ‘Iraq: Political Roundup’.

<sup>329</sup> [JIC Assessment, 26 November 2003, ‘Iraq Security’](#).

<sup>330</sup> Annotated Agenda, 27 November 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

**593.** On 27 November, Mr Straw told Cabinet that during his visit to Iraq he had been struck that the change to the political timetable had had a dramatic impact on the CPA and the GC, “New urgency had been imparted to both the political and security tracks.”<sup>331</sup>

**594.** On 27 November, Mr Sawers commented to Mr Straw’s Private Secretary that:

“... the ARRC is a high quality asset which, in these times of heavy demands on the security front, we should be looking to deploy ... Holding it back for the perfect task risks leaving it with nothing to do for far too long. The question is: Iraq or Afghanistan.”<sup>332</sup>

**595.** Mr Sawers went on to observe that “Iraq is the higher political priority for HMG”, but that there was a risk that deploying the ARRC to Iraq would either create complications with US troops and a dual chain of command or encourage the US to withdraw its troops prematurely. By contrast, Afghanistan was seen as a more immediate priority. Mr Sawers concluded that he inclined towards recommending the deployment of the ARRC to Iraq – the “greater strategic and political importance of the Iraq to the UK tips the balance”. Mr Sawers recommended that, as the forthcoming NATO Summit at Istanbul coincided with the planned transfer of sovereignty in Iraq, it might be an opportune moment to announce any decision to deploy the ARRC to Iraq.

### Impact of the political timetable on the CPA

Since May 2003, the CPA had been operating on the assumption that it would be responsible for the administration and reconstruction of Iraq until at least December 2004. CPA programmes and spending plans had been based on that assumption.

Mr Bearpark told the Inquiry:

“Once you know that your tenure is only going to be six months, even the most naïve planners knew that the objectives they had set were not going to be achieved within that period.”<sup>333</sup>

Sir Hilary Synnott told the Inquiry that the 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 – the six months would have been 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>334</sup>

Detail on the consequences for reconstruction activity can be found in Section 10.1.

<sup>331</sup> Cabinet Conclusions, 27 November 2003.

<sup>332</sup> Minute Sawers to Private Secretary [FCO], 27 November 2003, ‘Deployment of the ARRC’.

<sup>333</sup> Public hearing, 6 July 2010, page 44.

<sup>334</sup> Public hearing, 9 December 2009, page 47.

**596.** Towards the end of November, Mr Richmond wrote to Mr Crompton to look ahead at key issues for the seven months until the CPA came to an end in June 2004.<sup>335</sup> He listed:

- re-select Provincial Councils in a number of governorates;
- help draft the Transitional Administrative Law;
- organise the caucus elections and build up civil/political society;
- launch a nationwide political dialogue;
- keep a suspicious Shia majority on side while reassuring a resentful and angry Sunni population;
- avoid dealing with the security problems in ways which alienate the local population and establish a coherent security strategy to deal with the insurgency;
- decide on the post handover arrangements for the Multi-National forces;
- prioritise the outstanding economic issues ...”

**597.** He identified the most difficult issue in drafting the TAL as federalism, and in particular the status of the Kurdish north.

**598.** Mr Hoon told Parliament on 27 November that:

“As part of our routine management of the UK’s land deployment we intend shortly to conduct a roulement of our forces in theatre. This will begin with an incremental replacement of HQ 3 (UK) Division with a composite headquarters for MND(SE), the staff for which will be drawn from across UK Defence and from allies ... We expect the level of the Royal Navy and Royal Air Force presence in theatre to remain broadly stable ... We will continue to keep the size and mix of forces in theatre under careful review and we can expect to make further adjustments to our force structures ...

“While we remain determined to maintain appropriate forces deployed in Iraq and the wider Gulf region for as long as is necessary, we are equally determined that no forces should remain deployed for any longer than is necessary.”<sup>336</sup>

**599.** The exact total of deployed troops was not mentioned in Mr Hoon’s statement to Parliament.

**600.** On 27 November, Cabinet Office officials briefed the AHMGIR that “[Grand] Ayatollah [al-]Sistani, the senior and influential Shia cleric, is said still to have doubts over the legitimacy of the new [political] process.”<sup>337</sup>

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<sup>335</sup> Letter Richmond to Crompton, 27 November 2003, ‘Iraq: The Next Seven Months’.

<sup>336</sup> House of Commons, *Official Report*, 27 November 2003, columns 29-30WS.

<sup>337</sup> Annotated Agenda, 27 November 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

**601.** Shortly afterwards, Sir Jeremy Greenstock reported that:

“Efforts by the CPA to resolve the impasse ... over the 15 November Agreement were further complicated on 27 November by reports to the CPA governance team that [Grand] Ayatollah [al-]Sistani has come out in favour of direct elections to the TLA [Transitional Legislative Assembly].”<sup>338</sup>

**602.** In a statement on 28 November, Grand Ayatollah al-Sistani set out his “reservations” regarding the 15 November Agreement:

“Firstly, it is based on preparing the law of the Iraqi state, for the transitional period, through the Governing Council in conjunction with the Occupying Power – thus not providing it with legitimacy. For this (legitimacy) to be achieved it must be presented to representatives of the Iraqi people for approval.

“Secondly, the mechanism in place to choose members of the Transitional Legislative Assembly does not guarantee the establishment of an assembly that truly represents the Iraqi people. Therefore this mechanism must be replaced with one that guarantees the aforesaid, which is ‘elections’, so the Assembly will emanate from the desire of the Iraqi people and will represent them fairly without its legitimacy being tarnished in any way.”<sup>339</sup>

## December 2003

**603.** By 1 December, the GC had not agreed a way ahead in relation to Grand Ayatollah al-Sistani’s objections beyond creating a committee to discuss the mechanics of implementation.<sup>340</sup>

**604.** In early December, the Iraq Senior Officials Group concluded that “a new joined up approach to campaign planning [with the US] had not translated into reality on the ground”.<sup>341</sup>

**605.** Mr Blair and President Bush spoke by video conference on 4 December.<sup>342</sup> During the conversation Mr Blair underlined the importance of Iraqiisation, including involving the Sunni community and former Ba’athists. He suggested that the Coalition should aim to mobilise tribal leadership, as the UK was doing in the South. Mr Blair welcomed “improvements in co-ordination” and stressed that the focus should be on security.

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<sup>338</sup> Telegram 292 IraqRep to FCO London, 28 November 2003, ‘Iraq: Sistani Views’.

<sup>339</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>340</sup> Telegram 294 IraqRep to FCO London, 1 December 2003, ‘Iraq: Sistani Update’.

<sup>341</sup> Letter Dodd to Sheinwald, 1 December 2003, ‘Iraq: Senior Officials Group’.

<sup>342</sup> Letter Cannon to Adams, 4 December 2003, ‘Iraq: Prime Minister’s Video-Conference with President Bush, 4 December’.

**606.** A Force Level Review conducted in November and given to the Chiefs of Staff in December noted that the military tasks for the period ahead fell into two categories: counter-terrorism and security sector reform, most critically the Iraqi Police Service (IPS), the Border Police (IBP) and the Iraqi Civil Defence Corps (ICDC):

“Existing MND(SE) resources are insufficient to maintain security, in the event of politically inspired instability, and simultaneously train, mentor and monitor both the ICDC and the IPS/IPB. In order to achieve the necessary force levels an adjustment of in-place forces coupled with a moderate increase in force levels is needed. This should ensure concurrent CT [counter-terrorism] and SSR [security sector reform] success. Also by achieving early effect, MND(SE) should create the conditions for release of UK troops or their re-employment within Iraq.”<sup>343</sup>

**607.** On counter-terrorism, the review found that:

“... tasks have been reviewed and we will soon be able to reduce from four to three battalions for this commitment. The released battalion will be used for the mentoring and monitoring of the Iraqi Security Forces (ISF).”

**608.** The Force Level Review recommended:

“... the continued deployment of a surge battalion ... until Jun 04. The deployment of an additional battalion ... to provide in-theatre flexibility ... [and] a further two platoons of RMP [Royal Military Police], until a request for 40 civilian police is fulfilled, to operate in local police stations throughout the AO [Area of Operations], in support of battalion activity to improve the Iraqi Police Service (IPS) and Iraqi Border Police (IPB).”

**609.** The Chiefs of Staff were also reviewing the UK’s military strategy for Iraq.<sup>344</sup> A paper written by Lt Gen Fry in early December suggested that:

“If necessary the UK should be prepared to continue to employ maximum sustainable resources up to Land MS(+) and Maritime/Air SS to deliver campaign success.”

**610.** On resources, he advised that:

“The UK’s strategy must be one of ‘early effect’, which puts the achievement of campaign success above all else including concurrency and harmony guidelines.”

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<sup>343</sup> Minute Reith to PSO/CDS, 5 December 2003, ‘Op. TELIC Force Level Review – Nov 03’.

<sup>344</sup> Minute DCDS(C) to COSSEC, 5 December 2003, ‘Op TELIC – Review of UK Military Strategy for Iraq’.



**611.** A more detailed paper attached noted that the numbers of Army units deployed in operations (including Iraq) was greater than envisaged in the Defence Planning Assumptions (DPAs).<sup>345</sup> As a result:

“If the MOD seeks to return within DPAs then drawdown must be sought from ... other theatres, reflecting TELIC’s position as the UK’s military ME [Main Effort]. As the Coalition scale of effort reduces in Iraq the UK faces a choice: either UK military scale of effort decreases in step with the Coalition, or, UK military effort continues at MS [Medium Scale], proportionally increasing our contribution to the Coalition. The UK would therefore have greater ownership of the campaign and greater influence on its success. In this scenario, UK military deployment may not be limited to MND(SE).”

**612.** On 10 December, Sir Nigel Sheinwald chaired a video conference with Dr Rice and members of her team, including Ambassador Blackwill (who led in Washington on the Iraqi political process).<sup>346</sup> Ambassador Blackwill suggested that Grand Ayatollah al-Sistani’s stance seemed to be softening on direct elections, but the lack of a direct line of communication made this uncertain.

**613.** A day later, Mr Straw’s Private Secretary reported to Mr Rycroft that there had been little progress with the new political timetable, mainly because Grand Ayatollah al-Sistani had argued that members of the Transitional Legislative Assembly should be selected by direct election, rather than through the caucus elections outlined in the agreement.<sup>347</sup>

**614.** The Private Secretary added that Grand Ayatollah al-Sistani’s intervention had met strong opposition from most members of the GC and the CPA. No GC member was at that point pushing for direct elections but they were advocating changes in the way the caucus elections were organised, to ensure that Ba’athists did not re-emerge as a political force. They were trying to sell this approach to Grand Ayatollah al-Sistani. The CPA was prepared to be flexible on the implementation of the agreement, but not the principles.

**615.** On 13 December, US forces found and captured former President Saddam Hussein. He was hiding in a cellar in the town of al-Dawr, 15km south of Tikrit.<sup>348</sup>

**616.** Ambassador Bremer held a press conference, at which he said:

“The tyrant is a prisoner.

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<sup>345</sup> Minute DJtCs and Dir Sec IRAQ to COSSEC, 3 December 2003, ‘Op Telic – A DJtCs Review of UK military strategy for Iraq’.

<sup>346</sup> Letter Cannon to Owen, 10 December 2003, ‘Iraq: Video-Conference with US National Security Council’.

<sup>347</sup> Letter Owen to Rycroft, 11 December 2003, ‘Iraq: Political Process’.

<sup>348</sup> *BBC News*, 14 December 2003, *Bremer’s statement in full*.

“The economy is moving forward. You have before you the prospect of a sovereign government in a few months.

“With the arrest of Saddam Hussein, there is a new opportunity for the members of the former regime to end their bitter opposition.”

**617.** Mr Blair spoke to President Bush by telephone on 14 December and encouraged him to push “the Sunni strategy” when commenting publicly on the capture later that day.<sup>349</sup> The tone should be focused on reconciliation.

**618.** During Defence Questions on 15 December, Mr Hoon told Parliament that:

“A crucial component of our efforts in Iraq is the training of Iraqi security forces. That has been given added impetus by the acceleration of the political timetable agreed by the Iraqi Governing Council on 15 November. To accelerate the rate of training, there is a requirement for an additional infantry battalion and a contingent of Royal Military Police. The House will recall that I have previously announced the earmarking of a ready battalion for deployment on surge operations for that reason. I have decided that that battalion, the 1st Battalion the Argyll and Sutherland Highlanders, and two platoons of Royal Military Police, drawn from 101 and 156 provost companies should deploy in January for six months.”<sup>350</sup>

**619.** Briefing produced for Mr Hoon suggested the following line:

“Of course we would welcome additional contributions to the Multi-National effort in Iraq. But we can sustain our current force levels, and indeed temporary ‘surges’ such as the additional deployments I am announcing today. Our approach to Iraq is not driven by any sort of arbitrary targets for reducing our force levels there.”<sup>351</sup>

**620.** On 16 December, Mr Tim Dowse, Chief of the Assessments Staff, provided a note for discussion at a JIC meeting the following day.<sup>352</sup>

**621.** The purpose of the paper was to identify the main challenges to the Coalition’s plans for political transition. Among the risks it identified to achieving the various milestones in the transition timetable, were:

- The lack of security – this was judged to be the most serious threat to progress.
- Opposition from Grand Ayatollah al-Sistani, who was concerned to ensure proper recognition for the role of Islam within the Fundamental Law and who

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<sup>349</sup> Letter Rycroft to Adams, 14 December 2003, ‘Iraq: Capture of Saddam: Conversation with Bush, 14 December’.

<sup>350</sup> House of Commons, *Official Report*, 15 December 2003, column 1302.

<sup>351</sup> Email Iraq-sec 2 to SOFS-Private Office, 15 December 2003, ‘Additional NATO Lines’ attaching Note MOD [junior official], [untitled].

<sup>352</sup> Minute Dowse, 16 December 2003, ‘Iraq: Threats to Political Transition – JIC Discussion Note’ attaching Note [unattributed], 16 December 2003, ‘Iraq: Threats to Political Transition’.

favoured a general election (rather than the planned caucus approach) to select the transitional National Assembly.

- The destabilising effect of Muqtada al-Sadr, who was considered “unlikely to accept a transition process that does not facilitate a prominent role for himself and for the Shia. The Assessments Staff assessed that al-Sadr’s militia – the “Mahdi Army” – was poorly trained and organised, and the reported numbers (between 6,000 and 8,000) “may well be exaggerated”.
- Continued Sunni disaffection, though the arrest of Saddam Hussein – while likely to have a demoralising effect on some former regime elements – was considered likely to encourage more of the Sunni to feel that they could participate in the transition process without fear that the Saddam regime would return.

**622.** On Iran, Mr Dowse’s note reported:

“Iran wishes to promote Islam within Iraq, but no longer expects to see a mirror image of its own government in place. A successful Islamic democracy on its border is likely to fuel discontent among its own population and this will probably be a cause for concern in Tehran. It will, however, continue its support to SCIRI with the aim of securing Shia pre-eminence in the future political hierarchy. Passive support for groups such as Ansar al-Islam is also likely to continue as long as the Coalition remains in Iraq, but [we] stand by our judgement ... that while Iran may seek to gain influence ... it is unlikely that they would participate directly in anti-Coalition activity.”

**623.** On 17 December, the JIC assessed security in Iraq.<sup>353</sup> It recorded that:

“After a difficult November the number of attacks against Coalition Forces has fallen ... Most attacks continue to take place in Baghdad and in the Sunni Arab areas to the north and west.

“The UK area of responsibility is calmer.”

**624.** The JIC judged that most attacks against the Coalition continued to be carried out by Former Regime Elements.

**625.** The capture of Saddam Hussein, in the JIC’s opinion:

“... removes a figurehead, and will at least damage the morale of his supporters and offer encouragement to those many Iraqis who feared he could return. Coalition policies will need to take advantage of this opportunity.”

**626.** The JIC also judged that:

“Although we continue to see reports of alleged AQ personnel operating in Iraq and support networks elsewhere, we have no evidence linking AQ to specific attacks.”

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<sup>353</sup> [JIC Assessment, 17 December 2003, ‘Iraq Security’](#); [JIC Assessment, 7 January 2004, ‘Iraq Security’](#).

**627.** The Cabinet Office Annotated Agenda for the meeting of the AHMGIR on 18 December noted that:

“The capture of Saddam Hussein, though important politically, is unlikely to improve the security situation in the short-term. Saddam’s supporters may not give up easily and foreign fighters have different motivations.”<sup>354</sup>

**628.** Despite the recent fall in the number of security incidents, the agenda noted that “attacks on Iraqi security forces, particularly on police stations, continue” although MND(SE) remained relatively quiet.

**629.** The Annotated Agenda recorded that the CPA was taking forward ideas for a National Reconciliation Strategy.

**630.** Following the capture of Saddam, 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.”

**631.** Responsibility for de-Ba’athification had been formally handed to the Governing Council on 5 November in CPA Memorandum No.7 (see Section 11.1 for further details).

**632.** Cabinet Office officials wrote that an impediment to Iraqi engagement in the 15 November Agreement was the further intervention of Grand Ayatollah al-Sistani. He had made clear his preference for the holding of direct elections rather than caucus elections to the Transitional Assembly, although he had not gone so far as to issue a fatwa. Instead, he had asked for UN views on the feasibility of direct elections.

**633.** The Cabinet Office judged that the Iraqiisation of security was “highly ambitious” based on the intention to withdraw Coalition military from cities, and for the Iraqi police to deal with terrorism, by April 2004.

**634.** The Annotated Agenda also discussed the role of women in Iraq, observing that all 10 members of the committee that would draft the TAL were male. Cabinet Office officials proposed that Ministers should agree to lobby Washington and the CPA for a quota of 25 percent female representation in every caucus nominating individuals to the TLA. The Agenda said that Iraqi women accounted for 60 percent of the total population.

**635.** Ministers were also told that Mr Annan had appointed Mr Ross Mountain to be his Acting Special Representative to Iraq. He would be based outside Iraq, travelling in as security permitted.

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<sup>354</sup> Annotated Agenda, 17 December 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

**636.** Mr Blair told Cabinet on 18 December that the capture of Saddam Hussein should enable more progress to be made in Iraq as it meant there was no focal point for opposition.<sup>355</sup>

**637.** Reflecting on events in a telephone conversation with President Bush on the same day, Mr Blair said that he saw the capture of Saddam Hussein as “not the end, but the beginning of the end”.<sup>356</sup>

**638.** Also on 18 December, Ambassador Bremer hosted a Campaign Review meeting in Baghdad – the first US/UK meeting to review strategy on Iraq – attended by senior civilian and military representatives, including Lt Gen Fry, Mr Webb and Sir Jeremy Greenstock.<sup>357</sup>

**639.** Gen Abizaid was reported to have commented on the importance of withdrawing as soon as it was possible once the Iraqi Civil Defence Corps and Iraqi police were in a position to assume control. In his view “many areas of MND(SE) were ‘almost there’”.

**640.** Lt Gen Fry observed that it was:

“... important for the Coalition to think strategically about deployment of resources. For example the UK might consider re-deploying some personnel and assets away from MND(SE) into either another geographical area or a function such as training.”

**641.** The record of this meeting is the first time the Inquiry has seen a reference to the US plans to restructure the Coalition military within Iraq. The new Multi-National Force HQ would be headed by a four-star general, and Gen Abizaid hoped that it would be possible for the UK to second a three-star general to serve as one of the deputies.

**642.** The discussion also covered finalising a Security Agreement which would allow Coalition Forces to operate after 1 July 2004. Negotiations were expected to focus on freedom of action for US forces and on Iraqi forces operating under US command.

**643.** Ambassador Bremer told those present that he had authorised US\$400m for job creation and essential services over the next six months, about half in Sunni areas.

**644.** On 19 December, Mr Sawers sent Mr Straw an ‘End of Term Assessment’ on Iraq, for “holiday reflection” and to inform any conversations Mr Straw might have with Secretary Powell over the Christmas period.<sup>358</sup>

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<sup>355</sup> Cabinet Conclusions, 18 December 2003.

<sup>356</sup> Letter Cannon to Adams, 18 December 2003, ‘Prime Minister’s Conversation with President Bush, 18 December’.

<sup>357</sup> Teleletter Greenstock to Adams, 19 December 2003, ‘US/UK Iraq Strategy Review Meeting’.

<sup>358</sup> Minute Sawers to Foreign Secretary, 19 December 2003, ‘Iraq: End of Term Assessment’.

**645.** Mr Sawers judged that:

“We are ending the year in better shape on Iraq than looked likely during much of the autumn. But we continue to face formidable problems inside Iraq if we are to maintain stability and deliver a handover of power to a Transitional Government in June 2004.”

**646.** Mr Sawers described increasing engagement on Iraq within the EU, and from the UN. On security, he wrote:

“... the critical aspect to get right is to ensure that Iraqisation moves ahead in step with Iraqi capability and the prevailing security conditions. We must not fall into the trap of equating numbers with capability.”

**647.** Short-term issues to be tackled included “the fuel crisis” through the Iraqi winter and drafting the TAL by the end of February 2004, but also:

“We will also have to find a solution to the problem of the Governing Council’s determination that they should continue to exist in some form after 30 June.”

**648.** At the end of December, Sir Jeremy Greenstock reported that he had spent the holiday period in bilateral discussions with key GC members.<sup>359</sup>

**649.** Discussions had clarified the difficulties faced by the GC in drafting the TAL. The main obstacles were: the mechanism for choosing the Transitional National Assembly, and Grand Ayatollah al-Sistani’s demands for elections; Kurdish efforts “to push for what amounts to secession”; and the future of the GC post-transition.

**650.** Sir Nigel Sheinwald told the Inquiry that the UK was in favour of sticking to the timetable set out on 15 November throughout the political process, despite “a lot of debate about whether things should be postponed or not because of security”.<sup>360</sup>

## January 2004

**651.** In his New Year telegram to the FCO, Sir Jeremy Greenstock wrote that the Coalition faced a significant challenge in the first six months of 2004 as they prepared to transfer sovereignty.<sup>361</sup>

**652.** The first of the “hurdles in front of us” was that:

“The violent opposition have capacity, people and materials in ineradicable quantities for this timescale, even if their strategic reach is limited.”

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<sup>359</sup> Telegram 333 IraqRep to FCO London, 29 December 2003, ‘Iraq: Political Developments’.

<sup>360</sup> Public hearing, 16 December 2009, pages 34-35.

<sup>361</sup> [Telegram 337 IraqRep to FCO London, 1 January 2004, ‘Iraq: Six Final Months of Occupation’.](#)

**653.** Sir Jeremy went on to say:

“We have a platform for eventual success here.

“That is the point of this telegram. This is a nasty environment. We are fundamentally unpopular ... To come out well, we need one more heavy investment of effort.

“For a start, there is no military dividend to count on during ... 2004. I gathered from my December contacts with MODUK that this is understood ... This theatre remains a security crisis. Our people need protection.

“... Hard, complex, manpower-intensive decisions are needed from now on. London cannot afford the luxury of manpower ceilings.”

**654.** Sir Jeremy concluded:

“In short, this thing is poised. There is so much at stake that we need to pull the odds just a bit further our way.”

**655.** On 4 January, Mr Blair visited Basra for the day.<sup>362</sup> The final item of his itinerary was a meeting with Ambassador Bremer, Sir Jeremy Greenstock and Sir Hilary Synnott at Basra Airport.

**656.** A briefing note from Mr Blair’s Assistant Private Secretary suggested that he should cover the following issues:

- Political process: how to handle Sistani and keep the 15 November timetable on track?
- Progress on bringing the Sunnis into the political process, including the implications of Saddam’s arrest.
- Post-1 July security arrangements between Iraq and the international community.
- Federalism and the Kurdish issue: Bremer’s views?
- Media.”

**657.** A record of the meeting said that:

“The Prime Minister was interested in how the political process would develop through the transition; how and when the UN could best be involved; and what civil and military US and UK structures we envisaged in place after the June transition.”<sup>363</sup>

**658.** The FCO was asked to provide a note on these points.

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<sup>362</sup> Minute Cannon to Prime Minister, 2 January 2004, ‘Visit to Basra’.

<sup>363</sup> Letter Cannon to Owen, 5 January 2004, ‘Iraq: Prime Minister’s Meeting with Bremer, 4 January 2004’.



**659.** The Assistant Private Secretary also recorded that Ambassador Bremer had briefed Mr Blair that Mr Richmond had been put in charge of the operational aspects of the CPA's 'Sunni strategy'. This included up to US\$250m in project funding, and attempts at political mobilisation. Sir Jeremy Greenstock observed "that there were signs that the Sunni tribal leadership was spontaneously taking an increased interest in the political process".

**660.** Ambassador Bremer had also offered his perspective on the impact of the capture of Saddam Hussein. In his judgement the "psychological impact of the arrest was significant on those who either hoped for or feared the restoration of the old regime".

**661.** Sir Jeremy Greenstock called on Mr Blair on 8 January.<sup>364</sup>

**662.** On the political process, Sir Jeremy told Mr Blair that there was a genuine risk of a fatwa by Grand Ayatollah al-Sistani against the proposed caucus procedure, and that in such a case the Coalition could not afford to back down.

**663.** Sir Jeremy told the Inquiry that his engagement with the GC and others was "an inadequate interface": he and Ambassador Bremer were very conscious that they couldn't have a direct conversation with Grand Ayatollah al-Sistani as he refused to have any direct dealings with the CPA.<sup>365</sup>

**664.** In their video conference on 6 January Mr Blair and President Bush discussed the UN role in the political process and agreed it was important.<sup>366</sup> Mr Blair suggested that Mr Annan should say that direct elections to the Transitional Assembly were impractical, giving Grand Ayatollah al-Sistani a "way to row back from his call for direct elections".

**665.** The discussion then moved on to media issues. Mr Blair commented that he had been struck by the high level of satellite TV coverage in Iraq and the absence of Iraqi politicians using the media effectively. Relying on word of mouth enhanced the power of religious and tribal leaders. Mr Blair suggested that improved media would allow the Coalition to reach the Iraqi public that bypassed those intermediaries.

**666.** Before the video conference, Mr Scarlett had briefed Mr Blair based on a draft of the 7 January JIC Assessment.<sup>367</sup>

**667.** In its 7 January Assessment, the JIC considered the security situation in Iraq.<sup>368</sup> It reported that a downward trend in the number of attacks against Coalition Forces continued, but that it was too soon to judge whether it would last. Some attacks were showing increasing sophistication and co-ordination. There had been no significant change in MND(SE).

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<sup>364</sup> Letter Cannon to Owen, 8 January 2004, 'Iraq: Prime Minister's Meeting with Sir Jeremy Greenstock'.

<sup>365</sup> Private hearing, 26 May 2010, page 55.

<sup>366</sup> Letter Cannon to Adams, 6 January 2004, 'Iraq: Prime Minister's Video-Conference with President Bush, 6 January'.

<sup>367</sup> [Minute Scarlett to Cannon, 6 January 2004, 'Iraq Security'](#).

<sup>368</sup> [JIC Assessment, 7 January 2004, 'Iraq Security'](#).

**668.** The JIC identified:

“... a growing weight of evidence suggesting that ... [Abu Musab] al- Zarqawi, who has a longstanding relationship with AI, is beginning to play a leading role in co-ordinating the activities of some mujahedin groups. Indications that AI, al-Zarqawi and possibly AQ are co-ordinating activity and consolidating their presence represent a worrying development ... We remain unclear as to the capabilities of these various Islamist extremist groups and cannot link them to specific attacks. However, reporting shows that they continue to plan and conduct attacks, including suicide bombings, and could pose an increasing threat to Coalition interests. There is reporting that Islamist extremists regard the capture of Saddam Hussein as providing an ideological vacuum that can be exploited in Sunni areas.”

**669.** In January, the UK was keen to persuade the UN to become more involved in the political process, although the UN was initially minded not to engage on the ground until after the handover to Iraqi sovereignty on 1 July.<sup>369</sup>

**670.** The UK hoped that the UN would decide that direct elections to the Transitional National Assembly were not possible, and would confirm this to Grand Ayatollah al-Sistani, which would assist him in withdrawing his objections to the caucus arrangements.

**671.** The UK also hoped that the UN could become involved by at least observing the caucus elections. UK officials noted that, having sought to exclude the UN, the US now saw UN involvement in organising the caucus elections and drafting the TAL as a way out of their problems.

**672.** UK officials considered that, given Grand Ayatollah al-Sistani’s resistance, they needed to have a fall-back position. The US, and UK Ministers, remained wedded to a transition on 30 June. An alternative to caucus elections, although less legitimate, would be to use the GC to select TNA members from the Governorates.

**673.** A statement issued by the office of Grand Ayatollah al-Sistani on 11 January said that he had explained to the President of the GC his continued objections to the 15 November process, and their consequences, including:

“... if the provisional national council was formed on the basis of a mechanism that did not enjoy the necessary legitimacy, it would not be able and neither would the government emanating from it be able, to carry out their tasks and honour the timetable set for the transitional period. Consequently, this would create serious problems and the political and security situation would further exacerbate.”<sup>370</sup>

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<sup>369</sup> Minute Dodd to Sheinwald, 12 January 2004, ‘Iraq: Strategy Group’.

<sup>370</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.

**674.** Mr Hoon wrote to Mr Blair on 12 January about managing the UK defence capacity in the year ahead.<sup>371</sup>

**675.** Commenting on Mr Hoon's minute, Mr Straw concluded that "overall I would favour our investing more in Afghanistan, including deploying the ARRC when the conditions are right, to ensure we deliver strategic success there. This may be eased by reductions in Iraq, from next year."<sup>372</sup>

**676.** When Mr Blair and President Bush spoke by video conference on 14 January, they discussed finding a way forward which would be supported by Grand Ayatollah al-Sistani, who was understood to be supportive of a UN role and willing to co-operate with the Coalition.<sup>373</sup>

**677.** At Cabinet on 15 January Mr Straw described the political process as "at a sensitive stage".<sup>374</sup> The role of elections in establishing transitional arrangements was causing difficulty between the CPA and Grand Ayatollah al-Sistani. Mr Blair reported that a conversation with President Bush had suggested that progress was being made in the contacts between Ambassador Bremer and the Grand Ayatollah.

**678.** In advance of a meeting between members of the GC and the UN in New York planned for 19 January, senior US and UK officials agreed their objectives for the UN's involvement in the political process.<sup>375</sup>

**679.** They hoped that by late February the UN would give an opinion on the possibility of conducting elections for the TNA. In the event that elections were not possible they hoped the UN would offer advice on a fully transparent method of choosing representatives to the TNA, consistent with the timetable set out in the 15 November Agreement.

**680.** On 18 January, a suicide attack within the Baghdad Green Zone killed more than 20 people, mostly Iraqi citizens.<sup>376</sup> The FCO observed that this showed that "a serious terrorist threat remains. But underlying trends are encouraging. The number of attacks against the Coalition recently fell below 150 a week for the first time since September."

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<sup>371</sup> [Minute Hoon to Blair, 12 January 2004, '2004: Managing UK Defence Capacity'](#).

<sup>372</sup> [Minute Straw to Blair, 20 January 2004, '2004: Managing UK Defence Capacity'](#).

<sup>373</sup> Letter Cannon to Adams, 14 January 2004, 'Iraq: Prime Minister's Video-Conference with President Bush, 14 January'.

<sup>374</sup> Cabinet Conclusions, 15 January 2004.

<sup>375</sup> Letter Rycroft to Owen, 15 January 2004, 'Iraq: Sistani, the UN, Elections etc'.

<sup>376</sup> Report FCO, 22 January 2004, 'Iraq: Weekly Update: 22 January 2004'.

**681.** Gen Jackson visited Iraq again from 15 to 18 January and noted a changed atmosphere since September:

“There is a real sense of improvement in all areas and especially in security. Whilst there is still much to play out, particularly in the political piece, the impression is that the Coalition has turned a very significant corner. Notwithstanding the most recent and large VBIED [Vehicle Borne Improvised Explosive Device] attack on the day of our departure, there has been a significant downturn in incidents against the Coalition.”<sup>377</sup>

**682.** On 19 January, a small delegation of GC members visited New York at the invitation of Mr Annan to discuss the UN’s role up to July 2004 and how it could assist after that with drafting the Constitution and with holding elections.<sup>378</sup>

**683.** At the meeting, the UN agreed to consider sending a specialist team to examine the feasibility of elections before July 2004.

**684.** The Annotated Agenda for the AHMGIR’s meeting on 22 January reported that Mr Annan had signalled his intention to appoint Mr Lakhdar Brahimi, his retiring Special Adviser on Afghanistan, as his Special Adviser on Iraq.<sup>379</sup>

**685.** Mr Brahimi’s appointment was welcomed by the UK, although there were concerns that the UN team might suggest that direct elections were possible prior to July 2004, or that they were essential to underwrite a transitional government, and that the transition should be delayed.

**686.** In a video conference with President Bush on 20 January, Mr Blair offered the view that Iraqi political opinion was becoming increasingly diverse as a result of “democratisation”.<sup>380</sup> The US and UK had to get the June 2004 transition and the Security Agreement right.

**687.** The paper requested from the FCO on 5 January, covering the political process through transition, how and when the UN could best be involved and what civil and military US and UK structures were envisaged after the June transition, was provided to Mr Rycroft by Mr Straw’s Private Secretary on 22 January.<sup>381</sup>

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<sup>377</sup> [Minute CGS to CDS, 21 January 2004, ‘CGS Visit to Op TELIC 15-18 Jan 04’.](#)

<sup>378</sup> Telegram 319 IraqRep to FCO London, 21 December 2003, ‘Iraq: Progress on Fundamental Law’.

<sup>379</sup> Annotated Agenda, 22 January 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>380</sup> Letter Cannon to Adams, 20 January 2004, ‘Prime Minister’s video-conference with President Bush, 20 January: Iraq, MEPP, US Politics’.

<sup>381</sup> [Letter Owen to Rycroft, 22 January 2004, ‘Iraq’ attaching Paper \[unattributed\], \[undated\], ‘Iraq: The Next Six Months’ including manuscript comment Blair.](#)

**688.** The paper entitled 'Iraq: The Next Six Months' described UK objectives as:

- “– a smooth transition of executive power on 1 July to a sovereign Iraqi transitional government that is regarded domestically and internationally as legitimate:
- a Security Agreement which allows Multinational Forces the freedom they need to operate, but which does not look like an extension of the Occupation ...
- 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.”

**689.** The main challenges were agreeing how the TNA would be appointed, in a manner that Grand Ayatollah al-Sistani would accept; defining the terms of Kurdish autonomy; and securing Sunni engagement.

**690.** On the first, it was hoped that the UN's assessment of whether elections were feasible would help, but it also risked delaying the handover until the autumn. On the second, the FCO judged that the Kurdish “bottom line will be that they will not accept less autonomy than they have now. This should be achievable.”

**691.** Agreeing the basis on which Coalition Forces would remain in Iraq after handover was potentially an even larger problem.

**692.** In a section on 'Security Structures', officials identified that the key challenge was to ensure “an agreement that gives Multi-National Forces the operational freedom to meet our objectives, but offers the Iraqis sufficient sense of sovereignty and strategic input to avoid alienating them and international opinion”. The paper noted that:

“... historical precedents are instructive. The UK tried and failed three times to conclude an agreement for British forces in Iraq in the 1920s – each time the agreement was undermined by nationalist demonstrations.”

**693.** The paper outlined that the UK and US agreed on “red line requirements” for a Security Agreement, but identified differences, including that the US had not taken on board that a number of multi-national partners would require Iraqi consent/invitation and UN authorisation to be in place before they could confirm their continued contribution after transition.

**694.** The paper identified the UK's view of the key elements of the Security Agreement as:

- “– At the invitation of the Iraqi government, Multi-National Forces will continue to be present in Iraq, authorised by a UN resolution, to ensure stability and security. For this they would require freedom of action in certain definable respects, and the right to detain, to continue WMD investigations, and to seize intelligence material.

- The Commander of the MNF will retain sole operational control of the Multi-National Forces in Iraq and report to the UNSC along the lines of arrangements for ISAF [International Security Assistance Force] in Afghanistan.
- Multi-National Forces will also require operational control of Iraqi forces ...
- Iraqi sovereignty must be preserved by ensuring a role for the Iraqi Government at the strategic level and with provision for consultation over all elements of implementation of the Security Agreement, though without relinquishing MNF operational control ...
- The Agreement should emphasise the role of the Multi-National Force in building the capacity of Iraqi forces to take over security responsibilities through continued programmes of recruitment, training, mentoring, monitoring, and advice.”

**695.** The paper explained that a further UN resolution enshrining the terms of the Security Agreement would be an important safety net. Although resolution 1511 provided an adequate legal basis for the political transition and the presence of the MNF, the UK saw value in a new resolution that endorsed:

- the TAL;
- the timetable in the 15 November Agreement;
- the Security Agreement; and
- the powers of the newly-appointed UN Special Adviser Mr Brahimi.

**696.** Mr Blair annotated the document “this is excellent and seems the right strategy”.

**697.** In ‘Iraq: The Next Six Months’ the FCO also outlined that the CPA’s outreach programme was gaining momentum, and that there were some encouraging indicators that the Sunni community was seeking to re-engage with the political process.

**698.** A new Council of Sunni Communities – a grouping of Sunni religious leaders – had formed. Members of the GC had held a large meeting with Sunni community leaders the previous week in which the theme was national reconciliation. The FCO indicated that the UK would continue to push this message, and the need for real practical measures, including job creation, to underpin Sunni outreach.

**699.** In a minute to Mr Straw on 26 January, Mr Sawers highlighted the “real risk” of pushing “Iraq so fast down the road to democratic politics that it crashes in a welter of intra- and inter-communal violence”.<sup>382</sup>

**700.** Sir Hilary Synnott’s posting in Basra came to an end in January 2004. He was replaced by Mr Patrick Nixon, former British Ambassador in Abu Dhabi.

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<sup>382</sup> Minute Sawers to Foreign Secretary, 26 January 2004, ‘Iraq: Political Process’.

**701.** On 26 January, Sir Hilary sent a valedictory telegram<sup>383</sup> from Basra.<sup>384</sup> In it he reflected on progress since the invasion:

“History may judge the initial stages harshly. From my immediate and close perspective ... it is difficult not to take a similar view. But I am also optimistic that ... the underlying objective ... of a peaceful, prosperous democratic (of a sort) and un-threatening Iraq, is achievable ... although some serious obstacles remain in the way.”

**702.** Sir Hilary’s conclusion was that:

“... the balance of probability is positive. In the South, at least, there has been progress on each of the Prime Minister’s priorities and it is hard to recall just how bleak things looked last summer.”

**703.** On the political process, Sir Hilary observed that:

“The political wrestling is largely being conducted in Baghdad, London and Washington. We in the Provinces, remote from the Governing Council and its appointed ministers, can only facilitate political debate, observe, and report that the complexities of the caucus process for indirect elections has found no favour ...

“The challenges remain enormous. Some movement must be made towards Sistani while avoiding wholesale erosion of the CPA/GC position and a political vacuum.”

**704.** Sir Hilary’s observations on deployment of civilian resources are described in Section 15.1, and on progress of reconstruction in Section 10.1.

**705.** Mr Blair told the Inquiry that, although there was “anxiety and concern occasionally flagged up very strongly” in Sir Hilary’s telegrams, when he left in 2004 Sir Hilary was “on balance optimistic, not pessimistic”.<sup>385</sup>

**706.** Sir Hilary wrote to the Inquiry, in response to Mr Blair’s evidence, to explain that his valedictory remarks should be viewed in the context of his contemporary proposals for a strategy to maintain the momentum of reconstruction after the CPA had dissolved.<sup>386</sup>

**707.** Sir Hilary observed:

“In the event my strategy was not accepted.”

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<sup>383</sup> Valedictory telegrams are an FCO tradition. They mark the sender’s departure from post, and generally include a summary of his/her reflections on their tenure.

<sup>384</sup> [Telegram 10 Basra to FCO London, 26 January 2004, ‘Basra Valedictory’](#).

<sup>385</sup> Public hearing, 21 January 2011, page 135.

<sup>386</sup> Statement Synnott, 24 January 2011.



**708.** On 28 January, the JIC assessed the prospects for political transition.<sup>387</sup> It judged:

“There are as yet no emerging political classes or individuals around which a national secular government might form under a national leader. In these circumstances, religious, regional and tribal figures may be more influential. Their interests are likely to clash.”

**709.** The Assessment continued:

“Although Coalition Forces have enjoyed some success against Islamist extremists recently, there are signs that senior Al Qaida (AQ) associate al-Zarqawi is now playing a significant role in co-ordinating mujahedin, and possibly AQ groups in Iraq ...

“We judge that the lack of security remains a major threat to progress. Unless tackled effectively, many of those who want to participate in the political process will be deterred ... unless they have physical protection, which will benefit organisations with private militias ...

...

“The larger political and religious groups in Iraq operate their own militias. These groups have become accepted as local law-enforcement agencies in some areas, and the transition process will be vulnerable to their influence.

...

“Grand Ayatollah al-Sistani is pre-eminent among the moderate Shia clergy. He is emphatic that he does not seek a personal political role, but he ... insist[s] on the Iraqi population having a democratic voice in the political process ...

“Sistani’s influence is considerable, and extends to the Arab Sunni community ... Any pronouncement he makes on political matters is likely to have an impact, possibly resulting in loss of Shia support or their withdrawal from the process ... In Basra, Sistani’s representative is inclined towards peaceful co-existence with the Coalition, but adheres strongly to Sistani’s line on the political process and recently instigated a demonstration by some 60,000 people ...

“Muqtada al-Sadr poses a threat to stability, particularly in Najaf, Karbala, and Baghdad ... We judge that his support will remain limited, but that he remains capable of provoking localised disorder.”

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<sup>387</sup> JIC Assessment, 28 January 2004, ‘Iraq: Prospects for Political Transition’.

**710.** At the end of January 2004, a Force Level Review by Lt Gen Reith recommended that:

“Significant manpower savings may be possible through a rationalisation of security and support.”<sup>388</sup>

and that:

“Given the right conditions there will be no need to replace the SSR battalion ... and the surge battalion ... in Jul 04 ... The intent is progressively and prudently to reduce the Division’s footprint so that, by Jul 04, the Iraqi Security Forces are well placed to assume their part in Regional Control. This draw down of UK forces will continue until the major roulement in Nov 04.”

**711.** Those recommendations were based on an assumption that Security Sector Reform would be implemented “largely as planned (but only to applicable standards for Iraq)”.

**712.** The basis for a continued military presence in Iraq post-handover remained unresolved.

**713.** Gen Jackson had returned from his visit “surprised at just how immature the plans for transition of authority on 1st July 2004 remain” and had concluded that “any partnership between the Coalition and the ITA [Iraqi Transitional Administration] should, in effect, make Iraq ‘part of the Coalition’”.<sup>389</sup>

**714.** The Iraq Senior Officials Group, chaired by Mr Bowen, discussed the Security Agreement on 28 January. By this time “UK non-papers on the Security Agreement and post-transition security architecture had been fed into the US system”.<sup>390</sup>

**715.** The US position was uncertain, but it was believed that US officials were likely to recommend a “high degree of Coalition military control post-transition” which “did not sit well with our desire for prominent Iraqi security leadership after 1 July”.

## February 2004

**716.** In early February, a draft of the Transitional Administrative Law (TAL) was leaked and published in full by a Kuwaiti newspaper.<sup>391</sup> It contained language which implied that the transitional government would have control over all security forces in Iraq, including those belonging to the Coalition.

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<sup>388</sup> Minute Reith to PSO/CDS, 29 January 2004, ‘Op TELIC Force Level Review – Jan 04’.

<sup>389</sup> [Minute CGS to CDS, 21 January 2004, ‘CGS Visit to Op TELIC 15-18 Jan 04’](#).

<sup>390</sup> Letter Dodd to Buck, 28 January 2004, ‘Iraq: Senior Officials Group’.

<sup>391</sup> Letter Manning to Sheinwald, 4 February 2004, ‘Iraq Meeting with Blackwill, NSC: 4 February’.

**717.** This language was “incendiary”, and the US National Security Council was reported to have instructed Ambassador Bremer to remove all references to security from the draft.

**718.** Mr Straw’s Private Secretary reported to Mr Blair’s Private Office that progress on the TAL was “steady”.<sup>392</sup>

**719.** Briefing prepared for Mr Blair in advance of a conversation with President Bush outlined the difficult issues for the TAL, which included national security and federalism.

**720.** The FCO was concerned that the TAL had become too detailed, and was no longer the simple framework document on structures and principles originally envisaged, making it difficult to explain to the public and potentially raising objections from Grand Ayatollah al-Sistani and others.

**721.** In a video conference on 4 February, Mr Blair suggested to President Bush that engagement in Iraq was an opportunity for the UN to re-establish its credibility; it could also provide an “insurance policy” for the Coalition on the Iraqi political process.<sup>393</sup>

**722.** In early February, the Chiefs of Staff considered whether or not the UK should deploy the HQ ARRC to Afghanistan and concluded that the UK should consider doing so in early 2005.<sup>394</sup>

**723.** On 9 February, Mr Llewellyn received a letter from Ms Adams.<sup>395</sup> It recorded advice given by Professor Christopher Greenwood QC, with which the Attorney General agreed, in response to questions from Mr Llewellyn. Those questions were about the status of the CPA plus the UK’s obligations as Occupying Power and under the European Convention of Human Rights.

**724.** Mr Llewellyn described the main conclusion of Ms Adams’ letter as:

- It was likely that the CPA would be found to be a body constituted by the US and UK, for which the two States had joint responsibility under international law. It was likely that this would mean that the UK could be held responsible for legislation adopted by the CPA which infringed Occupation law. The fact that UK officials may have attempted to get the legislation amended would not be relevant because “Bremer acts on behalf of the UK in authorising CPA legislation.”

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<sup>392</sup> Letter Owen to Cannon, 3 February 2004, ‘Iraq: Prime Minister’s VTC with President Bush: Wednesday 4 February’ attaching Briefing ‘Iraq: Prime Minister’s VTC with President Bush: Wednesday 4 February’.

<sup>393</sup> Letter Cannon to Adams, 4 February 2004, ‘Prime Minister’s video-conference with President Bush, 4 February’.

<sup>394</sup> Note Secretary of State [FCO], 6 February 2004, ‘Afghanistan’.

<sup>395</sup> Letter Llewellyn to Crompton, 25 February 2004, ‘Iraq: Attorney General’s Advice: The Extent of the UK’s International Obligations in Iraq’.

- There was a serious chance that the UK could be regarded as being an Occupying Power jointly with the US throughout the whole of Iraq. There was a much clearer case that the UK is an Occupying Power within MND(SE).

**725.** Mr Llewellyn commented:

“These conclusions are not a surprise. They confirm the advice that we have given throughout the period of occupation. In particular, we have assessed all draft CPA legislation against occupation law ... We have been largely successful in keeping the legislation within the UK’s international legal obligations, but the following are areas of risk ...”

**726.** Mr Llewellyn then listed several provisions within the CPA’s orders and regulations which he was concerned that the CPA may not have had the authority to make, or where the UN representative had not been consulted as required by resolution 1483.

**727.** On 9 February, FCO officials provided Mr Cannon with a brief for a planned video conference between Mr Blair and President Bush.<sup>396</sup> They judged the priority for the discussion to be the Security Agreement. The US had a different approach to the UK: they did not believe it worthwhile to attempt to negotiate an agreement with the Iraqis on security because any agreement made with the GC would be invalid after 30 June.

**728.** Instead, the US believed that resolution 1511 authorised an MNF presence after 30 June and that CPA Order 17, which provided for immunities for Coalition Forces, would remain valid after the handover. UK lawyers doubted this interpretation, while policy officials were concerned that the other permanent members of the UN Security Council would claim that, without a new agreed basis for the Coalition presence, the occupation was continuing.

**729.** More importantly for the UK’s military objectives, the lack of a new UN authorisation could cause difficulties for the Coalition’s key partners in the MNF. Mr Blair was advised that the best course would be an exchange of letters between the GC and the Coalition, followed by a further resolution endorsing the continued MNF presence.

**730.** The covering note from Mr Straw’s Private Secretary said that reporting from Washington and Baghdad suggested the US was considering delaying the 30 June handover. She suggested that in the video conference:

“The Prime Minister might underline the damage any postponement would do to our credibility inside Iraq and internationally.”

**731.** In a background note appended to the brief there was some positive news of “growing evidence that Sistani is resigned to no elections before June”.

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<sup>396</sup> Owen to Cannon, 9 February 2004, ‘Iraq: Prime Minister’s VTC with President Bush’.

**732.** Mr Blair’s Assistant Private Secretary advised him to argue for maintaining the end of June deadline in his conversation with President Bush, because:

“We think that a postponement will damage our credibility (looking as though we intended to stay on indefinitely); the UN won’t engage before the end of ‘occupation’; we risk deterioration in security if the US/UK remain as the primary targets; and the Iraqi political vacuum will continue until we force the Iraqis to face up to real responsibility.”<sup>397</sup>

**733.** Sir Nigel raised the possibility of a further resolution with Dr Rice on 9 February at which point she was not in favour.<sup>398</sup> He recorded that “her key point was that we should do nothing to undermine the value of UNSCR 1511”.

**734.** In his conversation with President Bush on 10 February, Mr Blair said that it was vital the 30 June deadline held firm.<sup>399</sup>

**735.** The Cabinet Office’s Annotated Agenda for the meeting of the AHMGIR on 12 February stated that the US position that there was no need for a Security Agreement with Iraq post-transition had hardened but no final decisions had yet been taken in Washington.<sup>400</sup> Ministers were advised that it was worth seeking to influence the US by pressing the political and military drawbacks, rather than the legal objectives.

**736.** Work to draft the TAL continued towards the deadline for publication on 28 February.<sup>401</sup>

**737.** Drafting progress was slowed in early 2004 by a combination of the Eid holiday, the distraction of a visit by Mr Brahimi and his team, and ongoing discussion of the issues surrounding Kurdish federalism.<sup>402</sup>

**738.** Mr Brahimi and a UN team had visited Iraq for ten days in early February. Cabinet Office officials briefed the AHMGIR that:

“Brahimi’s early contacts with Bremer and Greenstock suggest UN doubts about elections and the caucus process prior to 30 June with a preference for Afghanistan models (e.g. a national conference or national government of technocrats).”

**739.** Cabinet Office officials observed that with that model “we would still face the problem of how to select the representatives of a national conference or government”.

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<sup>397</sup> Minute Cannon to Prime Minister, 10 February 2004, ‘Video-conference with Bush, 10 February’.

<sup>398</sup> Letter Sheinwald to Adams, 9 February 2004, ‘Iraq’.

<sup>399</sup> Letter Cannon to Adams, 10 February 2004, ‘Prime Minister’s video-conference with President Bush, 10 February’.

<sup>400</sup> Annotated Agenda, 12 February 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>401</sup> Annotated Agenda, 26 February 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>402</sup> Annotated Agenda, 12 February 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

**740.** On 12 February, Mr Straw told the AHMGIR:

“Brahimi ... and [Grand Ayatollah al-] Sistani had met and agreed that direct elections should take place but had not specified the timing. Neither wanted direct elections before June ... We were leaving decisions on the TNA [Transitional National Assembly] selection process to Brahimi and the UN team.”<sup>403</sup>

**741.** An FCO paper on ‘UK Representation in Iraq Post-Transition’ was discussed at the same meeting of the AHMGIR on 12 February. It contained proposals for an Embassy in Baghdad, a Consulate General in Basra and a representative in the North.

**742.** The paper stated that the estimated combined start-up and running costs for Baghdad and Basra would be over £50m in 2004/05. If the UK presence remained the same size, annual running costs would be around £36m thereafter, of which £22m would be for security.

**743.** Ministers agreed the shape of British representation and tasked officials to consider the practicalities, including funding.

**744.** Separately, the paper suggested that consideration needed to be given to how international assistance in the South should be co-ordinated after CPA(South) closed on 30 June. The AHMGIR requested a paper on co-ordination of the international effort in the South, for discussion at its next meeting.

**745.** Mr Straw told Cabinet on 12 February that two recent large bomb attacks were believed by a minister in the GC to have been organised by “infiltrators” with support from inside Iraq but “such attacks would not be allowed to destabilise the political process”.<sup>404</sup>

**746.** Sir Jeremy Greenstock reported on 14 February that he was not being consulted by Ambassador Bremer on the TAL, and that he had sent a formal note reminding him that the UK was one of the Occupying Powers, and could not agree to the TAL arrangements unless properly consulted.<sup>405</sup>

**747.** Ambassador Bremer had said that the matter was out of his hands and had been determined in Washington.<sup>406</sup>

**748.** After Sir David Manning spoke to Mr Straw and then to the US, including Dr Rice, channels of communication and consultation were restored.

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<sup>403</sup> Minutes, 12 February 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>404</sup> Cabinet Conclusions, 12 February 2004.

<sup>405</sup> File note Manning, 17 February 2004, ‘Iraq’.

<sup>406</sup> File note Straw, 16 February 2004, ‘Sir Jeremy Greenstock’.

**749.** Mr Blair was advised by Sir Nigel Sheinwald that although there was some tension in US/UK relationships on the ground in Baghdad, “The Americans of course accept in principle that, as Occupying Powers, we have legal and political responsibilities and must be consulted properly.”<sup>407</sup>

**750.** Sir Jeremy Greenstock told the Inquiry:

“I felt that if I was being cut out of politics ... then I really wasn’t able to do my job as London had asked me to do it. I don’t think this was a matter of Bremer not wanting Greenstock in the room. It was a matter of Bremer wanting to sort out differences in Washington without there being a non-American in the room. But I felt that even that was off-side for my relationship with Bremer.”<sup>408</sup>

**751.** Sir Jeremy added:

“So we constantly had to press to get in to relevant meetings because it was becoming increasingly difficult for Bremer to run the CPA with Washington, with Blackwill inserted to watch over his shoulder, and he just didn’t want to complicate his own life.”<sup>409</sup>

**752.** In spite of the complexities of the relationship, Sir Jeremy explained:

“I always felt that I – whether Bremer was aware of it or not, I was doing something useful. For instance, in the negotiations with the Kurds over the TAL, where I prevented the Kurds walking out, which Bremer wasn’t aware of, in the final stages and negotiated some of the text with TAL when Bremer wasn’t in the room. I always had something useful to do. I never had enough scope to do everything that I thought would be useful.”<sup>410</sup>

**753.** In advance of Mr Brahimi’s report to the Security Council of his visit, Mr Crompton wrote to Mr Straw’s Private Secretary on 16 February that his key findings would be:

- “• that elections to a Transitional National Assembly are not possible before 30 June;
- that there should be elections some time between December 2004 and March 2005 to an assembly with twin responsibility for legislating and drafting the Constitution;
- that in the interregnum Iraq should be ruled by a caretaker government.”<sup>411</sup>

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<sup>407</sup> Minute Sheinwald to Prime Minister, 16 February 2004, ‘Iraq: Sir Jeremy Greenstock’.

<sup>408</sup> Private hearing, 26 May 2010, pages 62-63.

<sup>409</sup> Private hearing, 26 May 2010, page 63.

<sup>410</sup> Private hearing, 26 May 2010, page 64.

<sup>411</sup> Minute Crompton to PS [Foreign Secretary], 16 February 2004, ‘Iraq’ attaching Briefing ‘Prime Minister’s VTC with President Bush: 17 February’.



**754.** It was not clear to the FCO whether Mr Brahimi's team would recommend what form the caretaker government should take. One option was that sovereignty would be transferred to the Governing Council. This:

“... may not be enough to mark a clear change from the Occupation and give sufficient domestic legitimacy.”

**755.** Grand Ayatollah al-Sistani was understood to have accepted Mr Brahimi's recommendations.

**756.** Sir Hilary Synnott and Mr Blair met in London on 17 February.<sup>412</sup> The purpose of the meeting was for Mr Blair to thank Sir Hilary for his efforts in Basra. The main point made by Sir Hilary during the discussion was that transition to Iraqi sovereignty could lead to a loss of momentum in reconstruction in the South after the dismantling of CPA(South). Mr Blair agreed that it needed to be maintained.

**757.** On 20 February, Sir Nigel Sheinwald, Mr Sawers and Sir David Manning met Dr Rice at the White House. Sir Nigel set out the UK's view that the Iraqi political structure post-handover should comprise:

“... a three to nine member Presidency; a technocratic Council of Ministers, headed by a Prime Minister; and an IGC expanded by representatives of the Governments<sup>413</sup> and nominated representatives.”<sup>414</sup>

**758.** It was common ground between the UK and US that the GC should be expanded in size. The post-transition arrangements were expected to be the subject of “six weeks of sustained effort” by Mr Brahimi in Iraq in mid-March.

**759.** In an account of the visit written for Mr Blair, Sir Nigel explained that the UK view was that the expansion of the GC should be substantial (to 75 or 100 members) in order to make it more representative; the US preferred a more modest expansion (to 35 or 50).<sup>415</sup> Sir Nigel advised that the UK should not be dogmatic.

**760.** Sir Nigel and Mr Sawers had argued for a new resolution to cover the UN role, transitional structures and security arrangements.<sup>416</sup> A letter from the GC to the Coalition on security was also suggested by the UK attendees as “an additional demonstration of Iraqi consent to the presence of Coalition Forces”. The note of the meeting concluded that there seemed to be agreement on this point.

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<sup>412</sup> Letter Cannon to Owen, 17 February 2004, 'Iraq: Sir Hilary Synnott'.

<sup>413</sup> The Inquiry believes that this is a typing error and should read “Governorates”.

<sup>414</sup> Letter Cannon to Owen, 21 February 2004, 'Iraq: Sir Nigel Sheinwald's Discussion with Condi Rice, 20 February'.

<sup>415</sup> Minute Sheinwald to Prime Minister, 21 February 2004, 'Visit to Washington, 20 February'.

<sup>416</sup> Letter Cannon to Owen, 21 February 2004, 'Iraq: Sir Nigel Sheinwald's Discussion with Condi Rice, 20 February'.

**761.** After returning to London, Sir Nigel wrote to Mr Geoffrey Adams, Principal Private Secretary to Mr Straw, to describe Mr Blair’s reaction to the visit report.<sup>417</sup> Mr Blair had noted:

“... there is a good degree of common ground between the UK and US ... and also that there are some differences, eg over the powers and size of the proposed Consultative Council”.

**762.** Mr Blair’s view was that:

“... we should continue to be flexible and open on these matters. If a particular solution emerges which works for the UN, Sistani and the IGC, it is likely to be acceptable to the UK.”

**763.** Secretary Powell told Mr Straw on 21 February that the Kurdish Regional Government had posted a four-page amendment to the TAL on its website, which included a provision giving them a veto in the national government.<sup>418</sup>

### Kurdish autonomy

Early in 2004, there was pressure from Kurdish political parties to use the draft TAL to entrench Kurdish autonomy.<sup>419</sup>

FCO officials believed that Ambassador Bremer’s proposed recognition within the draft TAL of Kurdistan’s Regional Government, which had been administering Northern Iraq effectively for 12 years, was the right approach, although Washington took a different view.<sup>420</sup>

A draft agreement on Kurdish autonomy simply acknowledged the status quo, making clear that more complex issues would have to be addressed as part of wider discussions on federalism by the eventual elected Constitutional Convention. Other ethnic and religious groups were reported as being wary of any hint of special treatment for the Kurds, equating calls for federalism with separatism, but these issues would have to be resolved among Iraqis themselves in 2005.

Ambassador Bremer and Sir Jeremy Greenstock appeared to succeed in persuading Washington on this, and the reference to the Kurdish Regional Government was retained in the draft text.<sup>421</sup>

Sir Jeremy told Mr Blair in February 2004 that “US handing of the federalism issue had wasted several weeks and cost a lot of Kurdish goodwill.”<sup>422</sup>

<sup>417</sup> Letter Sheinwald to Adams, 23 February 2004, ‘Iraq: Political Process’.

<sup>418</sup> Letter Straw to Sheinwald, 23 February 2004, ‘Conversation with US Secretary of State, 21 February’.

<sup>419</sup> Minute Dodd to Sheinwald, 12 January 2004, ‘Iraq: Strategy Group’.

<sup>420</sup> Letter Owen to Cannon, 3 February 2004, ‘Iraq: Prime Minister’s VTC with President Bush: Wednesday 4 February’.

<sup>421</sup> Letter Sheinwald to Adams, 14 February 2004, ‘Iraq’.

<sup>422</sup> Letter Cannon to Owen, 18 February 2004, ‘Iraq: Prime Minister’s Conversation with Sir Jeremy Greenstock, 17 February’.

**764.** On 23 February, Mr Annan wrote to the President of the Security Council to report Mr Brahimi's findings from his first visit to Iraq.<sup>423</sup> Mr Brahimi had identified three conditions which needed to be met before transitional elections could be held:

- a legal framework;
- an institutional framework; and
- availability of the required resources.

**765.** None of those conditions existed in Iraq and Mr Brahimi assessed that, even once they did, a minimum of eight months would be required to prepare for a credible election. He therefore considered it was not possible to hold an election by 30 June 2004, when the transfer of sovereignty was due to take place.

**766.** Mr Brahimi therefore concluded that a provisional government would need to be formed by 30 June through some mechanism other than direct elections. He considered that while the caucus-style system envisaged by the 15 November Agreement was one such mechanism, it did not have enough support among Iraqis. Instead, Iraqis should work together with the CPA and the UN to engage in a focused dialogue on the mechanism to which sovereignty would be transferred on 30 June.

**767.** More broadly, Mr Brahimi judged that:

“There are many indications of a growing fragmentation of the political class. Sectarianism is becoming entrenched and inter-communal politics more polarized, all within a context of a political process that remains limited to a few actors, with varying credibility.”

**768.** Mr Blair and President Bush spoke by video conference on 24 February.<sup>424</sup> Mr Blair proposed that the Consultative Council should be large enough to make it as representative as possible, allowing room for currently unrepresented elements of the Sunni community.

**769.** On 24 February the UK/US also reported, for the third time, to the UN on the Coalition's activities in Iraq.<sup>425</sup>

**770.** A telegram from UKMIS New York, describing the report, quoted Ambassador Negroponte telling the Security Council that:

“Resolving the elections question now provided an opportunity for Iraqis and the CPA to engage in a dialogue on the mechanism through which sovereignty would be transferred on 30 June. The Iraqi people, the Governing Council, the Coalition

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<sup>423</sup> Letter Secretary-General to President of the Security Council, 23 February 2004 attaching Report ‘The political transition in Iraq: report of the fact finding mission’.

<sup>424</sup> Letter Cannon to Adams, 24 February 2004, ‘Iraq: Prime Minister's Video-Conference with President Bush, 24 February’.

<sup>425</sup> Telegram 162 UKMIS New York to FCO London, 25 February 2004, ‘Iraq: UK/US update to the Security Council: 24 February’.

Provisional Authority and the United Nations would work to reach agreement on a transition mechanism that would have the broad-based support of the Iraqi people.”

**771.** The same telegram recorded the UK report to the Security Council on progress in the provision of basic services, economic and reconstruction issues as well as judicial reform and human rights. Summarising other Security Council members’ reactions, UKMIS New York said that:

“Council members generally support the Brahimi report. Many raise questions about the Transitional Administrative Law (TAL), the consultation with wider Iraqis and the scope for UN involvement. Russia, Germany and France express openness to consider a Council decision to support the UN’s future role in Iraq but do not press. Russia again raises the possibility of an international conference.”

**772.** Responding to points about the Security Agreement, Sir Emyr Jones Parry said “for now resolution 1511 gave all the clarity we needed on security”.

**773.** Sir Jeremy Greenstock called on Mr Blair on the same day as the US/UK briefing to the Security Council.<sup>426</sup> Sir Jeremy highlighted the tension between providing continuity through the transition to Iraqi sovereignty and the need for a clear end to Occupation. He felt that the US “realised that a new UNSCR would be needed” to deal with post-transition structures.

**774.** Mr Llewellyn wrote to the IPU on 25 February.<sup>427</sup> In his letter he expressed concern that the CPA was not consulting the UN Special Representative to the Secretary-General on draft legislation covering economic reform and governance, as was clearly required by resolution 1483.

**775.** Consultation had taken place until the death of Mr Vieira de Mello on 19 August 2003. But when FCO Legal Advisers subsequently tried to establish with the CPA what form of consultation was taking place, their response made clear that consultation had probably ceased since the departure of the UN in the aftermath of the August bombing.

**776.** Contact between lawyers to point to the legal requirement and so encourage consultation had got nowhere. In Mr Llewellyn’s view, the extensive body of CPA legislation dealing with economic reform and governance matters since August 2003 was therefore of questionable lawfulness. The risk of claims against the UK could not be ruled out.

**777.** Mr Llewellyn therefore recommended that the matter should be taken up at a more senior level, or that the UK should simply conduct the UN consultation itself by sending drafts to the office of Mr Mountain in New York.

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<sup>426</sup> Letter Cannon to Owen, 24 February 2004, ‘Iraq: Sir Jeremy Greenstock’s call on the Prime Minister, 24 February’.

<sup>427</sup> [Minute Llewellyn to Crompton, 25 February 2004, ‘Iraq: CPA Legislation: Need for UN Coordination’.](#)

**778.** On 25 February, the JIC assessed that, 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>428</sup> Attacks using Improvised Explosive Devices (IEDs) and surface-to-air missiles (SAMs) had become more sophisticated.

**779.** More than 200 people were killed in suicide attacks in February, nearly all of them Iraqis. The JIC assessed that most of the suicide attacks may have been carried out by Islamist extremists, including groups linked to Abu Musab al-Zarqawi.

**780.** Attacks on Iraq's police and security forces were increasing, with vehicle-borne bombs causing most casualties. In attacks on a police station and army recruiting centre almost 100 Iraqis had been killed.

**781.** A major attack in Erbil on the main Kurdish parties left 101 dead.<sup>429</sup>

**782.** In early February there had been an unsuccessful attempt to assassinate Grand Ayatollah al-Sistani.<sup>430</sup> The JIC judged that a successful attack would be "very de-stabilising".

**783.** Major General Andrew Stewart, GOC MND(SE) from December 2003 to July 2004, told the Inquiry that he considered that the increase in violence and intimidation in southern Iraq in February and March could be attributed to the Shia political parties losing influence over the people and stirring up militias.<sup>431</sup>

**784.** There were also continuing concerns about Al Qaida. In late February the JIC assessed that:

"Islamist extremists continue to travel to Iraq. Some intelligence suggests that Islamist extremists have been responsible for most of the recent suicide attacks over the last months. Senior Al Qaida associate al-Zarqawi is playing a prominent role. But the exact relationship between al-Zarqawi, Al Qaida, Ansar al Islam and other apparently unaffiliated Islamist groups in Iraq is unclear ... In a letter,<sup>432</sup> now made public by the CPA, to senior Al Qaida commander Abd al Hadi al-Iraqi, al-Zarqawi admits that numbers are small and that Iraq is proving to be a difficult environment to operate in ... Suicide attacks, although relatively small in number, are having a disproportionate impact ...

"In his letter al-Zarqawi claims to have been responsible for 25 suicide operations. Al-Zarqawi also lists Americans, Kurds, Iraqi troops, police and agents, and the Shia as his main targets. In particular, he sees attacking the Shia as a means of fomenting civil war, and thereby ensnaring the Coalition in Iraq. Al-Zarqawi offers

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<sup>428</sup> [JIC Assessment, 25 February 2004, 'Iraq Security'](#).

<sup>429</sup> Annotated Agenda, 12 February 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>430</sup> [JIC Assessment, 25 February 2004, 'Iraq Security'](#).

<sup>431</sup> Public hearing, 9 December 2009, pages 66-67.

<sup>432</sup> *Global Security*, February 2004, *Text from Abu Musab al-Zarqawi letter*.

to be the ‘head of the spear’ for Al Qaida, but there is some evidence suggesting that the Al Qaida leadership is opposed to al-Zarqawi’s plans to cause Muslim in-fighting.”<sup>433</sup>

**785.** The Cabinet Office Annotated Agenda for the meeting of the AHMGIR on 26 February observed that Mr Brahimi appeared to have resolved the problem posed by the position of Grand Ayatollah al-Sistani, and his plan was close to what the UK had originally proposed.<sup>434</sup>

**786.** The Annotated Agenda explained that the UN had not so far taken a firm view on the form of the caretaker government, although it was willing to assist with building Iraqi consensus on its power, structure and formation, as well as with advice and assistance on electoral processes.

**787.** Cabinet Office officials wrote that the UK wanted the UN to engage as far as possible in the run-up to transition and had an open mind as to structures for the interim government, but felt they should provide:

- a degree of continuity between the pre- and post-transition arrangements;
- a clear change to indicate that Occupation was over; and
- greater representation than the GC, to increase domestic legitimacy and draw in others.

**788.** This pointed towards an expanded version of the GC, with a technocratic Council of Ministers headed by a Prime Minister and a Presidency or Leadership Council. Cabinet Office officials wrote that the US agreed in broad terms.

**789.** The Annotated Agenda also recorded that “the UN’s growing role in the political process make [sic] a new UNSCR almost inevitable”.

## March 2004

**790.** The TAL was agreed by the GC on 1 March.<sup>435</sup> It described a two-phase transition:

- “(1) The first phase shall begin with the formation of a fully sovereign Iraqi Interim Government that takes power on 30 June 2004. This Government shall be constituted in accordance with a process of extensive deliberations and consultations with cross-sections of the Iraqi people conducted by the Governing Council and the Coalition Provisional Authority and possibly in consultation with the United Nations ...
- (2) The second phase shall begin after the formation of the Iraqi Transitional Government, which will take place after elections for the National Assembly have been held ... provided that, if possible, these elections are not delayed

<sup>433</sup> [JIC Assessment, 25 February 2004, ‘Iraq Security’](#).

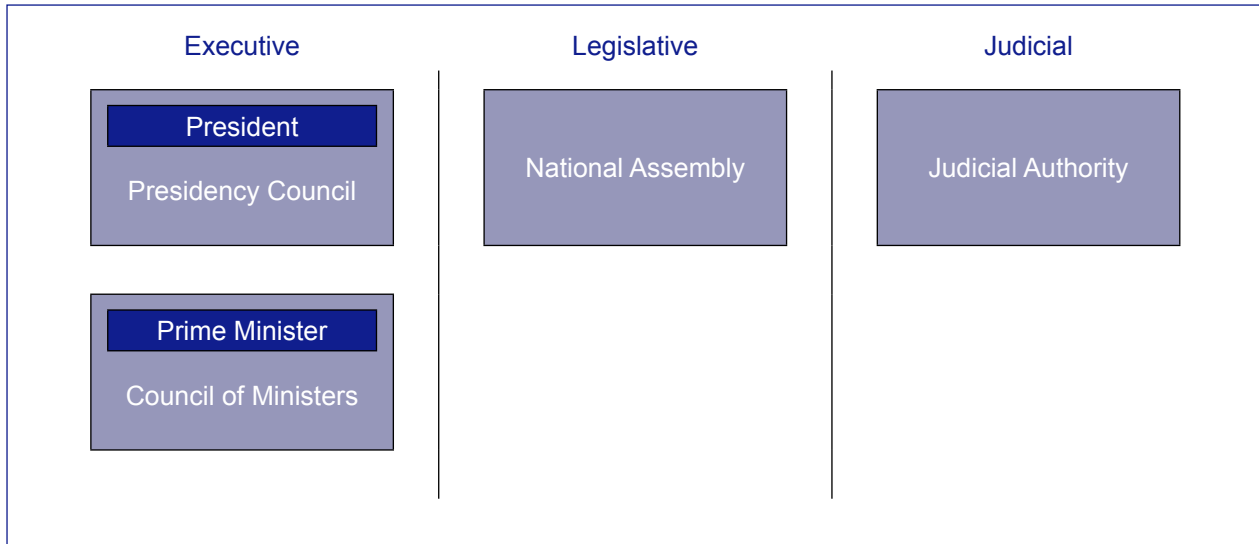
<sup>434</sup> Annotated Agenda, 26 February 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>435</sup> *BBC News*, 1 March 2004, *Iraq’s draft Constitution hailed*.

beyond 31 December 2004, and, in any event beyond 31 January 2005. This second phase shall end upon the formation of an Iraqi government pursuant to a permanent Constitution ...”<sup>436</sup>

**791.** In the TAL, the model for the Transitional Government was defined as follows:

Figure 1: The Transitional Iraqi Government



**792.** The TAL stated that the National Assembly would be elected in accordance with an electoral law and a political parties law. The electoral law would “aim to achieve the goal” of no less than 25 percent female representation and “having fair representation for all communities in Iraq, including the Turcomans, ChaldoAssyrians, and others”.

**793.** The TAL recognised the Kurdistan Regional Government as the “official government” for the territories it administered on 19 March 2003, before the invasion began. It would “continue to perform its current functions throughout the transitional period, except with regard to those issues which fall within the exclusive competence of the federal government”.

**794.** On security, the TAL named the Iraqi Armed Forces as “a principal partner in the Multi-National Force operating in Iraq under unified command pursuant to the provisions of United Nations Security Council Resolution 1511”. The Transitional Government would have “the authority to conclude binding international agreements regarding the activities of the Multi-National Force”.

**795.** The AHMGIR discussed the TAL in its meeting on 1 March.<sup>437</sup> The FCO official present judged the TAL a “good compromise” which had been accepted by Grand Ayatollah al-Sistani but which “could be criticised for being produced with limited consultation”.

<sup>436</sup> CPA website, 6 March 2004, ‘Law of Administration for the State of Iraq for the Transitional Period’.

<sup>437</sup> Minutes, 1 March 2004, Ad Hoc Group on Iraq Rehabilitation meeting.



**796.** One (unidentified) member of the AHMGIR observed that:

“While a goal rather than mandatory, the 25 percent figure for women’s representation was a significant step forward in the Arab world. Women’s representation was 30 percent in Denmark but less than 25 percent in the UK.”

**797.** In his account of his time as Head of the CPA, Ambassador Bremer describes the TAL as “the most remarkable document in Iraq’s long history”.<sup>438</sup>

**798.** Ambassador Bremer told the Inquiry that the TAL “gave Iraq the political structure and opportunity to remain a united, free and democratic country”.<sup>439</sup>

**799.** Sir David Richmond told the Inquiry:

“It is not clear to me really how much thought had been given to what would be the consequences of ... bringing democracy particularly to Iraq. It shouldn’t have been impossible to work out that we were going to have problems ... with a built in majority ... but if people had worked that out then I had no sense that anybody had done anything ... in the end we found solutions to that problem, but within a democratic system it is actually quite difficult, but a straightforward first past the post winner takes all is an extremely difficult situation to deal with. It requires quite a complex constitutional political process. Checks, balances, power sharing. We began to try to put some of that in place when we drafted the TAL, but the reality is we should have been thinking about these issues right from the beginning.”<sup>440</sup>

**800.** On 2 March, there were:

“... major incidents ... in Baghdad and Karbala on the most significant day of the Ashura Festival. In Baghdad a VBIED [Vehicle-Borne IED] and three suicide bombers were responsible for four explosions at the Al Kadamiyah shrine resulting in 32 civilians killed and 78 injured ... In Karbala mortar attacks and up to five suicide bombers at the twin shrines of Karbala Al Husayn and Al Abbas resulted in 85 civilians dead and 233 injured.”<sup>441</sup>

**801.** The GC had been united in condemning the attacks, and had announced three days of national mourning.

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<sup>438</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>439</sup> Statement, 18 May 2010, page 5.

<sup>440</sup> Public hearing, 26 January 2011, pages 62-63.

<sup>441</sup> Minutes, 3 March 2004, Chiefs of Staff meeting.

**802.** In an update report to No.10 on 4 March, FCO officials described the Ashura attacks as “devastating” and commented that they:

“... seem to confirm our fears that foreign fighters are trying to insight [sic] sectarian violence by targeting the Shia. The attacks succeeded despite carefully planned security measures, which were devised by Coalition Forces in consultation with Iraqi authorities.”<sup>442</sup>

**803.** Between 1 and 8 March, the Shia members of the GC consulted Grand Ayatollah al-Sistani on the text of the TAL.<sup>443</sup> No amendments were made as a result.

**804.** The weekly ‘Iraq Update’ for Mr Blair sent by Mr Straw’s Private Secretary on 4 March described the TAL as “a major breakthrough, the most significant political development since the IGC”.<sup>444</sup>

**805.** The same update recorded that the UK was encouraging Mr Brahimi to return to Iraq before the end of March.

**806.** The TAL was formally signed on 8 March.<sup>445</sup>

**807.** In preparation for a video conference between Mr Blair and President Bush on 9 March, the IPU prepared a brief which focused on the next steps in the political process and on security.<sup>446</sup> It suggested that:

“The Prime Minister might stress to President Bush the importance of the IGC and CPA publicising the plan [the TAL] properly within Iraq, given that details of the law were tightly held until the signing ceremony.”

**808.** The IPU also set out a proposal to turn an expanded version of the GC into a consultative council as a “national political forum of some sort to help create a new, cross-sectarian political class and national political discourse ahead of the elections to the National Assembly”.

**809.** On 10 March, the JIC assessed the activities of Islamist extremists in Iraq.<sup>447</sup> It judged that:

“Saddam Hussein called for a jihad to attract mujahedin to Iraq before and during the conflict. The scale of response is unknown. Some foreign fighters remained once the regime fell ... Foreign mujahedin aspire to fight those they see as enemies of Islam. But individuals and groups have differing motivations and the jihad so far appears

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<sup>442</sup> Letter Owen to Cannon, 4 March 2004, ‘Iraq: Weekly Update’.

<sup>443</sup> Letter Owen to Cannon, 8 March 2004, ‘Iraq: Prime Minister’s VTC with President Bush: 9 March’ attaching Brief ‘Iraq: Prime Minister’s VTC with President Bush’.

<sup>444</sup> Letter Owen to Cannon, 4 March 2004, ‘Iraq: Weekly Update’.

<sup>445</sup> *BBC News*, 8 March 2004, *Iraqi law: reaction in quotes*.

<sup>446</sup> Letter Owen to Cannon, 8 March 2004, ‘Iraq: Prime Minister’s VTC with President Bush: 9 March’ attaching Brief ‘Iraq: Prime Minister’s VTC with President Bush’.

<sup>447</sup> [JIC Assessment, 10 March 2004, ‘Islamist Extremism: The Iraq Jihad’](#).

to lack a clear strategic aim for Iraq. Recovered documentation linked to al-Zarqawi lists Americans, Kurds, Iraqi security forces and Shia as main targets ...

“Most Islamist extremists identified in intelligence are from outside Iraq, although some Iraqis are involved with these foreign extremist groups.”

**810.** In its ‘Key Judgements’ the JIC found that:

“The scale of the Islamist extremist presence in Iraq is not known. Nor is the level of their local support. But the radical Islamist ideology of the mujahidin may be attractive to an increasing number of Iraqis.

“Islamist extremists have probably been responsible for a number of the most significant carefully targeted attacks, causing mass, mainly Iraqi, casualties.

“The degree of co-ordination between Islamist groups is not clear. Senior AQ associate al-Zarqawi, appears to be the most important terrorist leader in Iraq, but there is no evidence of a comprehensive co-ordination structure.

“Al Qaida has been trying to build up its limited operational presence in Iraq for some months, but Bin Laden’s main focus is likely to remain Afghanistan.”

**811.** Sir Jeremy Greenstock called on Mr Blair in London on 11 March.<sup>448</sup> Although he thought the TAL a road map for a successful political transition he predicted that:

“... the political situation would remain fluid and unstable over the next couple of years, until fully constitutional elections.”

**812.** At Cabinet on 11 March Mr Straw described agreeing the TAL as “an historic achievement”.<sup>449</sup>

**813.** Writing to Sir Nigel Sheinwald following the 12 March meeting of the Iraq Strategy Group (ISG), a Cabinet Office official recorded the ISG’s view that:

“Agreeing the TAL had been an achievement but we now needed to move on to formation of the interim Government. For this we needed Brahimi and the UN to help broker a solution and bring international legitimacy. Without direct UN involvement, it would be much more difficult to deliver an UNSCR endorsing the interim Government.”<sup>450</sup>

**814.** The ISG believed that the US and UK were agreed in principle on the need for a letter of invitation from the GC authorising a security presence after the handover to Iraqi sovereignty on 30 June. The ISG suggested, however, that the US was less wedded to this approach than the UK and “other more legalistic Coalition members”.

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<sup>448</sup> Letter Cannon to Owen, 11 March 2004, ‘Iraq: Sir Jeremy Greenstock’s Call on the Prime Minister’.

<sup>449</sup> Cabinet Conclusions, 11 March 2004.

<sup>450</sup> Letter Dodd to Sheinwald, 15 March 2004, ‘Iraq: Strategy Group’.

**815.** Mr Llewellyn had forwarded Ms Adams' letter of 9 February to Mr Crompton, Head of the Iraq Policy Unit, on 25 February, observing that he "may want to draw it to the attention of Ministers".<sup>451</sup> He had also commented:

"These conclusions are not a surprise. They confirm the advice that we have given throughout the period of Occupation."

**816.** The IPU had brought the concerns set out in Mr Llewellyn's letter of 25 February to the attention of Mr Richmond in Baghdad.

**817.** On 15 March Mr Richmond replied, explaining that he had spoken to one of the US lawyers in the CPA Office of the General Counsel (OGC – the CPA's legal advisers) to ask if they could reinstate the previous practice of consulting the UN on CPA orders by faxing them to Mr Mountain.<sup>452</sup> OGC were content to do so, but Ambassador Bremer was not.

**818.** It had been reported to Mr Richmond that, when the UN left Iraq in August 2003, OGC began sending draft legislation to the UN legal office through the US Mission to the UN (USUN). USUN were subsequently advised by a "reliable source" that, if they continued to do this, the UN Legal Office was likely to veto legislation. Consultation had then ceased. When Mr Mountain was appointed, OGC had suggested that they should send draft CPA orders to him but the State Department had objected on the grounds that he would forward it to the UN legal office, who would veto it.

**819.** State Department officials suggested that OGC should simply mention to Mr Mountain when he was in Baghdad that they had legislation in various areas in process. OGC agreed with the UK that this was not sufficient consideration to meet the requirements of resolution 1483.

**820.** Mr Richmond explained that OGC had tried to agree a new process of consultation with the UN but Ambassador Bremer had objected to the proposals. He wished to avoid both a UN veto over proposed CPA Orders and delay to the CPA's legislative programme. As a result, the State Department had been asked to come up with a suitable proposal for consulting the UN which would not result in CPA orders being vetoed or delayed.

**821.** The Cabinet Office Annotated Agenda for the meeting of the AHMGIR on 18 March said that:

"Sistani remains concerned at what he sees as obstacles in the TAL to achieving a constitutionally elected government, in particular the effective veto over the future draft constitution given to the Kurds. There have been indications that Sistani is

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<sup>451</sup> Letter Llewellyn to Crompton, 25 February 2004, 'Iraq: Attorney General's Advice: The Extent of the UK's International Obligations in Iraq'.

<sup>452</sup> Letter Richmond to Crompton, 156 [sic] March 2004, 'Iraq CPA Legislation: need for UN co-ordination'.

planning to mobilise his supporters to sign a petition opposed to certain elements of the TAL.<sup>453</sup>

**822.** In an annex to the Annotated Agenda, the IPU recommended that, if there was to be a resolution endorsing the new political process, then “we should take that opportunity to also endorse the new security arrangements”.<sup>454</sup> This would resolve the problems of relying on resolution 1511 or an invitation from the (not fully sovereign) GC as the basis for a continued military presence.

**823.** By 18 March, the GC had issued an invitation to the UN to return to help with the structure of the interim government and preparations for elections for the Transitional National Assembly (TNA) to be held by January 2005.<sup>455</sup>

**824.** On 25 March, Mr Benn told Cabinet that the next question now the TAL had been agreed was how to organise an interim government from 1 July.<sup>456</sup> There were tensions within the GC about the role of the UN in that process. He observed that it would be important to ensure that the transition to an interim government “resulted in arrangements which looked and felt different from the preceding ones”.

**825.** On 31 March, the JIC assessed that insurgent attacks on Coalition Forces had fallen from a peak in November 2003 and levelled off, but suicide attacks targeting Iraqis had increased significantly since the turn of the year.<sup>457</sup> Although the JIC did not know the numbers of those involved in or supporting the violence, the occurrence of more than 200 incidents a week was considered to suggest thousands rather than hundreds of individuals.

**826.** The JIC assessed that the relative threat from different groups was difficult to gauge; in many cases it was not possible to attribute attacks to specific groups.

**827.** The JIC judged:

- I. Islamist extremists ... will seek to increase the level of violence in the lead up to, and beyond, the transition of power on 30 June ...
- II. The level of violence is undermining Iraqi confidence in the Coalition and its objectives.
- III. Islamist extremists are finding it difficult to operate. But they will pose a continuing and dangerous threat, particularly those associated with al-Zarqawi. Attacks by them upon Iraqi Shia and Kurds risk stirring up inter-communal violence. A failure by the security forces to contain the violence could lead to a failure of the political process and a breakdown of law and order.”

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<sup>453</sup> Annotated Agenda, 18 March 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>454</sup> Annotated Agenda, 18 March 2004, Ad Hoc Group on Iraq Rehabilitation meeting attaching Paper IPU, 10 March 2004, ‘Annex A: Iraq: Transitional Arrangements for Coalition Forces’.

<sup>455</sup> Minutes, 18 March 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

<sup>456</sup> Cabinet Conclusions, 25 March 2004.

<sup>457</sup> [JIC Assessment, 31 March 2004, ‘Iraq Security: Prospects’](#).

**828.** In addition, the JIC considered:

“A further source of resistance to the Coalition may increasingly be disaffected Sunni Arabs – not necessarily connected to the former regime – who fear Shia domination and are frustrated by lack of money and jobs. Their motivations are diverse: anti-Americanism, Iraqi nationalism, insensitive CF [Coalition Forces] actions, tribal and clan loyalties, criminal financial gain and other grievances. And some Sunni Arabs are increasingly attracted to a radical Islamist ideology.”

**829.** At the end of March, Sir Jeremy Greenstock concluded his six month tour in Iraq and was succeeded by Mr David Richmond.

**830.** Sir Jeremy’s valedictory telegram entitled ‘Six Months in the Cauldron’ thanked UK civilians and military for their “effective and courageous” work in Iraq.<sup>458</sup>

**831.** Sir Jeremy judged that “the majority of the Iraqi people are still with us, just” and that life was beginning to improve for many. But this was not attributable to good planning:

“The preparations for the post-conflict stage were abject; wrong analysis, wrong people ... And the volume of resources required on the ground was, and continues to be, misjudged.”

**832.** On security, he judged that the problems “will, alas, not go away when the Occupation ends. The evil-doers ... are small in number but lethal in effect.”

**833.** Sir Jeremy also recorded the important role that Grand Ayatollah al-Sistani had played by using his religious authority as a force for moderation.

**834.** By the end of March, UK and US officials were discussing the detail of the proposed new Security Council resolution.<sup>459</sup>

**835.** Mr Straw’s Private Secretary wrote to Mr Blair’s Private Secretary describing the resolution’s key elements as:

- to welcome the agreed arrangements for the transfer of full executive authority and the proposed processes during the transition;
- to specify the role of the UN during the transition; and
- to give additional political cover to the Multi-National Force and develop its mandate.

**836.** On 31 March, four employees of the US security firm Blackwater were ambushed and killed while travelling through the town of Fallujah in Anbar Province.<sup>460</sup>

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<sup>458</sup> [Telegram 109 IraqRep to FCO London, 26 March 2004, ‘Iraq Valedictory: Six Months in the Cauldron’.](#)

<sup>459</sup> Letter Owen to Quarrey, 29 March 2004, ‘Iraq: Prime Minister’s VTC with President Bush: 30 March’.

<sup>460</sup> *BBC News*, 31 March 2004, *Bodies mutilated in Iraq attack*.



**837.** Mr Erik Prince, CEO of Blackwater at the time of the ambush, wrote that the “entire assault was over in seconds. Four men had been betrayed and ambushed.”<sup>461</sup>

**838.** The burned bodies of the Blackwater personnel were filmed being dragged through the streets, and hung from a bridge.<sup>462</sup> Images of the incident appeared in the international media.

## April 2004

**839.** In a written update for members of the AHMGIR in early April, Cabinet Office officials reported:

“A series of meetings are underway to communicate the TAL to Iraqis. Reactions have been mixed, but no signs yet of an organised opposition aimed at repeal. Most Iraqis appear more focused on improvements to the economy and everyday life.”<sup>463</sup>

**840.** Militants belonging to Jaysh al-Mahdi (JAM) attacked Coalition Forces in Baghdad, Najaf, Karbala and Kut following the arrest on 3 April of Muqtada al-Sadr’s senior aide Mustafa al-Yaqubi, and the closure on 27 March of one of al-Sadr’s newspapers.<sup>464</sup>

**841.** Maj Gen Stewart told the Inquiry that, although the violence in MND(SE) had been gradually increasing during February and March, it was not until April that JAM was identified as a specific threat.<sup>465</sup> He recalled that:

“... it was like a switch had been flicked. We woke up on the 6th [of April], there were 35 shootings and attacks in Basra before 0730 in the morning. Nasiriyah had been taken over by the Mahdi army ... In al-Amara there were running battles going on with the security forces.”

**842.** In early April, US forces began operations in Fallujah. All routes in and out of the city were blockaded in advance of the launch of an offensive operation, named Operation Vigilant Response, on 6 April.<sup>466</sup>

**843.** Mr Hoon’s Private Secretary wrote to Mr Blair’s Private Secretary that a search operation to capture the attackers of the Blackwater employees had begun.<sup>467</sup>

**844.** The same letter explained that US intentions in relation to Muqtada al-Sadr and his supporters were becoming clearer. The US military had ordered the offensive operations against al-Sadr supporters with “the aim of eliminating them as a credible force” and moving into Najaf after the festival of Arbaeen on 11 April.

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<sup>461</sup> Prince E. *Civilian Warriors. The Inside Story of the Unsung Heroes of the War on Terror*. Portfolio/Penguin, 2013.

<sup>462</sup> *BBC News*, 31 March 2004, *Bodies mutilated in Iraq attack*.

<sup>463</sup> Letter Dodd to Owen, 2 April 2004, ‘Iraq: Update’ attaching Paper ‘Iraq: update’.

<sup>464</sup> [JIC Assessment, 14 April 2004, ‘Iraq Security’](#).

<sup>465</sup> Public hearing, 9 December 2009, pages 67-68.

<sup>466</sup> Sanchez RS & Phillips DT. *Wiser in Battle: A Soldier’s Story*. HarperCollins, 2008.

<sup>467</sup> Letter Baker to Quarry, 8 April 2004, ‘Iraq: Security Situation’.



**845.** Al Jazeera journalists were present inside Fallujah, and images of the US offensive were broadcast across Iraq and the world. Lt Gen Sanchez wrote in his memoir:

“To say that the Fallujah offensive angered the Sunni Muslims of Iraq would be a gross understatement ... When the images of destruction were broadcast on Al Jazeera, most Sunnis felt Fallujah was an attack on their very existence ... When tribal leaders put out a call to arms, Sunnis everywhere responded and the Sunni Triangle exploded into violence.”<sup>468</sup>

**846.** Sir David Richmond told the Inquiry that he had been “very concerned” because:

“What the Americans were doing in Fallujah which was being broadcast all over the Arab media was causing serious problems all round, certainly the Sunni part of Iraq but also ... the Shia part of Iraq. It was clear to me this had to stop if we weren’t going to face very, very serious problems. I was in constant contact with London throughout the period and made very clear my views about that. I spoke to Bremer and made clear what my views were about that ... I think ultimately Bremer came down on the same side as me and told the military that they had to rethink that policy.”<sup>469</sup>

**847.** General Sir John McColl, SBMR-I from April to October 2004, told the Inquiry:

“There was a debate within headquarters as to how we should proceed, a debate which I shared with London, and there were those within the American camp who wanted to move early and seize the initiative, which involved the early use of kinetic force, and those who wanted to move more slowly. Certainly, in terms of my advice at the time, it was to move cautiously, to try and ensure that, as far as we could, we carried the politics with us and prepared the political conditions to support whatever military activity took place.”<sup>470</sup>

**848.** General Sanchez wrote in his memoir that:

“... the British three-star general [McColl] on the CJTF-7 consistently voiced his Government’s concerns about our planned offensive and I’m certain that lively discussions took place between the White House and 10 Downing Street. London believed that we were being far too heavy-handed, but President Bush still gave the order to launch.”<sup>471</sup>

**849.** Ambassador Bremer described Mr Brahimi as so deeply concerned by the bloodshed that he had “threatened to quit Iraq”.<sup>472</sup> In response, Ambassador Bremer

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<sup>468</sup> Sanchez RS & Phillips DT. *Wiser in Battle: A Soldier’s Story*. HarperCollins, 2008.

<sup>469</sup> Public hearing, 26 January 2011, pages 20-22.

<sup>470</sup> Public hearing, 8 February 2010, pages 11-12.

<sup>471</sup> Sanchez RS & Phillips DT. *Wiser in Battle: A Soldier’s Story*. HarperCollins, 2008.

<sup>472</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

stressed the importance of the UN's role in helping to move the political process forward. Mr Brahimi eventually agreed to remain.

**850.** On 6 April, in a briefing on a planned conversation with President Bush, Mr Blair's Private Secretary wrote that:

“We are now fighting on two fronts for the first time. We risk underestimating Muqtada al-Sadr's Mahdi Army. There is an effective Sunni insurgency, which is gaining confidence from the problems we are facing with the Shia. Overall, this is the most serious challenge we have yet faced.”<sup>473</sup>

**851.** Mr Blair spoke to President Bush on 7 April.<sup>474</sup>

**852.** Mr Blair did not suggest that the US should draw back from Fallujah. Instead, he told President Bush that the decisions on how to deal with Muqtada al-Sadr and others rightly lay with those on the ground. They needed to act “in a decisive but sensitive way”; people needed to see that the Coalition was determined to stay to see the job done. They agreed to send out a clear public message that there was a process leading to transfer of authority in Iraq.

**853.** Senior members of the CPA briefed the GC on developments in Fallujah on 8 April.<sup>475</sup> Mr Richmond reported that the GC raised particular concerns that the US blockade of the city was preventing the entry of medicines, blood, doctors and food. By preventing civilians from crossing the bridge from one side of the town to the other, the US military were also preventing civilians from getting to the main hospital, and mourners getting to the cemetery to bury their dead.

**854.** One minister in the GC, who came from Fallujah, resigned and it was anticipated that others might follow.<sup>476</sup>

**855.** Mr Richmond provided daily reports on the situation in Fallujah as it unfolded.

**856.** On 8 April, the atmosphere was tense.<sup>477</sup> The impact of the offensive was heightened by TV coverage which was “inflaming opinion” and encouraging the insurgency in the rest of the country. Action to counter that was hampered by the fact that several nations' terms of engagement prevented their forces from taking part in offensive operations.

**857.** In a separate message to the FCO on 8 April, Mr Richmond reported having “expressed concern” to Ambassador Bremer “about the impact that the television

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<sup>473</sup> Minute Quarrey to Prime Minister, 6 April 2004, 'Phone call with President Bush, 7 April'.

<sup>474</sup> Letter Rycroft to Adams, 7 April 2004, 'Prime Minister's Conversation with President Bush, 7 April'.

<sup>475</sup> Telegram 138 IraqRep to FCO London, 8 April 2004, 'Iraq: Security discussion with IGC'.

<sup>476</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>477</sup> Telegram 137 IraqRep to FCO London, 8 April 2004, 'Iraq Sitrep – Morning 8 April'.

pictures of the military operations in Fallujah and Ramadi were having on the Sunni community and the Iraq population generally”.<sup>478</sup>

**858.** At the same time as dealing with Fallujah, Coalition Forces were continuing to address the threat posed by Muqtada al-Sadr and the JAM.<sup>479</sup>

**859.** On 8 April, in a letter to Mr Blair’s Private Secretary, Mr Hoon’s Private Secretary explained that US intentions for dealing with al-Sadr and his supporters were “becoming clearer” and that the US military had “ordered offensive operations against al-Sadr supporters with the aim of eliminating them as a credible force”.

**860.** On 8 April, Mr Straw wrote to Mr Blair on the proposed security arrangements after 30 June.<sup>480</sup> He explained that “the Coalition needs to put in place satisfactory legal and other arrangements for the force when the Occupation ends”. If they did not, “any perceived gap in the legal base for UK’s conduct ... is likely to be exploited by litigants”.

**861.** Mr Straw set out the difference between the US and UK positions on a legal basis for continued military operations after 30 June, and the UK’s legal concerns about relying on resolution 1511. He observed that a strong case might be made that resolution 1511 covered a continued military presence in Iraq, but that he doubted it would cover “the full range of activities we have hitherto been conducting under the law of armed conflict and Occupation law”.

**862.** Mr Straw suggested that in contacts with the US, the UK should stress the need to agree a common approach to the forthcoming resolution (expected in May or June) which would also help the UK’s position against legal challenge. He emphasised that when they were nearer to a clear outcome on the resolution, it would be necessary to consult the Attorney General to ensure that the UK’s minimum legal requirements were covered.

**863.** On 9 April, Mr Richmond reported that the Coalition had offered a 24-hour cessation of operations in Fallujah “to allow the entry of additional humanitarian supplies and to enable representatives of the IGC to go to Fallujah to discuss Coalition terms for ending the current military operation”.<sup>481</sup> The terms of the cessation included surrender of the individuals who had killed the Blackwater contractors. Had the offer not been made, Mr Richmond reported that it was likely that senior Sunni members of the GC would have resigned.

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<sup>478</sup> Telegram 139 IraqRep to FCO London, 8 April 2004, ‘Iraq: Bremer’s views’.

<sup>479</sup> Letter Baker to Quarrey, 8 April 2004, ‘Iraq: Security Situation’.

<sup>480</sup> Minute Straw to Prime Minister, 8 April 2004, ‘Iraq Security Arrangements’.

<sup>481</sup> Telegram 141 IraqRep to FCO London, 9 April 2004, ‘Iraq: offer of 24 Hour Truce in Fallujah’.

**864.** On 10 April, Mr Richmond reported that the offer had not been successful and action in Fallujah was being characterised as “collective punishment”.<sup>482</sup> Further negotiation between members of the GC and the CPA/US military resulted in a new plan for a cease-fire and subsequent withdrawal of Coalition Forces.

**865.** Mr Richmond’s assessment of the situation on 10 April said:

“Generals Abizaid and Sanchez are confident that they can deal with (though not eliminate) the Sunni insurgency currently centred on Fallujah and Ramadi ... I do not share their confidence ... The military action in Fallujah ... has ignited smouldering resentment amongst other Sunnis. Governing Council members are warning us that there will be other ‘Fallujahs’ in towns throughout the Sunni heartland ... it is also beginning to undermine the support of otherwise moderate Shia ... The Americans claim that their operations in Fallujah are targeted and precise. But to the outside they look like collective punishment. The casualty figures, though not reliable, tend to bear this out ... Worse, the current situation is also putting huge pressure on the Governing Council ... If the Governing Council collapses (or loses all credibility) it is difficult to see how we can find anyone else to work with us on the formation of an Interim Government to take over from the CPA on 30 June. We will have no-one to hand over to.”<sup>483</sup>

**866.** On 11 April, Mr Richmond wrote that a GC delegation to Fallujah led by Mr Hajem al Hassani reported some success.<sup>484</sup> They had persuaded leaders representing 90 percent of the rebel fighters that a complete cease-fire was necessary but reported back to Ambassador Bremer and Mr Richmond that the city was a:

“... disaster zone. The humanitarian situation was dire with a reported 518 killed so far, including 46 children under the age of 5; 83 children under 15 and 157 women. 1,224 people had been injured and there were problems with water and electricity supplies.”

**867.** A new cease-fire was agreed, commencing at 1000 on 11 April. If it held for six hours or more, discussions would begin on withdrawing Coalition Forces and replacing them with the Iraqi Army.

**868.** As events unfolded in Fallujah, in the south of Iraq there was a difference in view between the US and UK military as to how best to deal with the Sadrist threat.<sup>485</sup>

**869.** Multi-National Corps – Iraq (MNC-I) orders included a specific request that UK forces take action to close the Offices of the Martyr Sadr (OMS) and the JAM within MND(SE); Maj Gen Stewart declined to comply with this request.

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<sup>482</sup> Telegram 145 IraqRep to FCO London, 10 April 2004, ‘Iraq: Falluja: Potential Ceasefire and Withdrawal’.

<sup>483</sup> Paper Richmond, 10 April 2004, ‘Iraq: an Assessment on 10 April’.

<sup>484</sup> Telegram 147 Iraq Rep to FCO London, 11 April 2004, ‘Iraq: Fallujah Ceasefire Update’.

<sup>485</sup> [Minute Stewart to Metz, 11 April 2004, ‘MND\(SE\) – Sadr situation’](#).

**870.** In a letter explaining his reasons to Lieutenant General Thomas Metz, the Commander of MNC-I (see Box, 'Creation of MNF-I, MNC-I and MNSTC-I'), Maj Gen Stewart recognised that the refusal might:

“... appear from Baghdad to be both ineffective and apparently out of line with your intent ... one size does not fit all for Iraq and the south east is different. I believe that our actions are being effective ... Whether we like it or not, Sadr's movement is part of the political fabric in southern Iraq ... This does not mean that the south east is under the thumb of the Sadrists. On the contrary nearly all our interlocutors ... express dislike of his methods, but his sentiments resonate ... Coalition Forces and [Iraqi Security Forces] have secured ... every municipal building within ... MND(SE) ... Most importantly, we take the view that it is the Iraqis who will have to go on living here after we depart and surely it is best to produce an Iraqi solution to an Iraqi problem ... I believe that our current tactics in MND(SE) are correct.”

**871.** In advance of a meeting with President Bush, Mr Blair asked Sir Nigel Sheinwald for “a note setting out a strategy for dealing with the range of problems we face in Iraq”.<sup>486</sup>

**872.** Sir Nigel's 12 April response identified a number of elements that a strategy should include:

“(i) Military. We are starting to see, and need to entrench, a more measured US military approach.

Above all, we must avoid fighting simultaneously on two fronts. We cannot afford to lose the consent of the majority Shia population ... [W]e should aim to settle the MAS [Muqtada al-Sadr] problem first ...

The US needs to make an effort to re-cement the Coalition.

- (ii) Iraqisation: we need to revisit this and our old friend de-Ba'athification. The key to Fallujah and Najaf will be the insertion of Iraqi forces, rather than a heavy and overt American presence on the streets. But this is not straightforward given the lack of capacity of the newly formed Iraqi forces ...
- (iii) Inclusiveness: the Coalition needs to involve the IGC and local sheikhs in resolving these problems. Above all we cannot afford to lose the IGC ...
- (iv) Deal with the causes: there are many deep sources of discontent, and we cannot hope to deal with all of them. On both the Shia and Sunni sides, we need programmes which (a) increase jobs, particularly for the young and (b) increase personal security ...

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<sup>486</sup> [Minute Sheinwald to Prime Minister, 12 April 2004, 'Iraq: Strategy'](#).

- (v) The political future: this needs to be set out more clearly: elections at the end of January, prepared by the UN; interim government structures in place by 1 July when we hand over sovereignty, with the UN again playing a key advisory role, and better consultation on how to get there ...
- (vi) UN role: we need to clarify and promote the UN role: electoral support and political advice on the ground now; new UNSCR in May/June; clear UN co-ordinating and political role from 1 July ...
- (vii) The deadline: we must stick to the deadline of 1 July, but need to make a better job of explaining ourselves. The date is right because it remains important to make an early transfer of sovereignty to the Iraqis, which they themselves want ...
- (viii) Communication: if we can agree a strategy like this, Bremer and the IGC should promulgate it in a media offensive in Iraq.”

**873.** Sir Nigel concluded:

“We need to emerge from your meeting with Bush on Friday with the message that you have an agreed, comprehensive strategy covering the handling of the immediate crisis, Iraq’s political future leading to elections in January, and the role of the UN.”

**874.** Sir Nigel Sheinwald told Dr Rice on 14 April that there were rumours of imminent further military action in Fallujah.<sup>487</sup> The UK judged that would be very damaging, in Iraq and internationally and wanted attempts at mediation to continue “and for the tension gradually to abate”. Dr Rice said that no decisions had been taken.

**875.** On 14 April, the JIC issued an Assessment of security in Iraq, prompted by events in Fallujah and attacks by JAM.<sup>488</sup> The JIC’s first two Key Judgements were:

- “I. Anti-Coalition forces occupy the centre of Fallujah. Their determination to fight in a confined urban area represents a step change in capability and threat.
- “II. The scale and extent of attacks mounted by the Mahdi Army and associated Shia militants have come as a surprise. They are the first concerted attacks by Shia militias on Coalition Forces. But attacks have been localised, have now reduced and have only been supported by a minority of Shia. There is no clear evidence of co-ordination between Sunni and Shia groups.”

**876.** Key Judgement VII was that:

“The security situation may remain volatile even if a settlement is reached in Fallujah and Najaf. The upsurge in violence has confirmed previous concerns over the weaknesses of the Iraqi security forces.”

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<sup>487</sup> Letter Sheinwald to Adams, 14 April 2004, ‘Conversation with US National Security Adviser, 14 April’.

<sup>488</sup> [JIC Assessment, 14 April 2004, ‘Iraq Security’](#).

**877.** The JIC also judged that the emergence of hostage-taking as a tactic by anti-Coalition forces was “adding to the climate of fear and encouraging foreign contractors to leave”.

**878.** On 15 April, Mr Blair and Mr Annan met in New York.<sup>489</sup> They agreed that the political plan being formulated by Mr Brahimi should form part of a new resolution and that the negotiation of its text should begin in May.

**879.** Mr Blair underlined the importance of the UN’s role in Iraq, both for political leadership and in communicating with the Iraqi people. He offered UK support for the deployment of a greater number of UN officials to Iraq.

**880.** On 15 April, Sir Nigel 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>490</sup>

**881.** In his paper Mr Blair identified two problems:

“... the first is a residue of discord over the decision to go into Iraq. People who disagreed are desperate to be proved right. So every difficulty is magnified; every step forward ignored; every setback hailed as failure.

...

“The second problem is more immediately serious. It is that, irrespective of the original decision to go into Iraq, people ask of us: do they have a plan for Iraq that will work? Do they know what they are doing?”

**882.** The first was an “issue of political vision”; the second, one of “practical competence”. Mr Blair summarised his strategy 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.”

**883.** Mr Blair also proposed a new resolution, firstly to provide the US and UK with the political and military authority they required, but also including “measures on human rights and due process so that the resolution sets out a vision of Iraq as a democratic state that puts our critics on the defensive”.

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<sup>489</sup> Letter Rycroft to Adams, 15 April 2004, ‘Prime Minister’s meeting with the UN Secretary General: 15 April’.

<sup>490</sup> [Letter Sheinwald to Rice, 15 April 2004, \[untitled\], attaching Note \[Blair to Bush\], \[undated\], ‘Note’.](#)



**884.** Mr Blair went on to consider international disagreement over the nature of the security threat, and how it might be addressed through the G8. He wrote:

“We need to find a way of forcing the world to confront the dangers it faces; and to build an agenda capable of consolidating and extending our support.”

**885.** On 16 April, Mr Blair and President Bush met in Washington.<sup>491</sup> The meeting was also attended by Dr Rice, Secretary Powell, Sir Nigel Sheinwald and Mr Rycroft.

**886.** Mr Blair stressed to President Bush the importance of standing firm, setting out a clear political vision and implementing it competently.

**887.** On Muqtada al-Sadr, Mr Blair said that he needed to be brought out of Najaf alive, with an agreement to disband his militia. He should not be made a martyr.

**888.** In discussion it was clear that US forces had been close to action in Fallujah a couple of days previously, but had held back based on Ambassador Bremer’s advice that they would “lose the IGC” if they did so.

**889.** On Fallujah, Mr Blair suggested that the Coalition needed to get the balance right between firmness and initiating further aggression. Any military offensive needed to be careful, with every effort taken to avoid civilian casualties, and clearly a last resort. The Coalition could not afford an error. Mr Blair continued 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 again emphasised the importance of better communication with the Iraqi population.

**890.** On the political process, neither the US nor the UK had difficulties with Mr Brahimi’s emerging plans for the interim government. A new resolution was necessary, and Mr Blair proposed that it might also include measures to set out a vision of Iraq as a democratic state.

**891.** By 18 April the situation in Fallujah was described by Mr Richmond as “relatively calm” with talks continuing between the Coalition and a delegation of Fallujan leaders.<sup>492</sup> The possibility that offensive operations might resume remained and there was “CJTF-7 talk of allowing one week for dialogue to yield results”.

**892.** Negotiations between leaders in Fallujah, GC representatives, US military commanders and CPA officials had enabled access to the city for emergency services, the return of civilians, and progress with the handing in of weapons.

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<sup>491</sup> Letter Rycroft to Adams, 16 April 2004, ‘Iraq: Prime Minister’s Meeting with President Bush’.

<sup>492</sup> [Telegram 172 IraqRep to FCO London, 18 April 2004, ‘Fallujah: Update 18 April’](#).

**893.** Coalition Forces remained in place in Fallujah although Mr Richmond reported that “military action is not imminent”. It was hoped that:

“... if the citizens [of Fallujah] gained confidence, they would be able to put pressure on the extreme elements”.

**894.** Maj Gen Stewart told the Inquiry that the impact of events in Fallujah had been significant among the Shia community in Southern Iraq.<sup>493</sup> At Friday prayers the dominant issue had been the need to raise money for fellow Iraqis in Fallujah, because what was happening there was “way beyond the pale”.

**895.** Sir Nigel Sheinwald told the Inquiry that:

“It wasn’t just that we were worried about the proportionality of the tactics that were used or about the perception in the international and Iraqi media of what went on. It was also that it happened at the same time as American action on the Shia side to which the Shia reacted very violently ... Ultimately the strategic threat was a loss of Shia consent.”<sup>494</sup>

**896.** Sir David Richmond told the Inquiry that the change in US stance as April progressed was not exclusively because of the UK. Action in Washington, threatened resignations from the GC, and the position of Mr Brahimi all had an influence.<sup>495</sup>

**897.** By mid-April, the Coalition had regained control of nearly all the towns that had been taken by JAM, leaving Muqtada al-Sadr’s forces restricted to the cities of Najaf, Kufa and parts of Karbala, which were then the focus of millions of Shia Pilgrims observing the Muslim holiday of Arba’een.<sup>496</sup>

**898.** After reading briefing given to him in advance of meeting President Bush, Mr Blair expressed concern to Sir Nigel Sheinwald about the security situation in Iraq and the problems facing the CPA in implementing its main programmes and policies.<sup>497</sup>

**899.** Sir Nigel commissioned 15:

“... unvarnished accounts of where things stand, with as much local colour as possible; and with clear recommendations, where appropriate, for how to improve things ... The Prime Minister is conscious that implementation of these programmes depends on the Americans, in Iraq and in Washington. It is therefore essential that departments in London should ensure that their opposite numbers in Washington are aware of our concerns, and that we work with them to produce credible plans for improving performance.”

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<sup>493</sup> Public hearing, 9 December 2009, page 71.

<sup>494</sup> Public hearing, 16 December 2009, pages 51-52.

<sup>495</sup> Public hearing, 26 January 2011, page 22.

<sup>496</sup> Allawi AA. *The Occupation of Iraq: winning the war, losing the peace*. Yale University Press, 2007; Sanchez RS & Phillips DT. *Wiser in Battle: A Soldier’s Story*. HarperCollins, 2008.

<sup>497</sup> [Letter Sheinwald to Adams, 19 April 2004, ‘Iraq’](#).

**900.** The accounts were to cover:

- “1. Sunni outreach.
2. Shia religious and political leaders, and their attitude.
3. Other political players, including candidates for Prime Minister, Presidency, Cabinet.
4. Area-by-area analysis on security.
5. Report by GOC MND(SE).
6. Police and civil defence training and readiness.
7. Security arrangements from 1/7, including UN role.
8. Media.
9. Reconstruction, spending and disbursement.
10. Attitudes of the neighbouring countries.
11. Everyday life report.
12. Judicial system.
13. Women’s groups.
14. Schools, universities, hospitals.
15. Check list of further action.”

**901.** During the meeting of the Iraq Senior Officials Group on 20 April, it was made clear that Mr Blair considered that progress needed to be accelerated in all areas of reconstruction in order to make transition a success.<sup>498</sup> He had therefore “decided to follow developments more closely himself”, which had led to Sir Nigel’s commission. It was explained that:

“IraqRep should prepare a weekly checklist of immediate actions. The Cabinet Office would ensure that interested departments in London would be consulted on the list before it, together with the reports, were [sic] submitted in the Prime Minister’s Friday box. The Prime Minister would use it in his weekly discussions with Bush.”

**902.** Of the reports commissioned by Sir Nigel, most were requested on a weekly or fortnightly basis. Those on neighbouring countries, the judicial system, women’s groups and schools were to be monthly.

**903.** When Mr Blair and Mr Richmond met on 21 April, Mr Blair highlighted that the final point on the list – “points for him to raise with Bush each week” – was crucial.<sup>499</sup> Mr Blair suggested it was important for Ambassador Bremer to make “a major speech” setting out CPA policy as soon as possible.

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<sup>498</sup> Letter Cabinet Office [junior official] to Buck, 23 April 2004, ‘Iraq: Senior Officials Group’.

<sup>499</sup> Letter Rycroft to Owen, 21 April 2004, ‘Iraq: Prime Minister’s meeting with David Richmond’.

**904.** In conversation with Dr Rice on 21 April, Sir Nigel Sheinwald said:

“The Prime Minister continued to believe, as he and the President had agreed ... that time was on our side and that we did not need to rush into new military action, while of course accepting the need for the American forces to defend themselves properly ... targeted activity against extremists was one thing; another heavy assault would have a major adverse impact, in Iraq and internationally ... the Prime Minister was clear that we should avoid precipitate action if possible and give time for the results to emerge from the negotiations ...

“I made clear that the Prime Minister would want a discussion if there were any question of the US tactics changing ...”<sup>500</sup>

**905.** In mid-April, the US made a request for the UK to send additional troops to Iraq.<sup>501</sup>

**906.** The request was made “informally, with no explanation of any underlying rationale or assumptions” and proposed four packages of support, including the deployment of an HQ (for which the main contender was the Allied Rapid Reaction Corps or ARRC), which together might have totalled 10,000 additional troops.

**907.** The US proposal was that the UK should provide:

- a Corps headquarters, to command both MND(SE) and neighbouring MND Centre South (MND(CS));
- an armoured infantry battlegroup to be available, for a few months, as a mobile reserve for the whole of Iraq;
- an expansion of MND(SE) to backfill for the Spanish troops that had been withdrawn from Iraq; and
- an expansion of the security resource focused on protecting the main supply routes.

**908.** The first advice sent by Mr Hoon’s Private Secretary to Mr Rycroft was that the request needed to be examined “very carefully”. The only Corps-level headquarters available to the UK was the ARRC, a NATO asset which would therefore require NATO agreement to deploy “which is unlikely to be obtainable very rapidly or easily”. The advice explained that:

“... we will need to consider to what extent we would be increasing our exposure to the consequences of future US actions in, for example, Fallujah, and to what extent if at all we could expect to have any greater practical influence over US decision-making”.

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<sup>500</sup> Letter Sheinwald to Adams, 21 April 2004, ‘Iraq: Conversation with US National Security Adviser, 21 April’.

<sup>501</sup> Letter Baker to Rycroft, 21 April 2004, ‘Iraq: US approaches for additional UK forces’.

**909.** Having seen the letter to Mr Rycroft, Mr Straw also offered his thoughts on “political aspects” of the deployment, in a letter from his Private Secretary.<sup>502</sup> Mr Straw endorsed the MOD’s initial instinct to analyse the US request carefully. He observed that sending the ARRC to Iraq:

“... would preclude its possible deployment to Afghanistan ... probably until well into 2006. This would complicate the prospects of delivering our objectives in Afghanistan. But we may have to recognise that Iraq is the higher priority and the (even harder) theatre to which to attract and retain international troop contributors.”

**910.** Having read the letter from Mr Straw’s Private Secretary, Mr Bowen also supplied advice to Mr Rycroft.<sup>503</sup>

**911.** Mr Bowen advised that the deciding factor ought to be whether taking on wider responsibility would make a difference to the Coalition’s strategic success in Iraq. Providing more troops for the sake of “burden sharing” was not, in his view, advisable but doing so in the realistic hope that it would have a strategic impact was potentially worthwhile.

**912.** The JIC assessed the degree to which Iran might have supported or encouraged Shia violence on 21 April.<sup>504</sup> It judged that Iran continued to want to see a stable and non-threatening Iraq. Although there was a suggestion that some Iranians might have offered support to Muqtada al-Sadr:

“Iran has not been behind attacks on Coalition Forces. It did not have foreknowledge of Muqtada al-Sadr’s actions and probably has not provided any significant support to al-Sadr’s followers in the recent violence. But it would probably support a violent Iraqi response to the Coalition if military action against al-Sadr in Najaf resulted in heavy Shia casualties.”

**913.** On 22 April, Mr Blair told Cabinet that Mr Richmond considered that calm could be restored in Basra providing the military confrontation in Fallujah was resolved “satisfactorily”.<sup>505</sup>

**914.** In conversations on 23 April, Sir David Manning urged Dr Rice and Mr Blair urged President Bush to delay the operation.<sup>506</sup>

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<sup>502</sup> Letter Owen to Rycroft, 22 April 2004, ‘Iraq: US approaches for additional UK forces in Iraq’.

<sup>503</sup> Minute Bowen to Rycroft, 23 April 2004, ‘Iraq: responding to US approaches for additional forces’.

<sup>504</sup> JIC Assessment, 21 April 2004, ‘Iraq: Iranian Activity and Influence’.

<sup>505</sup> Cabinet Conclusions, 22 April 2004.

<sup>506</sup> Letter Manning to Rycroft, 23 April 2004, ‘Iraq: Fallujah: Call on Condi Rice’; Letter Rycroft to Adams, 23 April 2004, ‘Iraq: Fallujah: Prime Minister’s Conversation with President Bush’.

**915.** Mr Blair urged President Bush to give more time if it was possible and to avoid at all costs the bombing of mosques or the killing of large numbers of civilians.<sup>507</sup> He underlined the importance of working with Iraqi civic leaders and working closely with Mr Brahimi.

**916.** On 23 April, Mr Blair received the first edition of all 15 “unvarnished accounts” reports commissioned by Sir Nigel Sheinwald on 19 April, plus an additional four covering essential services, oil, next year’s budget and Ambassador Bremer’s recent speech in Tikrit.<sup>508</sup>

**917.** Those covering media, reconstruction, essential services, oil, gender issues and health and education are described in Section 10.1.

**918.** The paper covering the Iraqi judicial system is covered in Section 12.1.

**919.** Mr Dominic Asquith, Deputy Chief Commissioner in the CPA, sent a checklist of issues for Mr Blair to raise with President Bush.<sup>509</sup> On Fallujah, Mr Asquith’s advice was:

“... delay for as long as there are negotiations in play; when military operations commence, adopt a graduated response, starting with limited and targeted measures; be ready to cease operations if a negotiating process can recommence; and put in place an effective support plan for when it is over.”

**920.** On the political process, Mr Asquith advised that more effort should be put into defining what the UK and US wanted out of the process. He suggested:

- a Presidency involving a Shia, Sunni and Kurd politician, with a Sunni or Shia at the top;
- a technocratic Cabinet, if necessary with a political Prime Minister, who is Shia, provided he is not Islamist or Chalabi;
- and a ‘chamber’ of 100 or 125 if that is the price of finding a home for the rest of the IGC, with some legislative capacity (eg to approve laws) and the right to summon ministers to account for their decisions;
- a National Conference either before or after 30 June: in the case of the former, it would have the added attraction of ‘endorsing’ all the above (on the basis of a package presented to it).”

**921.** Mr Asquith judged that a National Conference would have the best chance of securing the right outcome if Coalition leaders attended.

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<sup>507</sup> Letter Rycroft to Adams, 23 April 2004, ‘Iraq: Fallujah: Prime Minister’s Conversation with President Bush’.

<sup>508</sup> Minute Rycroft to Prime Minister, 23 April 2004, ‘15 Reports on Iraq’.

<sup>509</sup> Telegram 190 IraqRep to FCO London, 23 April 2004, ‘Iraq: Check List for the Prime Minister’.

**922.** In a more detailed telegram on managing the political transition, Mr Asquith wrote that:

“The formation of the IGC last year was unprecedented in its creation of a political body that fairly accurately reflected Iraq’s diverse society. But its creation instituted a specific balance of ethnic and sectarian representation in Iraq’s political structures and empowered a specific set of players, many of whom were exiles. Inevitably, many others were excluded. That these leaders were anointed by the Occupying Powers had always remained a cause for criticism by political actors outside the IGC.

“This feeling of popular resentment ... was one of Brahimi’s concerns during his recent visit. A key principle underlying his plan for the formation of an interim government is the depoliticisation of government through the formation of an apolitical cabinet of technocratic ministers, headed by a Prime Minister, and a Presidency Council of a President and two Deputy Presidents.”<sup>510</sup>

**923.** The process by which the interim government would be formed remained unclear, but Mr Asquith observed that:

“Whichever option is chosen the difficulty will be managing the competing aspirations of the dominant political players ...

“Ultimately, the one political force we have to placate is [Grand Ayatollah al-] Sistani.”

**924.** In a separate telegram on Shia leadership in Iraq, Mr Asquith judged that:

“... the leading Shia members of the IGC have developed ties with Sistani, and will try to exploit this relationship to ensure their own political ascendancy. The Ayatollah’s view of the IGC parties is less clear, and he may be persuadable that a technocratic government is preferable for the interim period.”<sup>511</sup>

**925.** Mr Asquith sent a parallel telegram on the Sunni political picture.<sup>512</sup> In it he warned:

“Continued failure to address Sunni grievances threatens the long-term stability in Iraq. Fallujah has provoked a reassessment by those in the CPA who believed Sunni dissatisfaction was manageable. Leaving the community insecure about its future risks perpetuating an environment that breeds continued anti-Coalition and later anti-Iraqi government activity.”

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<sup>510</sup> Telegram 189 IraqRep to FCO London, 22 April 2004, ‘Iraq: Managing the Political Transition – and the Actors; Parts 1 and 2’.

<sup>511</sup> Telegram 187 IraqRep to FCO London, 22 April 2004, ‘Iraq: Shia Leadership in the New Iraq’.

<sup>512</sup> Telegram 181 IraqRep to FCO London, 21 April 2004, ‘Iraq: Sunni Politics’.



**926.** The Cabinet Office also supplied a check list of points for Mr Blair, which raised the urgent need to agree what would replace the CPA outside Baghdad after transition, work on which had “scarcely started”.<sup>513</sup>

**927.** The Cabinet Office list went on to record the need for “genuine partnership” between the MNF and Iraqi forces “including at high command level, if we are to raise the performance of Iraqi security forces and tackle insurgents and terrorists”.

**928.** The IPU supplied a paper on Iraq’s neighbours, which proposed that:

“Developing regional support for the political process is essential to build the legitimacy of the new Iraqi political institutions and assist the reconstruction process.”<sup>514</sup>

**929.** The paper divided neighbouring states into three groups: constructive, cautious and difficult. IPU’s conclusion was that:

**“We should continue to engage all the neighbours on a bilateral basis, co-ordinating our efforts with the US, and discreetly encourage development of the neighbours group.”**

**930.** Mr Chris Segar, Head of the British Office Baghdad, sent a paper on everyday life in Baghdad, written in the voice of an Iraqi named ‘Mohammed’.<sup>515</sup> Mr Segar summarised Mohammed’s concerns as:

“When will I be able to go about my life without fearing for my safety and that of my family? I have more faith in the Dinar these days; but I don’t have enough of them. Some other things are better now too. But I’m not sure what is going on in the Green Zone; and I don’t think there is anyone who represents me. Al Jazeera and Al Arabiyya – and more people on the street – tell me that the occupiers have no respect for my people. I’m glad that Saddam is gone; but will my children have a better life here?”

**931.** On security, Mr Blair received a telegram from Mr Asquith describing the situation area by area, and a minute from Maj Gen Stewart in MND(SE).

**932.** Mr Asquith wrote that:

“Fallujah and Najaf continue to hang heavy over any security forecast. If the storm breaks there, the effects will spread widely.

“The overall security threat is high. There are regular attacks against Coalition Forces (CF), Iraqi Security Forces (ISF) and infrastructure targets across the

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<sup>513</sup> Paper Cabinet Office, 23 April 2004, ‘Non Fallujah Points for the PM’.

<sup>514</sup> Paper IPU, 22 April 2004, ‘Iraq: Role of Neighbours’.

<sup>515</sup> Telegram 034 Baghdad to FCO London, 22 April 2004, ‘My Name is Mohammed (or a Life in Baghdad)’.

country, some opportunist, others well planned and co-ordinated complex operations, which have inflicted significant civilian and military casualties. Evidence that Former Regime Elements are increasing their activity in the Sunni Triangle and extending their links to extremist groups in other parts of the country. Even if Fallujah and Najaf are resolved, the potential remains for an upsurge in violence and other spectaculars by extremists intent on undermining Coalition support. Iraqis will continue to feel insecure in the absence of a clear political route ahead.”<sup>516</sup>

**933.** In his minute, Maj Gen Stewart concluded:

“The security situation remains part of the whole. In MND(SE) it is manageable at current effort provided external factors are contained. The leadership of the ISF needs to be improved and supported with the necessary policies to develop a credible national force so that Iraqis can increasingly take charge of their own security. Most importantly, the political process must be addressed by improving popular engagement in it. Iraqis at all levels need to see the benefits from the bottom up and have a say in the top down.”<sup>517</sup>

**934.** The external factor which Maj Gen Stewart judged to be most threatening to security in the South was “the approach to the al-Sadr problem”, specifically:

“The Shia will not accept a forceful solution that either places the holy sites at risk or sees al-Sadr arrested by CF [Coalition Forces]. Such a resolution had the potential to inflame the street, turning dissatisfaction into an insurgency.”

**935.** On 26 April Mr Rycroft wrote to Mr Straw’s Private Secretary, copying his letter to DFID, the MOD, the Cabinet Office and to UK officials in Iraq and the US.<sup>518</sup>

**936.** Mr Rycroft wrote that Mr Blair had read all 15 reports produced as a result of Sir Nigel Sheinwald’s commission of 19 April, had thought them “very good” and:

“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. The Iraqis ultimately want what we want: a stable Iraq from which the Coalition Forces leave. The essential elements of our security strategy have to be: make a reality of Iraqi-isation; focus on hearts and minds; and make clear that we will stay, in overwhelming force, until the job is done.”

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<sup>516</sup> Telegram 186 IraqRep to FCO London, 22 April 2004, ‘Iraq: Current Security by Area’.

<sup>517</sup> Minute Stewart to No.10, 22 April 2004, ‘GOC MND(SE) – Iraq Letter’.

<sup>518</sup> [Letter Rycroft to Owen, 26 April 2004, ‘Iraq: 15 Reports for the Prime Minister’](#).

**937.** Mr Rycroft went on to outline how Mr Blair thought existing activity could be improved:

- “(a) Iraqi-isation. We must do whatever it takes to get the ICDC 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 [a newly set up Iraqi TV channel] reporters and staff; strengthen the Coalition’s Arabic media capability; improve the co-ordination 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 ... We need urgent clarity and agreement on what will replace the CPA outside Baghdad after 30 June.
- (d) The courts. We need to ensure that trials of criminals and sentencing begin again ...
- (e) Political process. We should not exclude IGC members altogether ...
- (f) Security agreement. We need urgent agreement on the relationship between the MNF and the Iraqi authorities and Iraqi forces after 30 June.”

**938.** Mr Blair also asked for answers to a number of detailed questions including how many civilians had been killed in Iraq and whether the UK was confident that the security part of the transition plan for Southern Iraq would work.

**939.** 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>519</sup>

**940.** In his Note Mr Blair set out the detailed analysis that Mr Rycroft had communicated across Whitehall, which was summarised as:

“The good news is that the problem we face is not multi-faceted. It is simple: security. The bad news is that I am not sure we yet have a fully worked-out strategy to tackle it. But we can get one.”

**941.** On 26 April, Mr Rycroft wrote back to Mr Hoon’s office in relation to the US request for deployment of additional UK troops.<sup>520</sup> He stated “our decisions on this should be clearly military-led”.

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<sup>519</sup> [Letter Sheinwald to Rice, 26 April 2004, \[untitled\] attaching Note \[Blair to Bush\], \[undated\], ‘Note’.](#)

<sup>520</sup> Letter Rycroft to Baker, 26 April 2004, ‘Iraq: US approaches for additional UK forces’.

**942.** Mr Rycroft reported that Mr Blair’s initial view on the US request was that, provided it made military sense and was achievable, MND(SE) should be expanded to include Najaf (where the Spanish troops had been based), but that care should be taken to avoid any increase in the overall number of UK forces. He did not rule out the use of the ARRC in the longer term, but did not want to rush into a decision on it.

**943.** On 26 April, Sir David Manning, British Ambassador to the US, described to Sir Nigel Sheinwald a conversation with Mr Bob Blackwill.<sup>521</sup>

**944.** Sir David reported that a video conference between Mr Blair and President Bush, planned for the following day, was more than usually important. The President was reported to be “more or less” in the same place as Mr Blair and, although he would not be receptive to the argument that action could be avoided in Fallujah, “he was certainly open to discussion about how to conduct it, and to manage the consequences”.

**945.** Mr Blair and President Bush spoke by video conference on 27 April.<sup>522</sup> Vice President Cheney, Dr Rice, Mr Blackwill and Sir Nigel Sheinwald all joined the discussion, which went over points from Mr Blair’s Note.

**946.** Those attending discussed the new resolution, which would not go into detail on the security agreement, but would recognise the Interim Government as sovereign, formally ending the Occupation. It was anticipated that Mr Brahimi would “stand up” an Interim Government at the end of May.

**947.** Mr Blair said that it was right to handle Fallujah progressively; “slow strangulation” was the right approach and would encourage some insurgents to abandon the cause.

**948.** Mr Blair followed advice to be non-committal on the US request for the UK to deploy additional troops whilst the details were considered. He said only that the UK was considering what it could do to help.

**949.** Mr Blair told the Inquiry:

“I think at the time I was worried the Americans were going in too hard and too heavy, and they made certain changes as a result of the conversations we were having. If I look back on it now, I’m not sure I was right about it, though.”<sup>523</sup>

**950.** Mr Powell also told the Inquiry that Mr Blair was very worried about a full-on assault on Fallujah, and was keen that “it wasn’t done in that way”.<sup>524</sup> He described a series of telephone calls and a meeting, and recollected that President Bush did hold off and then attacked in a different way.

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<sup>521</sup> Letter Manning to Sheinwald, 26 April 2004, ‘Iraq: Fallujah’.

<sup>522</sup> Letter Quarrey to Owen, 27 April 2004, ‘Prime Minister’s VTC with Bush, 27 April: Iraq’.

<sup>523</sup> Public hearing, 29 January 2010, page 209.

<sup>524</sup> Public hearing, 18 January 2010, pages 132-133.

**951.** Following a visit to Iraq from 4 to 15 April Mr Brahimi briefed a meeting of the UN Security Council on 27 April on his ideas for the formation of the Interim Iraqi Government.<sup>525</sup> He had “previewed” some of them in a press conference before returning from Iraq.

**952.** Mr Brahimi stated that “the sooner a credible Iraqi Government is in place ... the better” and observed that:

“Between security on the one hand and the end of Occupation, the restoration of sovereignty and independence and the advent of a legitimate Iraqi Government and political regime on the other, there is a dialectical link that is obvious. Security is essential for the [political] process to be completed.”

**953.** The proposal outlined by Mr Brahimi was for an Interim Government with a “very qualified” Prime Minister, a President and two Vice Presidents, supported by a consultative assembly or council. This, he suggested, was a simple model supported by most Iraqis to whom he had spoken. The key task for the Interim Government would be:

“... to tend to the day-to-day administration of the country in as effective and efficient manner as possible, and only until such time as a democratically-elected Government can be put in place.”

**954.** Mr Brahimi suggested that the Interim Government should be selected by the Iraqi people themselves through a process of meeting and consultation supported by the UN. He hoped that could be completed before the end of May 2004, giving those identified a month to prepare for government.

**955.** Mr Brahimi also gave his support to a National Conference, convened by a preparatory committee of “reputable and distinguished” Iraqis who were not seeking elected office. The conference would “engage in a genuine national dialogue on the country’s challenges”.

**956.** On 28 April, in an update on Iraq, the JIC assessed that:

“... the core of anti-Coalition forces in Fallujah is based on former regime elements (FRE), including former Republican Guard and Special Forces. They are well organised.”<sup>526</sup>

**957.** The JIC judged that:

“Offensive action by Coalition Forces – particularly in Fallujah – even if well targeted and limited in scale, will exacerbate a volatile security situation and cause further long-term damage to Coalition objectives.”

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<sup>525</sup> UN Security Council resolution 4952 (2004).

<sup>526</sup> [JIC Assessment, 28 April 2004, ‘Iraq Update’](#).

## The Fallujah Brigade

Ambassador Bremer wrote that at the end of April the US Marines sought to resolve the security situation in Fallujah through the formation of the “Fallujah Brigade”.<sup>527</sup> This group would “police the city” provided that US troops agreed to withdraw:

“The key assumption was that this Iraqi brigade of about 3,000 would accomplish our objectives for the city by capturing or killing the insurgents and the foreign fighters.”

Ambassador Bremer, Dr Rice and Generals Abizaid and Sanchez had not been made aware of the Brigade’s creation in advance.

General Jassim Mohammed Saleh, a former member of the Republican Guard, had been appointed to head the Brigade.<sup>528</sup> Shia leaders quickly denounced this action, complaining that the US was re-establishing the Saddam Hussein-era army.

Two days later, General Saleh was replaced by General Mohammed Latif.<sup>529</sup>

The JIC assessed in May that General Saleh nonetheless remained in control of the Fallujah Brigade.<sup>530</sup>

The Iraqi National Security Council reacted angrily. Mr Ali Allawi, the Defence Minister, warned of the risk of a “severe backlash amongst the Shia”, while another moderate Shia member of GC added that the brigade was “a move to Iraqi disunity and civil war”.<sup>531</sup>

**958.** On 28 April, in an update on Iraq, the JIC assessed that:

“Elements from the Mahdi Army are still conducting attacks across central and southern Iraq, although at a much reduced level ... Some reporting indicates MAS [Muqtada al-Sadr] is losing support, with militants drifting away and local people increasingly resentful. There are also reports that the Badr Corps may be ... strengthen[ing] their presence in some key Shia areas and religious sites. This situation may lead to intra-Shia clashes ...

“ ... a hard core of the Mahdi Army may be concentrating on the defence of Najaf and the nearby town of Kufah ... A significant presence also remains in Karbala. This hard core may be prepared to resist any attempt to seize al-Sadr in the event of negotiations failing ...

“The talks with al-Sadr in Najaf continue, but progress is slow. He appears to be increasingly isolated and senior Shia figures continue to distance themselves. The key issues remain the indictment against al-Sadr and the future of the Mahdi Army ... There are ... splits in his movement between hard-liners advocating further

<sup>527</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>528</sup> Allawi AA. *The Occupation of Iraq: winning the war, losing the peace*. Yale University Press, 2007.

<sup>529</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>530</sup> [JIC Assessment, 20 May 2004, 'Iraq Update'](#).

<sup>531</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

resistance and moderates looking for a peaceful solution. Recent events have seen the emergence of the Mahdi Army as a minority violent Shia opposition. Some will probably not accept any outcome of the current negotiations and will continue to attack the Coalition.”<sup>532</sup>

**959.** Mr Hoon’s Private Secretary wrote to Mr Rycroft with “initial advice” on the four US proposals for additional UK deployments on 29 April.<sup>533</sup> Efforts to understand the proposals better had “thrown up conflicting evidence about the US thinking behind these proposals and the relative priority they attach to each element”.

**960.** The letter continued, “the Defence Secretary and the Chiefs of Staff do not believe that it [the deployment of the ARRC] should be actively considered for the time being” but that further consideration should be given to the feasibility of expanding MND(SE). To keep options open, the planned withdrawal of Warrior vehicles was being halted and a recce team was being deployed to Iraq to give detailed consideration to the options.

**961.** The letter also 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 ...”

**962.** In a letter to Mr Blair’s Private Secretary on 30 April, Mr Straw’s Private Secretary outlined Mr Brahimi’s plans to return to Iraq swiftly to continue consultations on forming the Interim Government.<sup>534</sup> He remained confident of completing the task by 31 May.

**963.** A particular issue was the future role of the GC since any arrangements for them to continue to have a role would have to be formalised in an annex to the TAL, to which the GC were co-signatories. The FCO suggested that one solution might be to guarantee any GC members without positions in the Interim Government seats in the Consultative Assembly.

**964.** The same letter addressed the UN Security Council resolution being drafted by the US and UK. The UN was believed to be:

“... keen to use the Resolution to clarify their role, but also to downplay expectations that they can, and will, take over from the CPA after 30 June. Their focus is on taking forward the elections process ... They are reluctant to resume large-scale humanitarian operations until the security situation is clearer.”

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<sup>532</sup> [JIC Assessment, 28 April 2004, ‘Iraq Update’.](#)

<sup>533</sup> [Letter Baker to Rycroft, 29 April 2004, ‘Iraq: UK Response to US Approaches’.](#)

<sup>534</sup> Letter Owen to Quarrey, 30 April 2004, ‘Lakhdar Brahimi’s Visit to London, 3 May’.



## Abu Ghraib

In late April, allegations of abuse by Coalition soldiers in Abu Ghraib prison became public.

The Coalition, including the UK military, had been aware of the existence of these allegations earlier in the year; on 16 January General Sanchez issued a statement saying that he had ordered an investigation into abuse at an unnamed Coalition facility.<sup>535</sup>

Maj Gen Stewart told the Inquiry that he had been aware of the allegations from early 2004.<sup>536</sup>

Charges were brought against six US soldiers in March 2004, but the details of the story did not become public until late April, when the US television programme *60 Minutes II* ran a story documenting the abuses and showing some of the pictures taken by the soldiers involved.<sup>537</sup>

Maj Gen Stewart 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>538</sup>

Allegations of abuse of Iraqi detainees by British Service Personnel also began to emerge in early 2004. Almost immediately following the Abu Ghraib revelations, on 1 May the *Daily Mirror* published photographs which appeared to show UK troops torturing an Iraqi detainee.<sup>539</sup> It was later established that those photographs were fake.

The photographs and accounts of events at Abu Ghraib generated a wave of “shock and anger” across the world, along with repeated calls for the resignation of Secretary Rumsfeld.<sup>540</sup>

In a telephone conversation with Mr Straw on 30 April, Secretary Powell said that he had:

“... taken Condi and Andy Card aside and said that there was nothing in the world of public diplomacy which could conceivably offset the unbelievable damage done by these images to the US cause, the reputation of its armed forces, and its standing in the Arab world and beyond.”<sup>541</sup>

In Iraq, a poll by the Independent Institute for Administration and Civil Society Studies in May 2004 found that confidence in Coalition Forces had dropped to 10 percent, from 28 percent in January 2004. Some 55 percent of those polled said they would feel more safe if Coalition Forces left immediately; 54 percent said that they believed all Americans behaved in the same way as the abusers at Abu Ghraib.<sup>542</sup>

<sup>535</sup> *BBC News*, 16 January 2004, *Iraq jail abuse probe launched*.

<sup>536</sup> Public hearing, 9 December 2009, pages 72-73.

<sup>537</sup> Sanchez RS & Phillips DT. *Wiser in Battle: A Soldier's Story*. HarperCollins, 2008.

<sup>538</sup> Public hearing, 9 December 2009, page 72.

<sup>539</sup> *BBC News*, 14 May 2003, *Editor sacked over 'hoax' photos*.

<sup>540</sup> *BBC News*, 15 June 2004, *Iraq abuse 'ordered from the top'*.

<sup>541</sup> Letter Straw to Sheinwald, 1 May 2004, 'Conversation with the US Secretary of State – 30 April 2004'.

<sup>542</sup> Independent Institute for Administration and Civil Society Studies, 15 June 2004, 'Public Opinion in Iraq: First Poll Following Abu Ghraib Revelations'.

Cabinet discussed prisoner abuse on 6 May, when Mr Blair told attendees that allegations against British troops were being investigated fully.<sup>543</sup> In discussion, Cabinet members observed that the damage done by pictures of mistreatment would be hard to repair and that condemnation of the behaviour, if it was confirmed, had to be “clear and uncompromising”.

A more detailed discussion followed on 13 May.<sup>544</sup> Ms Hewitt told Cabinet that the International Committee of the Red Cross’s interim report on detention in Iraq was a “shaming document”. Mr Hoon observed that the report covered Coalition Forces as a whole; only three cases related to British forces, each of which had been “properly investigated and action taken”.

In discussion, it was suggested that more emphasis should be placed on the “distinctive British approach” to the UN, the region, MEPP and actions in Iraq. Summing up the meeting, Mr Blair said that the UK’s intention was to engage with the ICRC to ensure that actions were in complete conformity with the Geneva Conventions.

In the run up to the US Presidential Election in 2004, *The Guardian* judged that “for the first time, the US is seen by majorities in many countries, especially by younger Muslims, as a potential enemy rather than a friend ... the Guantanamo Bay and Abu Ghraib abuse scandals have further damaged America’s standing abroad”.<sup>545</sup>

Assessing the impact in 2009, CNN’s Senior Editor for Middle East Affairs wrote “the United States was already unpopular in the Arab world, mainly because of its war in Iraq. After Abu Ghraib in most quarters, it became despised with a vengeance.”<sup>546</sup>

Dr Rice, writing in her 2011 memoir, observed “we never recovered fully from Abu Ghraib”.<sup>547</sup>

## May 2004

### Creation of MNF-I, MNC-I and MNSTC-I

During April and May, Coalition military structures were changed significantly, in preparation for the transfer of sovereignty at the end of June.<sup>548</sup>

Combined Joint Task Force – 7 (CJTF-7), which had been headed by a three-star US officer, was enhanced and reformed into the new Multi-National Force – Iraq (MNF-I).<sup>549</sup>

From late June, MNF-I was commanded by a four-star US officer, General George Casey.<sup>550</sup>

<sup>543</sup> Cabinet Conclusions, 6 May 2004.

<sup>544</sup> Cabinet Conclusions, 13 May 2004.

<sup>545</sup> *The Guardian*, 26 October 2004, *Next president to inherit a legacy of mistrust and fear*.

<sup>546</sup> *CNN World*, 21 May 2009, *Abu Ghraib photos provoke shock, then anger, for Arabs*.

<sup>547</sup> Rice C. *No Higher Honour: A Memoir of My Years in Washington*. Simon & Schuster, 2011.

<sup>548</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 2000*. Combined Studies Institute Press, 2011.

<sup>549</sup> Letter Baker to Rycroft, 29 March 2004, ‘Deputy Commander Multinational Force (Iraq)’.

<sup>550</sup> Public hearing McColl, 8 February 2010, page 4.

In response, the UK increased the rank of the SBMR-I who would also serve as deputy commander.

Lieutenant General John McColl deployed in April 2004 and served as both SBMR-I and the deputy commander in first CJTF-7 and subsequently MNF-I until October 2004.<sup>551</sup>

A further three-star military command was established underneath MNF-I: the Multi-National Corps – Iraq (MNC-I). This was headed by a US three-star General, Lieutenant General Thomas Metz.<sup>552</sup> The deputy commander was a two-star British officer. Under the new structures, divisional commanders reported to Lt Gen Metz.

A second three-star headquarters was created to focus on security sector reform: Multi-National Security Transition Command – Iraq (MNSTC-I). From June 2004 it was headed by another US three-star officer, Lieutenant General David Petraeus. The Coalition Military Assistance and Training Team (CMATT) and its newly created policing equivalent, the Coalition Police Assistance and Training Team (CPATT), reported to Lt Gen Petraeus.

**965.** Mr Brahimi met Mr Blair at Chequers on 3 May.<sup>553</sup>

**966.** In discussion, Mr Brahimi agreed that security in Iraq was key, observing that it was difficult to understand in what proportions the insurgency was made up of foreigners, Saddam Hussein loyalists and Iraqi nationalists.

**967.** Mr Brahimi thought that the UN's role would be focused on the electoral process after 30 June. Sir Nigel Sheinwald indicated that the UK envisaged a "substantial role for the UN" working to co-ordinate reconstruction as well as in Iraqi ministries and as a political guide to the Interim Government. During his discussion with Mr Straw, Mr Brahimi indicated that he thought the UN had already had a positive impact in managing the future expectations of the Governing Council.<sup>554</sup>

**968.** On the planned resolution, Mr Brahimi proposed that it should be discussed in Baghdad, to ensure the issues it would deal with had "a genuine public airing in Iraq".

**969.** On 4 May, Sir Nigel Sheinwald wrote to Mr Blair seeking an "informal steer" in advance of a discussion between Chiefs of Staff about the US request for the deployment of additional UK troops.<sup>555</sup>

**970.** The proposal they were to discuss was for the UK to take on two additional Iraqi provinces, expanding the UK sector from four to six provinces and increasing troop levels temporarily to over 12,000 (from 7,800) before reducing again to "a steady state expanded force of around 10,900".

<sup>551</sup> Public hearing McColl, 8 February 2010, page 1.

<sup>552</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 2000*. Combined Studies Institute Press, 2011.

<sup>553</sup> Letter Quarrey to Owen, 3 May 2004, 'Iraq: Prime Minister's Meeting with Brahimi, 3 May'.

<sup>554</sup> Letter Owen to Buck, 5 May 2004, 'Foreign Secretary's meeting with Brahimi, 4 May'.

<sup>555</sup> [Minute Sheinwald to Blair, 4 May 2004, 'US Request for More British Troops in Iraq'](#).

**971.** The additional troops would be used “to get the new operations going (engineering and other works)” and also for border control and training the Iraqi security forces.

**972.** Sir Nigel reported the personal view of Lt Gen Fry, “the key MOD military planner”, that this package was becoming necessary to “underwrite our strategic success”.

**973.** Sir Nigel expected that the MOD would write to No.10 in two or three days’ time, after the Chiefs had made a recommendation to the Defence Secretary.

**974.** Mr Blair told Cabinet on 6 May that US military commanders had changed their attitude to solving the problem posed by Fallujah, by recruiting Iraqis to do the policing.<sup>556</sup> Repeating this approach in other towns where there was violent opposition to the Coalition could help to calm the security situation. Violent opposition to the Coalition would have to be dealt with but it was important to show that “everything reasonable” had been done to avoid bloodshed.

**975.** In discussion, members of Cabinet said that the UK had influenced the change in the US approach in Fallujah, and observed that it was likely that some of those previously fighting the Coalition had now been co-opted to work with it.

**976.** On 6 May, Maj Gen Stewart’s weekly update recorded an increase in attacks against Coalition Forces in al-Amara province.<sup>557</sup>

**977.** On 7 May, Mr Hoon’s Private Secretary wrote to Mr Rycroft to inform him of a forthcoming operation “to counter and defeat” insurgents who had the CPA base in al-Amara “effectively under siege”.<sup>558</sup>

**978.** The letter said that there were “significant numbers of violent criminals who will rally to any ‘popular’ cause” who were fighting for Muqtada al-Sadr. The commanding officer in MND(SE) judged that:

“... the insurgents are getting bolder, in part because although British forces have returned fire when under attack they have done so primarily to enable their own safe extraction, leaving most of the insurgents free to fight another day.”

**979.** The violence continued into the following week and was not limited to al-Amara.

**980.** On 8 May, the Office of the Martyr Sadr in Basra had appeared to “launch a takeover bid for the city”, taking control of most of the police checkpoints.<sup>559</sup>

Maj Gen Stewart reported that in MND(SE) 8 May alone had seen:

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<sup>556</sup> Cabinet Conclusions, 6 May 2004.

<sup>557</sup> Minute Stewart to CJO & DCJO(Ops), 6 May 2004, ‘GOC MND(SE) – Iraq Update’.

<sup>558</sup> Letter Naworynsky to Rycroft, 7 May 2004, ‘Iraq: Op Tiger claw – defeating insurgents in Al Amarah’.

<sup>559</sup> Minute Stewart to Rycroft, 13 May 2004, ‘GOC MND(SE) – Iraq Update’.

“... over 100 separate CF [Coalition Forces] engagements, resulting in estimates of maybe as many as 60 anti-CF killed or wounded, and nine CF injuries, none life threatening.”

**981.** Maj Gen Stewart also observed that “more sophisticated and effective IEDs” were being used and that mortars and rockets had been deployed against Basra Airport and Shaiba Logistics Base for the first time.

**982.** On 10 May, Mr Sawers, who had recently returned from a visit to Iraq, wrote to Sir Nigel Sheinwald about Fallujah.<sup>560</sup>

**983.** Mr Sawers judged that “however messy the compromise that emerged, it was better than a US onslaught that would have flattened parts of the city”.

**984.** He had learned that:

“... at least half of the ... Fallujah Brigade were recruited from the ranks of the insurgents who had been fighting the American forces in the previous three weeks. Their motivations may vary – some were almost certainly regime elements, others might have been local youths joining what they thought of as patriotic resistance to defend their town. But either way, the idea that the Falljuah Brigade would now turn on the insurgents in the city was fanciful.”

**985.** Mr Sawers emphasised the advice of “political figures” he had met in Iraq that the Fallujah Brigade must be dissolved or dispersed amongst other units.

**986.** In his report to Mr Straw of the same visit, Mr Sawers wrote:

“The last month has taken a heavy toll, and our Iraqi allies were all depressed. The onslaught on Fallujah, the messy compromise to restore calm there ... the clumsy handling of Muqtada al-Sadr, the pictures from Abu Ghraib prison, and US talk of ‘partial sovereignty’ have had a cumulative effect, denting Coalition morale, damaging the confidence of the Iraqis who want us to succeed, and encouraging those who want us to fail.”<sup>561</sup>

**987.** Mr Blair and President Bush spoke by video conference on 11 May.<sup>562</sup>

**988.** Mr Blair agreed that allegations of abuse must not lead to a loss of focus on the situation in Iraq, but thought that the question on the public’s mind was whether the Coalition could succeed, and whether it had a clear plan. Consideration would be given to asking the International Committee of the Red Cross to provide some independent verification of standards in prisons under Coalition control.

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<sup>560</sup> [Letter Sawers to Sheinwald, 10 May 2004, ‘Fallujah’.](#)

<sup>561</sup> Minute Sawers to Foreign Secretary, 8 May 2004, ‘Iraq’.

<sup>562</sup> Letter Sheinwald to Adams, 11 May 2004, ‘Iraq: Prime Minister’s video conference with President Bush, 11 May’.

**989.** Mr Blair proposed refocusing effort onto the security situation and the political process. He emphasised the need for the Iraqi people to take responsibility for policing and security and pointed to Fallujah where this was already happening. He believed that if problems arose there in the future, Iraqi forces would be in the forefront of the fighting and the Coalition would be protected.

**990.** The discussion also covered the political process. Mr Blair emphasised the importance of a genuine transfer of sovereignty and proposed that after the transfer, security decisions should be taken by a National Security Council, incorporating Iraqi ministers and military leaders, commanders of the Multi-National Force and the UN.

**991.** Mr Blair also proposed timing the creation of the new Iraqi government, the new resolution and setting out the forward strategy so that they happened together. This would show that there was a clear plan and direction.

**992.** The following day, Sir Nigel Sheinwald wrote to Dr Rice, setting out more detail of the sequence of events envisaged by Mr Blair, for discussion.<sup>563</sup> The timetable he set out was:

- By 31 May. Mr Brahimi announces key members of the Interim Government.
- Week of 31 May. Interim Government visits New York to meet the Security Council and Coalition. New resolution adopted.
- Early June. First meeting of National Security Council chaired by the Iraqi Prime Minister, as defined in the resolution.
- Mid-June (or mid-July). National Conference to appoint Consultative Assembly.
- 30 June. End of the Occupation and the CPA.
- 1 July. US and UK Ambassadors arrive in Iraq.
- Mid-July or September. International donor conference.

**993.** Sir Nigel added that to announce this sequence “we would need Brahimi’s agreement and ideally that of new Iraqi PM”. He indicated that the UK had considered accelerating the transfer of sovereignty, as had been suggested by one US interlocutor, but concluded it would be logistically difficult and could give the impression of panic.

**994.** Mr Blair told Cabinet on 13 May that there was acceptance of the need for the full transfer of sovereignty to Iraq from the end of June.<sup>564</sup> Iraqis must exercise their sovereignty, even if they decided to “delegate responsibility” in defined areas.

**995.** As violence in the South worsened, the UK continued to consider the US request to send additional troops.

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<sup>563</sup> Letter Sheinwald to Rice, 12 May 2004, [untitled].

<sup>564</sup> Cabinet Conclusions, 13 May 2004.



**996.** To provide some context for the debate, Lt Gen Fry sent a paper on the consequences and risks of strategic failure in Iraq to Gen Walker, copied to Sir Kevin Tebbit.<sup>565</sup>

**997.** Lt Gen Fry judged that failure in Iraq was so unthinkable to the US Administration that they would “continue to provide sufficient force elements” to prevent it. As a consequence:

“The issue of the UK acceding to the US request for extra support is therefore not considered to be essential in mitigating the risk of circumstances leading to total withdrawal.”

**998.** Lt Gen Fry explained that whilst it was not likely that the US would allow a security vacuum to develop if the UK did not take on the two additional provinces, expanding the UK sector might allow US forces to re-deploy to the centre of Iraq. This could “remove some sensitive Shia areas from the risk of purely kinetic solutions” by US forces, and allow the “UK approach” to “help to improve Shia consent across a more uniform area”.

**999.** Lt Gen Fry concluded:

“... we consider that UK accession to the US requests for military support will not, in itself, guarantee the achievement of SSC [Steady State Criteria] – even if we met those requests in full. Nor can we say categorically that our refusal so to do will seriously impede progress, or irrevocably fracture the Coalition. The question remains more as to whether we can afford to take the risk of not doing so with the concomitant chance of further deterioration, and failure to extract our forces in the medium or long term.”

**1000.** Gen Walker told Lt Gen Fry that his paper had been “v helpful in focusing minds on this issue”.

**1001.** Mr Blair held a meeting on 13 May to discuss security in Iraq.<sup>566</sup> Mr Hoon, Mr John Prescott (the Deputy Prime Minister), Mr Scarlett, Gen Walker, Sir Michael Jay, Lt Gen Fry, Mr Powell, Sir Nigel Sheinwald and other No.10 and Cabinet Office staff were present.

**1002.** Mr Scarlett explained that attacks against the Coalition (500 per week) were less frequent than in April (when they had reached 800 per week) but significantly higher than the position at the start of the year (200 per week). He said that:

“Fallujah was calm following the insertion of the Iraqi manned Fallujah Brigade ... Attacks on the oil terminals and pipelines posed a strategic threat, as did sustained disruption of the main supply routes. In Najaf, Muqtada al-Sadr was isolated and

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<sup>565</sup> [Minute DCDS\(C\) to PSO/CDS, 12 May 2004, ‘Strategic Failure in Iraq – Consequences and Risks’ including Manuscript comment Walker.](#)

<sup>566</sup> [Letter Bowen to Baker, 13 May 2004, ‘Iraq: Security’.](#)



politically weak, and his activity was inspiring intra-Shia tension. The foreign fighters under the leadership of al-Zarqawi ... were planning big and widespread attacks in the run up to the Transition, including against the Shia.”

**1003.** Mr Hoon observed that in Iraq violence was now being used for internal political ends and not solely against the Coalition.

**1004.** Mr Blair expressed a clear view there were two key issues in Iraq: the political process and security, of which security was “fundamental”. In his view the solution was:

“... a better and quicker plan for building Iraqi capacity in the Police, Civil Defence Corps, the Army and the Intelligence Service. Although the numbers were increasing ... Iraqi security forces were not equipped, trained or led to provide the necessary capacity.”

**1005.** After the transfer of sovereignty, Mr Blair felt that Iraqis would be reluctant to ask the Coalition to manage security for them and this “put a real premium on building capacity urgently”. He intended to meet Lt Gen Petraeus, and asked for “a detailed proposition to improve Iraqisation” to inform a subsequent discussion with President Bush.

**1006.** Mr Hoon suggested that it was possible for the UK to “demonstrate a good model of how this should be done, as in southern Iraq”. Gen Walker indicated that “handing over security to local control in the South would be under way in June”.

**1007.** Mr Blair asked about the request to increase UK troops being considered by the MOD. Gen Walker explained that a substantial reinforcement would take the Armed Forces well beyond their planning guidelines. The Chiefs of Staff would make recommendations the following week:

“... against three strategic yardsticks: solidarity with the Coalition; increased influence over the Coalition campaign in Iraq; and enhanced control over the handling of the Shia.”

**1008.** Mr Blair concluded the meeting by commissioning from the MOD:

“... their best proposals for enhancing Iraqi security capability across the whole country ... cover[ing] the police, the ICDC, the army and the Intelligence Service.”

**1009.** On the same day as Mr Blair’s meeting on security, Sir Nigel Sheinwald sent Dr Rice a paper written by the Cabinet Office on security structures in Iraq after the handover of sovereignty.<sup>567</sup>

**1010.** It proposed the creation of an ‘NSC+’ to bring together Iraqi ministers, the commanders of the Multi-National Force (MNF) and (on request) the UN Special

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<sup>567</sup> Letter Sheinwald to Rice, 13 May 2004, ‘Iraq: Post Transition Security Structures’ attaching Paper Cabinet Office, 12 May 2004, ‘Iraq: Post-Transition Security Structures’.

Representative in a group chaired by the Iraqi Prime Minister. ‘NSC+’ would operate on the principle that:

“Before taking actions that directly affect the operational activities or security of the other force, they should undertake consultations and agree a way forward.”

**1011.** A Military Co-ordination Committee would undertake “formal co-ordination”, supported by liaison officers in each HQ. The Cabinet Office paper proposed that initially Iraqi forces would be assigned to work with the MNF, and be under their operational control. The arrangements would be described by an exchange of letters between the Iraqi Defence Minister and the Commander of the MNF.

**1012.** On 14 May, there was “intense fighting” outside al-Amara “in which around 20 members of the militia were killed and others detained”.<sup>568</sup>

**1013.** The following day the Chief of Police for Majar al-Kabir was shot dead.<sup>569</sup>

**1014.** In his book *Occupational Hazards*, Mr Rory Stewart, the CPA’s Deputy Governorate Co-ordinator in Maysan, suggested there might have been a link between the Chief of Police’s murder and the fighting of the previous day:

“The police chief of Majar, who was from Badr, met the Prince [Karim Mahmood Hattab, brother of the Governor of Maysan] ... The Prince accused the police chief of warning the Coalition of the ambush and held the police chief responsible for the deaths of these men, who were from the Prince’s tribe. There was a heated argument ... The police chief was shot dead. Many claimed Governor Riyadh [the Governor of Maysan] had killed him.”

### The Battle of Danny Boy

The incident outside al-Amara on 14 May became known as the “Battle of Danny Boy”.<sup>570</sup>

There were subsequent allegations that, following the incident, UK soldiers unlawfully killed and mistreated a number of detainees.<sup>571</sup>

The Government announced on 25 November 2009 that it was establishing the Al Sweady Public Inquiry to look into these allegations. It published its conclusions on 17 December 2014.

**1015.** When Mr Blair spoke to President Bush on 15 May, he suggested that “things might look very different in a few weeks time if we handled the next stage right”.<sup>572</sup>

<sup>568</sup> Minute Stewart to Rycroft, 20 May 2004, ‘GOC MND(SE) – Iraq Update’.

<sup>569</sup> Stewart R. *Occupational Hazards: My Time Governing Iraq*. Picador, 2006.

<sup>570</sup> *BBC News*, 25 November 2009, *Bob Ainsworth to outline Iraq ‘war crimes’ inquiry*.

<sup>571</sup> House of Commons, *Official Report*, 25 November 2009, columns 81-82WS.

<sup>572</sup> Letter Morys to Adams, 17 May 2004, ‘Prime Minister’s discussion with President Bush on 15 May’.

**1016.** On 17 May, the President of the GC for that month, Mr Ezzadine Salim, was killed by a car bomb in Baghdad, along with five other Iraqi civilians.<sup>573</sup>

**1017.** 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>574</sup>

**1018.** Mr Blair wrote that the coming few weeks were the last chance to move things into place before the new Iraqi government took power. The key dilemma was the tension between the political imperative to give the new government full sovereignty and the security situation, which suggested a need for a robust international presence. In Mr Blair's judgement the political imperative took precedence. Iraqi consent to the continued presence of the MNF was a key issue for the new resolution.

**1019.** Mr Blair proposed the following timetable:

- Week commencing 24 May: Mr Brahimi announces the President, Vice Presidents and Prime Minister. An Iraqi Electoral Commission is appointed. The US and UK suggest the resolution is close to being agreed.
- Mr Brahimi convenes a round table from across Iraq.
- Week commencing 31 May: Iraqi Prime Minister sets out his plan for Iraq in New York. The new resolution is adopted. The US/UK and the Iraqi Prime Minister publish a plan for Iraqisation of security forces.

**1020.** On Iraqi security forces, Mr Blair acknowledged that although numbers had risen, quality needed to be addressed, including by supporting a cadre of Iraqi leaders. In Mr Blair's view there was no alternative to a discriminating rather than indiscriminate de-Ba'athification policy.

**1021.** Mr Blair's Note also proposed:

- better protection of oil and power installations;
- more help for al-Iraqiya (the Iraqi Government-sponsored broadcaster) and high quality media support for the new Iraqi Prime Minister;
- replicating the basic concept of the Fallujah Brigade elsewhere; and
- that the Coalition should produce at least an approximate figure of civilian casualties, rather than leave figures being published by NGOs unchallenged.

**1022.** Sir Nigel and Dr Rice spoke on the telephone during the evening of 18 May.<sup>575</sup> Sir Nigel reiterated Mr Blair's belief that the coming weeks required "a major effort".

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<sup>573</sup> *BBC News*, 17 May 2004, *Baghdad blast kills Iraq leader*.

<sup>574</sup> [Letter Sheinwald to Rice, 18 May 2004, \[untitled\], attaching Note \[Blair to Bush\], \[undated\], 'Note on Iraq'](#).

<sup>575</sup> Letter Sheinwald to Adams, 18 May 2004, 'Iraq: Conversation with US National Security Adviser, 18 May'.

**1023.** Dr Rice indicated US agreement with the sequence of events proposed by the UK, including for the new resolution, on which Sir Nigel emphasised the need to maintain momentum by sharing draft text (except on security arrangements). They agreed to plan on the basis of an event in New York around 3 June, to be attended by the new Iraqi Prime Minister, at which the resolution would be adopted. This fitted with the proposal, supported by the French and others, to conclude the resolution before the anniversary of the Normandy landings.

**1024.** The following day Mr Crompton wrote to Mr Straw's Private Secretary to say that diplomatic reporting from Washington suggested Secretary Powell was not convinced of the need to adopt the resolution in early June.<sup>576</sup> His preference was to await Mr Brahimi's conclusions on the make-up of the Interim Government, and incorporate them into the resolution.

**1025.** Sir David Manning had also reported from Washington that Ambassador Negroponete was resisting the call to share text with other Security Council members quickly, preferring to wait for complete agreement between US agencies on the text as a whole.<sup>577</sup>

**1026.** Mr Crompton wrote that there was a "broad degree of consensus" between Security Council members on the main points for the resolution, including that the detail of security arrangements should be dealt with by exchange of letters.<sup>578</sup>

**1027.** On the security arrangements:

"The major stumbling block is continued US insistence on a unified chain of command. Politically, we see the need for an independent Iraqi chain of command ... Iraqis could voluntarily agree to assign troops to MNF for particular operations, through agreed co-ordination mechanisms."

**1028.** Mr Crompton endorsed a recommendation from Sir David Manning that Mr Straw should call Mr Powell to resolve the problem. If it proved intractable, he suggested that consideration should be given to sharing the draft text as "UK alone".

**1029.** The fourth and final update to the UN by the UK and US took place on 19 May.<sup>579</sup> A Security Council press release quoted Ambassador James Cunningham, for the US, saying that: "30 June would mark a vital step towards realizing the goal of an independent and stable Iraq" and that he:

"... urged the international community to participate in the important task of expanding the Iraqi security forces. That would facilitate the return of United Nations'

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<sup>576</sup> Minute Crompton to Private Secretary [FCO], 19 May 2004, 'Iraq: SCR: Foreign Secretary's Conversation with Powell'.

<sup>577</sup> Telegram 630 Washington to FCO London, 18 May 2004, 'Iraq: New UNSCR: US views'.

<sup>578</sup> Minute Crompton to Private Secretary [FCO], 19 May 2004, 'Iraq: SCR: Foreign Secretary's Conversation with Powell'.

<sup>579</sup> UN Security Council, '4971st Meeting, 19 May 2004' (SC/8097).

personnel to Iraq and enable the United Nations to continue its vital role in assisting the Iraqis in election preparations.”

**1030.** Sir Emyr Jones Parry said:

“... the last three months had seen many challenges, including attempts to deny Iraqis the opportunity to rebuild their country. Despite the difficult circumstances on the ground ... much had been, and was being, achieved. Already, 11 ministries had been transferred to Iraqi control, and others would be transferred on the path to the restoration of full Iraqi sovereignty.

“... over the next few weeks, the Security Council would continue to work for a new resolution on Iraq, including the establishment of a sovereign Government of Iraq.”

**1031.** On 19 May, the FCO Iraq Directorate wrote a paper entitled ‘Iraq: The Medium Term’, attached to which were key messages and facts for use by Cabinet Ministers.<sup>580</sup> Mr Straw’s Private Secretary sent it to the Private Secretaries of all members of the Cabinet as an “information note”.

**1032.** In the note, the UK’s strategic objective in Iraq was defined as “a democratic, stable and prosperous Iraq, that poses no threat to its neighbours”.

**1033.** Under the heading “Strategy” the Iraq Directorate listed what was needed to overcome the obstacles to achieving the strategic objectives:

- establishing the right security architecture after 30 June;
- Iraqiisation of the security forces;
- a “more flexible approach towards co-operation with existing militias”;
- minimising the profile of Coalition Forces;
- ensuring “a sensible and sensitive US approach to military operations”;
- possible UK reinforcement in southern Iraq;
- maintaining pressure on Iraq’s neighbours regarding border security; and
- continued consultation with Coalition partners.

**1034.** On the political process, the Iraq Directorate recommended:

- continuing to support Mr Brahimi in establishing a fully sovereign Iraqi Interim Government;
- ensuring successful negotiation of a UN Security Council resolution;
- ensuring a constructive international conference later in 2004; and
- supporting the UN to prepare for elections in January 2005.

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<sup>580</sup> [Letter Owen to Quarrey, 19 May 2004, ‘Iraq: The Medium Term’ attaching Note Iraq Directorate, 19 May 2004, ‘Iraq: The Medium Term’.](#)

**1035.** The Iraq Directorate concluded “this is an intense agenda across a series of complex inter-related problems, with security at their heart ... The task is considerable; the stakes are high; but it is imperative that we succeed.”

**1036.** An FCO briefing for Cabinet, circulated on 19 May, cautioned that members should not “under-estimate the present difficulties”.<sup>581</sup> There were signs of better organisation by insurgents and a reservoir of popular support in both Sunni and Shia areas in reaction to US military intervention in Fallujah and Najaf, with the fighting spreading to MND(SE). These security difficulties were slowing reconstruction and affecting Iraqi confidence in the Coalition.

**1037.** The Chiefs of Staff considered the US request for additional UK military assets to Iraq on 19 May.<sup>582</sup> Although they recognised there were risks and benefits in all the possible options, they agreed that the “best military option” was the deployment of both HQ ARRC to command both MND(CS) and MND(SE) and a Brigade to replace US forces in the provinces of Najaf and Qadisiyah although Gen Walker stated that “there was current doubt whether it could be delivered and sustained”.

**1038.** On 20 May, Mr Blair told Cabinet that he was hopeful of getting “the right result” from the UN, although time was short and the Russians and French may cause some difficulties.<sup>583</sup> A UN blessing for the political process would give the new leaders more authority to represent sovereign Iraq. But they also needed improved security.

**1039.** 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>584</sup>

**1040.** Mr Blair proposed that the resolution should include clear language on Iraqi consent for the continued presence of the MNF. He again emphasised the need to press on with Iraqiisation of the security forces.

**1041.** On 20 May, the JIC issued an update on Iraq.<sup>585</sup>

**1042.** The JIC judged that “the current level of violence threatens to de-rail Coalition political objectives in Iraq after 30 June”. It assessed that:

“The immediate threat from Muqtada al-Sadr has been partly contained but not resolved. Further flare-ups, on a potentially large scale, can be expected. Al-Sadr remains a threat to Shia-Coalition relations: his death or capture could provoke serious violence.”

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<sup>581</sup> [Letter Owen to Quarrey, 19 May 2004, ‘Iraq: The Medium Term’ attaching Paper FCO, 19 May 2004, ‘Iraq: The Medium Term’.](#)

<sup>582</sup> Minutes, 19 May 2004, Chiefs of Staff meeting.

<sup>583</sup> Cabinet Conclusions, 20 May 2004.

<sup>584</sup> Letter Quarrey to Owen, 20 May 2004, ‘Prime Minister’s VTC with Bush, 20 May: Iraq’.

<sup>585</sup> [JIC Assessment, 20 May 2004, ‘Iraq Update’.](#)

**1043.** The JIC reported that Coalition Forces continued operations against Muqtada al-Sadr's forces in Karbala and Najaf throughout May, but had not yet gained control of Najaf. Negotiations continued but were judged by the JIC to be "slow, opaque and so far fruitless". Growing local opposition was reported in Najaf.

**1044.** On Fallujah, the Assessment said:

"The Fallujah Brigade is a local expedient. Unless integrated into the Iraqi national forces' structure, it risks entrenching sectarian division in the forces creating problems downstream for the new Iraqi government and the Coalition."

**1045.** Maj Gen Stewart requested additional troops to provide both force protection and a mobile reserve in southern Iraq.<sup>586</sup>

**1046.** On 25 May, Mr Hoon's Private Secretary wrote to Mr Rycroft setting out the rationale for the request. He wrote:

"Irrespective of the decisions we reach on the commitment of UK forces to Southern Iraq as a whole ... We should meet this request."

**1047.** Taken alongside the planned withdrawal of another battalion, Maj Gen Stewart's request amounted to a net increase of around 550 UK troops. The request was made "against the background of the recent difficulties ... particularly around al-Amara".

**1048.** The letter reported Mr Hoon's view that this request should be separate from consideration of the broader US request to take responsibility for additional provinces.

**1049.** Mr Hoon's Private Secretary wrote a second letter to Mr Rycroft on 25 May, explaining the advice of the Chiefs of Staff on the US request for additional UK troops.<sup>587</sup>

**1050.** In view of the pressure that the additional deployment would put on the Armed Forces, the Chiefs recommended staging the reinforcement, deploying first the HQ ARRC and ensuring that there was a brigade ready to deploy if required, but holding it back until absolutely necessary.

**1051.** The letter also suggested that it could prove difficult to explain the additional deployment, both to Parliament (which might doubt whether the numbers involved were sufficient to achieve the strategic effort required) and to the Armed Forces more widely, given "the starkly conflicting messages of an increase in commitment, alongside the emergent view in the public domain of sizeable adjustments downwards in our force structures".

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<sup>586</sup> Letter Naworynsky to Rycroft, 25 May 2004, 'Iraq: Reinforcement and Re-rolling of MND(SE) Units'.

<sup>587</sup> [Letter Naworynsky to Rycroft, 25 May 2004, 'Iraq: options for a UK military contribution to the wider South'](#).



**1052.** On 26 May, the JIC provided its assessment of the prospects for security in the Centre South region, in light of the potential deployment of UK troops there.<sup>588</sup> Among its Key Judgements were:

I. Centre South is a more volatile region than the South East and a nexus of intricate Shia politics. The security challenge is also more complex, and UK forces deployed into Centre South could face a somewhat greater level of risk than experienced in the South East ...

II. Good relations with Shia leaders, principally the Hawza, are a key requirement for maintaining Shia consent. A successful extension of British influence to the Centre South could bring greater consistency of policy and therefore stability to the Shia areas as a whole.

III. Al-Sadr's political isolation appears to be deepening. But if he is killed or captured by Coalition Forces further, potentially widespread, violence is likely. In any case, some Mahdi Army militants will continue to attack the Coalition and represent a long-term threat."

**1053.** The JIC considered that, in the short term, the Iraqi security forces would be unable to cope with a determined armed challenge without the help of Coalition Forces.

**1054.** On 26 May, Mr Richmond reported that JAM fighters seemed to be returning to Baghdad, and had withdrawn from Karbala.<sup>589</sup> The Shia leadership had contacted Muqtada al-Sadr, who had offered to withdraw from Najaf and all government buildings, allowing the Iraqi Security Forces to return. His condition was that the Coalition should also withdraw from Najaf and put the legal case against him on hold until there was a sovereign Iraqi government.

**1055.** The CPA responded that efforts should be made to secure an undertaking that JAM would disarm and dissolve as well as withdraw.

**1056.** On 27 May, Mr Blair met Mr Hoon, Mr Straw, Mr Benn, Gen Walker and others to discuss the Chiefs' advice on the US request for additional UK troops.<sup>590</sup>

**1057.** Mr Rycroft's record of the meeting shows that Mr Blair agreed that Mr Hoon should announce the uplift for MND(SE), and that:

"... there was a short discussion – but no decisions – on the options for a UK military contribution to the wider South ... The Prime Minister said that of course we must do what was necessary for the success of the overall mission in Iraq. These operational military judgements must take precedence over any political considerations."

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<sup>588</sup> [JIC Assessment, 26 May 2004, 'Iraq: Security Prospects in Centre South'](#).

<sup>589</sup> Telegram 259 IraqRep to FCO London, 26 May 2004, 'Muqtada al Sadr'.

<sup>590</sup> [Letter Rycroft to Baker, 27 May 2004, 'Iraq: UK Military Presence'](#).

**1058.** It was agreed that Ministers would discuss the question again on 3 June. Mr Blair reiterated his request for a “full, detailed plan on Iraqi-isation of security forces” in time for the meeting.

**1059.** Mr Hoon told Cabinet on 27 May that the British divisional commander in Basra had requested a “modest reinforcement”, consistent with the policy of keeping force levels under review.<sup>591</sup> The reinforcement would involve about 600 additional troops. In discussion, the point was made that consideration of a more substantial reinforcement in Iraq was continuing.

**1060.** Mr Hoon told Parliament later on 27 May that a further 370<sup>592</sup> troops would deploy to Iraq in response to Maj Gen Stewart’s request for MND(SE), bringing “the total of UK forces in Iraq to about 8,900”.<sup>593</sup>

**1061.** Sir Kevin Tebbit was not present at Mr Blair’s meeting on 27 May, but when he saw the record of the discussion he expressed concern that Ministers and their advisers might have been talking at cross-purposes.<sup>594</sup>

**1062.** In a minute to Mr Hoon he suggested that the record of the meeting:

“... read as if the Prime Minister was in danger of believing that the options developed are based on operational military judgements of what is needed for the success of the overall mission, when it can equally be argued that they are operational military judgements of how best to proceed if Ministers decide there is an overriding political need to do more.”

**1063.** Sir Kevin argued that the 25 May letter to Mr Rycroft on the US request had represented the Chiefs’ advice on what “could” be done if Ministers wished something to be done, rather than what “needed” to be done for purely military purposes. His own view was that no final decisions should be taken on additional UK deployments until after agreement had been reached on the future role of Coalition troops in Iraq following the transfer of sovereignty. He also took the view that no further military contribution should be considered without a reassurance that the FCO and DFID could put their own resources in as well “to help produce the broader security result”.

**1064.** Mr Hoon annotated the minute “I agree with this – what would be the Chiefs’ advice on what needs to be done?”

**1065.** In a video conference with President Bush on 26 May, Mr Blair supported an idea from Mr Brahimi that Iraqi Ministers should present to the UN when the new resolution

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<sup>591</sup> Cabinet Conclusions, 27 May 2004.

<sup>592</sup> The Inquiry has no evidence for why the net increase changed from 550 to 370.

<sup>593</sup> House of Commons, *Official Report*, 27 May 2004, column 1725.

<sup>594</sup> [Minute Tebbit to Hoon, 28 May 2004, ‘Iraq: UK military presence’ including Manuscript comment Hoon, 29 May 2004.](#)

was adopted.<sup>595</sup> There were some shared concerns about French and Russian support for the resolution.

**1066.** Mr Blair also reported positively on moves to provide media support to the new Iraqi Prime Minister, and suggested that more Iraqi voices speaking positively about what the Coalition had achieved, and planned to achieve, were needed.

**1067.** In the next video conference with President Bush, on 30 May, Mr Blair hoped that the new resolution, which made clear that full sovereignty was being transferred, could be tabled on 1 June, and voted on a day or two later.<sup>596</sup> The resolution should not include the necessity for the sovereign Iraqi Government to 'opt in' to the continued presence of the MNF after the election. Ideally, members of the Interim Government should be present in New York as the resolution was discussed.

**1068.** Mr Blair said that he intended to speak to Lt Gen Petraeus, as the Iraqiisation of security was critical.

**1069.** Sir Nigel Sheinwald called Dr Rice to follow up the discussion.<sup>597</sup> It was clear that President Bush was pushing for the resolution to be tabled swiftly. They agreed to suggest to Ambassador Bremer/Mr Richmond that the new Iraqi Prime Minister might be prompted to call for a swift Security Council resolution soon after his appointment.

### The Impact of events in spring 2004

Sir John Sawers told the Inquiry that:

"... spring of 2004, March, April, May, was one of the low points in managing Iraq policy at the London end. We had ... the crises in Fallujah first ... We had the crisis in Najaf. We had the Abu Ghraib facilities ...

"I visited Iraq in early May and it was the gloomiest and most downbeat visit that I paid ... And I think it was then that we realised the scale of the task ahead of us and the need to really put our heads down and be in it for the longer term, because the insurgency and violence was clearly not at a peak and it was clearly going to get worse at that stage. And the Abu Ghraib issues just added another nasty twist to the difficulties that we faced."<sup>598</sup>

Sir John's view of spring 2004 as a significant moment for the Coalition was shared by Lord Turnbull, who told the Inquiry:

"For me, the turning point in all this was the capture and the murder and the burning of the American engineers [in Fallujah] and then their bodies are hung up on the

<sup>595</sup> Letter Quarrey to Owen, 26 May 2004, 'Iraq: Prime Minister's VTC with Bush, 26 May'.

<sup>596</sup> Letter Rycroft to Adams, 30 May 2004, 'Prime Minister's conversation with Bush, 30 May'.

<sup>597</sup> Letter Sheinwald to Adams, 30 May 2004, 'Iraq: conversation with US National Security Advisor'.

<sup>598</sup> Public hearing, 16 December 2009, page 53.

bridge. That – suddenly I thought, ‘This is really not going well’. You know, we have really hit something very, very serious at this point ...”<sup>599</sup>

Mr Rycroft described April/May 2004 to the Inquiry as “an ongoing very difficult moment” and recalled a sense of increasing “exasperation from the Prime Minister that even though he felt he understood what needed to be done, it wasn’t being done”.<sup>600</sup>

For the Civil Service, Lord Turnbull told the Inquiry that Abu Ghraib prompted a feeling that it was “kind of sullied, kind of disgraced”.<sup>601</sup>

Mr Edward Chaplin told the Inquiry that it took a long time for the Coalition’s image to recover from the Abu Ghraib scandal:

“... as regards opinion in the Arab world, which was probably the most critical factor ... the television images replayed again and again and I think did damage, certainly”.<sup>602</sup>

The impact of Abu Ghraib was also felt by the UK military. Lt Gen Figgures told the Inquiry that as a result of the revelations:

“A major prop of a campaign, the winning of the consent of the Iraqi people, had been given a savage knock ...

“So it was a severe blow to our ability to prosecute the campaign.”<sup>603</sup>

Maj Gen Andrew Stewart said “Abu Ghraib had a significant effect on us in terms of people – the public turning against us.”<sup>604</sup>

Mr Hoon told the Inquiry:

“... those kinds of revelations simply demonstrated that we were perceived by still more of the population as being occupiers, as being foreign, as being the enemy, and that necessarily made it harder to keep people on side in terms of hearts and minds”.<sup>605</sup>

Mr Blair told the Inquiry that he was “shocked and angry” after seeing photographs of the conditions in Abu Ghraib for the first time.<sup>606</sup> He judged that “these pictures and the abuse of prisoners was going to be vital propaganda for our enemies”.

Sir David Omand told the Inquiry that Fallujah and Abu Ghraib “played directly into the radical extremist propaganda” which increased the level of jihadist activity in the UK.<sup>607</sup>

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<sup>599</sup> Public hearing 13 January 2010, page 85.

<sup>600</sup> Private hearing, 10 September 2010, page 97.

<sup>601</sup> Public hearing, 13 January 2010, page 87.

<sup>602</sup> Public hearing, 7 December 2009, page 7.

<sup>603</sup> Public hearing, 9 December 2009, page 64.

<sup>604</sup> Public hearing, 9 December 2009, page 71.

<sup>605</sup> Public hearing, 19 January 2010, page 175.

<sup>606</sup> Public hearing, 29 January 2010, pages 214-215.

<sup>607</sup> Public hearing, 20 January 2010, pages 42-43.

## June 2004

### Appointing the Iraqi Interim Government

The RAND report describes Mr Brahimi, assisted by Ambassadors Bremer and Blackwill, carrying out a large number of consultations with members of the GC and other notable Iraqis, with the aim of securing agreement on the composition of an Iraqi Interim Government.<sup>608</sup>

After the first person he suggested for Prime Minister was rejected by the US, Mr Brahimi then suggested Dr Ayad Allawi, who was enthusiastically received. Dr Allawi, a secular Shia Muslim and leader of the Iraqi National Accord (INA), had been in exile in London during most of Saddam Hussein's regime.

Sir David Richmond told the Inquiry that Mr Brahimi had made use of the knowledge acquired by UK and US officials and had succeeded in:

“... widening the base of Iraqis with whom we worked, which was very important, because we were trying to hand over to a representative government. We were aware Iraqis with whom we were working were not really as representative as we would have wished.”<sup>609</sup>

On the choice of Prime Minister, Sir David described:

“...a meeting going on at which various candidates were being discussed and Lakhdar Brahimi was essentially saying that his first choice, Shahrstani, was not going to fly for a variety of different reasons, and one or two other names were being thrown around, all of them not apparently particularly suitable.

“So I sort of just asked the question had Sistani raised an objection to Ayad Allawi and Brahimi said no. That came as a considerable surprise to everybody in the room, except Lakhdar Brahimi. That was a godsend to me, to those who wanted to see Ayad Allawi as Prime Minister. There was no objection from Najaf. I think within 48 hours he was consecrated Prime Minister.”<sup>610</sup>

Sir Nigel Sheinwald told the Inquiry that Dr Allawi's name had not been mentioned to the UK all the way through the period of the formation of the Interim Government, but that “from the moment we heard that he was going to be the Prime Minister, he was pretty much welcome to us”.<sup>611</sup>

The GC formally announced Dr Allawi's selection as Prime Minister on 28 May 2004.<sup>612</sup>

**1070.** 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>613</sup> Sheikh Ghazi al-Yawar, a former civil engineer, was sworn in as President. Dr Ibrahim Ja'afari of the

<sup>608</sup> Dobbins J, Jones SG, Runkle B & Mohandas S. *Occupying Iraq: A History of the Coalition Provisional Authority*. RAND Corporation, 2009.

<sup>609</sup> Public hearing, 26 January 2011, page 47.

<sup>610</sup> Public hearing, 26 January 2011, page 48.

<sup>611</sup> Private hearing, 3 September 2010, page 51.

<sup>612</sup> *BBC News*, 28 May 2004, *Future Iraqi prime minister named*.

<sup>613</sup> *BBC News*, 1 June 2004, *Iraq's interim cabinet sworn in*.

Dawa Party and Dr Rowsch Shaways, President of the Kurdistan National Assembly, were appointed as Deputy Presidents.

**1071.** A press conference was held in Baghdad by the Prime Minister, President and Mr Brahimi to announce the new Government.

**1072.** Almost two-thirds of the Interim Government's Cabinet were new faces; just two had also held positions in the GC.<sup>614</sup> The Council of Ministers was composed largely of technocrats, some with political affiliations.

**1073.** Mr Blair telephoned Prime Minister Allawi on the day of his swearing in.<sup>615</sup> After offering his congratulations, Mr Blair stressed the importance of getting UN Security Council endorsement of the Interim Government, and sought comments on the draft text of the proposed resolution.

**1074.** Mr Blair encouraged Prime Minister Allawi to travel to New York alongside Foreign Minister Zebari for the adoption of the resolution, and to make time to speak to the Western media, which lacked a strong Iraqi voice.

**1075.** Mr Blair told President Bush later the same day that Prime Minister Allawi had come across well in their conversation, and that he should speak to the Western media.<sup>616</sup>

**1076.** The same group of Ministers and officials who had assembled on 27 May met again on 3 June.<sup>617</sup> Mr Hoon and Gen Walker explained that:

“With increasing Iraqiisation there should be a reduction, not increase, in the number of troops. No more troops were required for the tasks currently assigned to the UK in MND(SE). But if for other reasons (solidarity with the US, increased influence in Iraq, increased likelihood of achieving strategic goal in Iraq) it was decided to go ahead, the optimal military solution would be to provide both the ARRC as a three-star HQ to command both MND(SE) and MND(CS) and a brigade of troops.”

**1077.** After “a full discussion” that was not described in the record of the meeting, Mr Blair concluded that “the issue should be kept under advisement for now ... We should only consider an increased commitment if the new Iraqi Government supported it.”

**1078.** An MOD paper on Iraqiisation was considered and it was agreed that a UK team should be deployed to Iraq to draft “the equivalent of a white paper on defence and security”. Mr Blair asked for an update on “what is actually happening in MND(SE) in terms of handing over responsibility for security to the Iraqis”. A further meeting was planned for the middle of June.

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<sup>614</sup> UN Security Council, ‘4984th Meeting, 7 June 2004’ (SC/8113).

<sup>615</sup> Letter Quarrey to Owen, 1 June 2004, ‘Iraq: Prime Minister’s Conversation with Ayad Allawi, 1 June’.

<sup>616</sup> Letter Quarrey to Owen, 1 June 2004, ‘Prime Minister’s VTC with Bush, 1 June’.

<sup>617</sup> [Letter Rycroft to Baker, 3 June 2004, ‘Iraq: Prime Minister’s meeting 3 June’](#).

**1079.** On 7 June, Mr Brahimi briefed the Security Council that:

“... after a long, complicated and delicate process under less than optimal conditions, Iraq had two institutions essential for the next phase – an Interim Government and a National Independent Electoral Commission.”<sup>618</sup>

**1080.** Mr Brahimi described the process of forming the Interim Government as “imperfect and ambiguous” but that the result had been a “capable and reasonably balanced” group ready to take power on 30 June. The challenges they faced were considerable, and would take “years, not months, to overcome”.

**1081.** Mr Brahimi reported that his team had consulted widely on how to select the Interim Government. They had resolved on a process by which a forum made up of the past, present and future Presidents of the GC, working together with the CPA and the UN, decided on the criteria for determining who would be selected. Following further wide consultation, a consensus emerged that Dr Ayad Allawi should be Prime Minister; and that a three-person Presidency Council should be formed, supported by a Council of Ministers, largely made up of technocrats.

**1082.** The day after Mr Brahimi’s briefing, the Security Council adopted resolution 1546 (2004).

**1083.** The main issue during its negotiation had been the description of post-transition security arrangements.<sup>619</sup>

**1084.** Resolution 1546 welcomed the beginning of a new phase in Iraq’s transition to a democratically elected government, and looked forward to the end of the occupation by 30 June 2004.<sup>620</sup>

**1085.** The key parts of resolution 1546 were that the Security Council:

- endorsed the formation of a sovereign Interim Government of Iraq (IGI) which would take full responsibility for governing Iraq, whilst not taking actions “affecting Iraq’s destiny beyond the interim period”;
- welcomed the end of the Occupation;
- endorsed the proposed timetable for Iraq’s political transition to democratic government, including the formation of the IGI, and the holding of direct democratic elections by no later than 31 January 2005;
- defined a number of roles for the Special Representative to the Secretary-General and the United Nations Assistance Mission for Iraq including preparing Iraq for elections, drafting a permanent Constitution, advising the Government

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<sup>618</sup> UN Press Release, 7 June 2004, ‘Lakhdar Brahimi Briefs Security Council on “Complicated and Delicate” Process Leading to Iraq’s Interim Government, Electoral Commission’ (SC/8113).

<sup>619</sup> Telegram 523 UKMIS New York to FCO London, 8 June 2004, ‘Iraq Resolution: Text in Blue’ attaching two papers.

<sup>620</sup> UN Security Council resolution 1546 (2004).



on the development of services and reconstruction, and promoting the protection of human rights, reconciliation and judicial and legal reform;

- welcomed efforts by the incoming IGI to develop Iraqi security forces;
- noted that the presence of the MNF in Iraq was at the request of the IGI and so reaffirmed the authorisation for the MNF contained in resolution 1511;
- decided that the MNF should have the authority to take all necessary measures to contribute to the maintenance of security and stability in Iraq, including by preventing and deterring terrorism;
- welcomed the fact that arrangements were being put in place to establish a security partnership between the IGI and MNF;
- decided that the mandate for the MNF should be reviewed at the request of the IGI or 12 months from the date of the resolution, and that the mandate should expire at the completion of the political process;
- requested Member States and international and regional organisations to contribute assistance to the MNF and to support the efforts of the UN Assistance Mission in Iraq and to assist the IGI in building police and other services to combat terrorism; and
- made clear that the Development Fund for Iraq could only be spent by the Government of Iraq.

**1086.** Annexed to the resolution was a letter from Prime Minister Allawi to the President of the Security Council asking for support in providing security and stability against forces opposed to Iraq's transition to peace and democracy, until Iraq was able to provide security for itself.

**1087.** Dr Allawi proposed to establish the Ministerial Committee for National Security, to which the Commander or Deputy Commander of the MNF would be invited as appropriate. The Committee would discuss mechanisms for co-ordinating with the MNF. Dr Allawi wrote that:

“We will be working closely with the MNF leadership in the coming week to ensure we have such an agreed strategic framework.”

**1088.** A letter from Secretary Powell to the President of the Security Council was also annexed. He confirmed that the MNF was prepared to contribute to the maintenance of security in Iraq, including by preventing and deterring terrorism and protecting the territory of Iraq:

“The goal of the MNF will be to help the Iraqi people to complete the political transition and will permit the United Nations and the international community to work to facilitate Iraq's reconstruction.”

**1089.** Secretary Powell wrote that the MNF stood:

“... ready to continue to undertake a broad range of tasks to contribute to the maintenance of security and to ensure force protection. These include activities necessary to counter ongoing security threats posed by forces seeking to influence Iraq’s political future through violence ... including combat operations against members of these groups, internment where this is necessary for imperative reasons of security, and the continued search for and securing of weapons that threaten Iraq’s security.”

**1090.** Reflecting on the resolution in a working breakfast with President Bush on 9 June, Mr Blair welcomed its unanimous adoption and proposed that the next step should be “to sort out the Iraqisation of security forces”.<sup>621</sup> He recognised that would be a “huge task” given the number of weapons in Iraq, and hoped that Prime Minister Allawi and Lt Gen Petraeus would agree and publish a detailed plan.

**1091.** Mr Hoon discussed the US request for additional UK troops with Lt Gen McColl, during a visit to Iraq on 14 June.<sup>622</sup> Lt Gen McColl’s view was that:

“... the UK should deploy HQ ARRC and a further brigade to support the US who in his view were ‘suffering’. General Abizaid had commented recently that he had already asked for HQ ARRC six times.”

**1092.** Asked by Mr Hoon what difference that additional deployment would make, Lt Gen McColl commented:

“... a UK deployment would allow us to conduct operations in MND(CS) from a UK perspective.

“... if we did not deploy additional troops there would be a higher level of risk to troops in Iraq and a further risk to the strategic mission.”

He added that:

“... the issue of increasing UK influence on the US was becoming ‘embarrassing’. The positions that the UK held in various HQs (and hence the influence) was disproportionate to our overall troop deployment and financial contributions.”

**1093.** On 14 June, the Cabinet Office circulated a discussion paper as background for the next Ministerial meeting on the US request to deploy additional troops.<sup>623</sup> This set out the advantages and disadvantages of three options:

- no expansion;

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<sup>621</sup> Letter Rycroft to Adams, 9 June 2004, ‘Prime Minister’s meeting with President Bush 9 June 2004: Iraq and European Issues’.

<sup>622</sup> [Letter Naworynsky to Owen, 17 June 2004, ‘Meeting between the Secretary of State for Defence and Senior British Military Representative – Iraq: 14 June 2004’.](#)

<sup>623</sup> [Minute Cabinet Office \[junior official\] to Owen, 14 June 2004, ‘Iraq: the context for an extension of military forces’ attaching Paper Cabinet Office, 11 June 2004, ‘Iraq: The Context for an Expansion of Military Forces’.](#)

- the deployment of the ARRC with a brigade of troops “on stand-by at high-readiness”; or
- the simultaneous deployment of both the ARRC and a brigade of troops.

**1094.** The Cabinet Office observed that the US Administration remained interested in securing the additional UK troops but, in view of the fact that they had been willing to give the UK time to consider the request and had not sought to apply pressure, a positive UK response was judged to be “desirable but not critical”.

**1095.** Sir Nigel Sheinwald wrote a minute for Mr Blair containing his advice for the meeting.<sup>624</sup> Sir Nigel said that the ARRC should not be deployed “if it is just to alleviate American overstretch, since we are under severe pressure too”. He urged Mr Blair to “probe CDS [Gen Walker] who seems to be saying both that it [deployment of the ARRC] would be significant and that the reasons for doing this are political not military”.

**1096.** Both Sir Nigel and the Cabinet Office highlighted the difficulties inherent in almost doubling UK forces in Iraq (if the ARRC and a brigade were deployed) whilst simultaneously focusing on Iraqisation and the transfer of sovereignty.

**1097.** The same group of Ministers and officials who had met on 3 June, plus Mr Paul Boateng, the Chief Secretary to the Treasury, met on 15 June. Mr Rycroft recorded in a letter to Mr Hoon’s Private Secretary that they had 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 and 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. We should not raise US expectations by talking to them about the details of how the reinforcement might take place.”<sup>625</sup>

**1098.** On 16 June, Sir Nigel Sheinwald sent Dr Rice a Note written by Mr Blair for President Bush.<sup>626</sup> Looking ahead to several weeks containing “international meetings” Mr Blair proposed a strategic plan, the objectives of which included “to show continued Iraq ‘grip’” and “to deal with any WMD/intelligence issues” (see Section 4.4).

**1099.** Mr Blair envisaged that the timetable and strategy in relation to Iraq would include the IIG 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

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<sup>624</sup> [Minute Sheinwald to Prime Minister, 14 June 2004, ‘Iraq Meeting, 1430 Tuesday’ attaching Paper Cabinet Office, 11 June 2004, ‘Iraq: The Context for an Expansion of Military Forces’.](#)

<sup>625</sup> [Letter Rycroft to Baker, 15 June 2004, ‘Iraq: Prime Minister’s Meeting, 15 June’.](#)

<sup>626</sup> Letter Sheinwald to Rice, 16 June 2004, [untitled] attaching Note Blair [to Bush], [undated], ‘Note’.

9 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.”

**1100.** Mr Blair's Private Secretary suggested that he should discuss the plan outlined in his Note to “draw together various key strands of work (Iraq, WMD, Afghanistan, MEPP) into a coherent strategy with a clear timetable into the autumn” with President Bush on 22 June.<sup>627</sup>

**1101.** In mid-June, the JIC assessed the threat posed by Abu Musab al-Zarqawi.<sup>628</sup> It concluded that:

- I. Al-Zarqawi is now second only to Bin Laden as an inspirational figure in the Islamist extremist world. His networks have proved resilient and if he is killed or captured other leaders will emerge.
- II. Islamist terrorists have been responsible for a number of major suicide attacks in Iraq, and al-Zarqawi has been behind many of them.
- III. Other significant but less well-publicised Islamist terrorist groups are conducting similar attacks against similar targets. But his actions and words have given al-Zarqawi an unrivalled prominence as the key jihadist leader in Iraq.
- IV. It is not clear whether al-Zarqawi is a member of Al Qaida. He has close links with the leadership, but maintains his independence.
- V. His strategy in Iraq is to destabilise the country by fomenting civil war, and eventually to establish a Sunni Islamist state – and a safe haven from which Islamist terrorists can pursue the jihad. In pursuing this strategy he will seek to intensify attacks in the lead up to the handover of power and beyond, targeting Americans, British, Kurds, Shia and other Iraqis seen as supporting the Coalition and the new Iraqi government.”

**1102.** On 17 June, Mr Blair told Cabinet that the Iraqi people were beginning to realise that terrorist attacks were not against the Coalition, but rather against Iraq and its people.<sup>629</sup> He suggested that this should result in a reduction in support for terrorist activity.

**1103.** Gen Walker told the AHMGIR on the same date that there had been a marginal improvement in the security situation and that incidents in MND(SE) were down by 20 percent.<sup>630</sup> There continued to be targeted attacks by militants, using increasingly sophisticated tactics.

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<sup>627</sup> Minute Quarrey to Blair, 22 June 2004, ‘VTC with President Bush, 22 June’.

<sup>628</sup> [JIC Assessment, 16 June 2004, ‘International Terrorism: The Threat from Abu Musab Al-Zarqawi’.](#)

<sup>629</sup> Cabinet Conclusions, 17 June 2004.

<sup>630</sup> Minutes, 17 June 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

**1104.** Sir Kevin Tebbit, who had recently visited Baghdad, judged that “while we were not losing the security battle, we were entering a new and very dangerous phase”.

**1105.** Mr Hoon commented that the security situation was very different in the South. He noted the difficult situation faced by UK forces in Maysan, who were sustaining 22 percent casualties. That could not continue indefinitely, and root causes such as unemployment needed to be examined.

**1106.** On 18 June, Mr Martin Howard, MOD Director General Operational Policy, submitted advice to Mr Hoon on the options for deploying the ARRC, intended to result in a decision ahead of the forthcoming NATO summit, which was thought to be an ideal opportunity to inform other countries and announce a deployment.<sup>631</sup>

**1107.** The submission listed three options:

- deployment to Afghanistan in 2006;
- deployment to Iraq; or
- remaining as part of the NATO Reaction Force.

**1108.** Mr Howard did not recommend which option should be selected. He asked Mr Hoon to agree that “if Ministers decide against deployment to Iraq ... there are sound military and political reasons for committing the ARRC to Afghanistan in mid-2006”. That “would chime well with plans for strategic handoff in Iraq around mid-06”.

**1109.** Mr Howard suggested that, while deployments to either Afghanistan or Iraq might reinforce the ARRC’s operational credentials, deployment to Iraq could “undermine its position as a reliable NATO asset”. He wrote:

“The obvious conclusion is that a decision in favour of Iraq would need to be supported by a very strong political or military rationale, preferably both; stewardship of the forthcoming elections, where HQ ARRC has the potential to have an effect in creating the right security conditions, could be a factor in this respect. Overall, however, the political rationale remains opaque with latest assessments of the timelag in deployment weakening any obvious operational rationale.”

**1110.** Sir Kevin Tebbit wrote to Mr Hoon on 21 June to say that he endorsed Mr Howard’s submission, recommending that “we instead earmark the ARRC for Afghanistan in 2006”.<sup>632</sup>

**1111.** Sir Kevin had recently returned from a visit to Iraq and reported that the ARRC deployment had been raised with him by two US Generals and by Ambassador Bremer, who saw it as supporting the training of the Iraqi Armed Forces because:

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<sup>631</sup> [Minute Howard to PS/SofS \[MOD\], 18 June 2004, ‘HQ ARRC Deployment Options’.](#)

<sup>632</sup> Minute Tebbit to Secretary of State [MOD], 21 June 2004, ‘HQ ARRC Deployment’.

“... only the US and UK had the professionalism, together with the readiness to provide the guarantee of warfighting back-up, that would enable the Iraqis to progressively take over responsibility for security.”

**1112.** In Sir Kevin’s discussions, no-one had suggested the deployment made the difference between strategic success or failure in Iraq. He advised:

“Were there to be a more serious risk of strategic failure, then there would be a need perhaps to reconsider at least as far as troop numbers are concerned.”

**1113.** The record of points on Iraq discussed at the video conference between Mr Blair and President Bush on 22 June indicates that Mr Blair argued that Prime Minister Allawi and Lt Gen Petraeus should keep working on a detailed plan for Iraqisation, for publication.<sup>633</sup> Mr Blair said that it appeared that the obstacles to that process were being removed and that both the quantity and quality of the ISF were increasing. He suggested that the NATO Summit in Istanbul should be the vehicle to get agreement from NATO to support training in Iraq.

**1114.** The Chiefs of Staff meeting on 23 June was, according to Mr William Ehrman, who attended on behalf of the FCO:

“... taken up by Afghanistan. There were no points of note on Iraq. Chiefs noted that the Defence Secretary would write to the Prime Minister that day recommending that the HQ ARRC be deployed to Afghanistan in 2006.”<sup>634</sup>

**1115.** On the same day, Mr Hoon’s Private Secretary wrote to Mr Blair’s Private Secretary to explain that the case for deploying HQ ARRC to Iraq was receding.<sup>635</sup> Although it would have provided a visible expression of the UK commitment to success in Iraq, and might have increased UK influence over the direction of the overall campaign, any military effect would not be felt until the autumn. In any case, the security concerns that had led to the US requesting additional UK forces had reduced.

**1116.** Instead, Mr Hoon supported planning for a 2006 deployment of HQ ARRC to Afghanistan. That would not preclude deployment to Iraq later in 2004 if the security situation were to deteriorate dramatically.

**1117.** Sir Nigel Sheinwald told the Inquiry that Ministers had decided not to deploy the ARRC to Iraq because they did not think there was a sufficiently compelling case for doing so, and because the ARRC “might be needed in the future should we move into a more ambitious military role in Afghanistan”.<sup>636</sup>

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<sup>633</sup> Letter Quarrey to Owen, 22 June 2004, ‘Prime Minister’s VTC with Bush, 22 June: Iraq’.

<sup>634</sup> Minute Ehrman to Thompson, 23 June 2004, ‘Chiefs of Staff, 23 June: Afghanistan’.

<sup>635</sup> [Letter Naworynsky to Quarrey, 23 June 2004, ‘Allied Rapid Reaction Corps \(ARRC\): deployment options’](#).

<sup>636</sup> Public hearing, 16 December 2009, page 87.



**1118.** Sir Nigel also told the Inquiry that:

“... there was no sense in the summer of 2004 that we were sort of making a decision to make Afghanistan our main military effort. There’s no record that I have seen which suggests that.”<sup>637</sup>

**1119.** As the transfer of sovereignty approached, on 23 June the Iraq Policy Unit reported to Mr Straw’s Private Secretary that FCO Legal Advisers had assessed all CPA legislation against the UK’s legal obligations to see what risks arose.<sup>638</sup>

**1120.** The advice said that:

“As the Secretary of State is aware, we have since the beginning of the Occupation fought a series of policy and legal battles with the US over various CPA initiatives or pieces of legislation. These have occurred in some cases over differences of approach to policy, particularly given the US ambitious agenda to lay the foundations for long-term reform of the Iraqi economy and society, and in some cases because of an expansive US approach to the law of Occupation.”

**1121.** In relation to resolution 1483, consultation with the Special Representative to the UN Secretary General had not taken place, although the IPU noted that no one in the UN had ever protested to the CPA or UK.

**1122.** The advice identified three other potential risk areas, two of which raised potential incompatibilities with the UK’s obligations under the European Convention on Human Rights and one of which suggested that the UK might be jointly responsible for an action which went beyond its powers in Iraq.

**1123.** Mr Straw’s Private Secretary wrote a note to Mr Crompton in manuscript to record that the Foreign Secretary had “noted” the advice.

**1124.** At Cabinet on 24 June, Mr Blair said that efforts to intimidate people not to join the ISF and to disrupt power and oil supplies were increasingly seen as contrary to the interests of the Iraqi people.<sup>639</sup> He told Cabinet that “this was a crucial psychological shift”.

**1125.** Mr Hoon wrote to Secretary Rumsfeld on 25 June, explaining that the UK had decided to deploy the ARRC to Afghanistan rather than Iraq.<sup>640</sup>

**1126.** On 26 June, Mr Blair sent messages of appreciation to UK staff in the CPA who would be leaving Iraq.<sup>641</sup>

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<sup>637</sup> Private hearing, 3 September 2010, page 35.

<sup>638</sup> Minute Crompton to Private Secretary [FCO], 23 June 2004, ‘Iraq: The Extent of the UK’s Obligations in Iraq’ including manuscript comment Private Secretary, 2 July 2004.

<sup>639</sup> Cabinet Conclusions, 24 June 2004.

<sup>640</sup> Letter Hoon to Rumsfeld, 25 June 2004, ‘ARRC Options’.

<sup>641</sup> Letter Blair to Richmond, 26 June 2004, [untitled]; Letter Blair to Segar, 26 June 2004, [untitled]; Letter Blair to Nixon, 26 June 2004, [untitled].



**1127.** 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.

**1128.** Ambassador Bremer recorded that the idea for the early transfer reached him through Dr Rice, who reported that “the President is interested in trying to ‘wrong foot’ the opposition”.<sup>642</sup>

**1129.** Power was transferred from the CPA and GC to the Iraqi Interim Government (IIG).<sup>643</sup>

**1130.** The IIG comprised a President, two Vice Presidents, a Prime Minister, a Deputy Prime Minister, and 31 ministers. Six of the 31 ministers were women.

**1131.** Sir David Richmond told the Inquiry that the representation of women was:

“... one of the minor success stories of the CPA ... John Sawers and Jerry Bremer when they were setting up the Iraqi Governing Council were very insistent there should be women members. I think there were three at that stage. We said that the Iraqi governing council had to choose the Ministers in that sort of first government that was set up at the end of August-beginning of September 2003. There were no women.

“So my conclusion was that left to their own devices I think there would have been very few women involved in the process, but we learned from that lesson, and in drafting the transitional administrative law, the TAL, which was in effect the interim Constitution and the electoral process and representation in the assemblies and so on, we insisted on a quota for women. There were also women in the interim government we handed over to. Quite a lot of work was done by various people, including some of the British secondees to try to set up women’s groups to encourage their participation in the process.”<sup>644</sup>

**1132.** On 28 June, as he prepared to leave Baghdad, Mr Richmond sent a valedictory telegram to the FCO in which he assessed the failures and achievements of the CPA.<sup>645</sup> He judged that:

“The failure to crack down on the orgy of looting in April last year resulted in a crime wave which the Coalition has never been able to bring fully under control.”

**1133.** Mr Richmond acknowledged that it could be argued the Coalition would have faced a security challenge regardless of its actions, but observed:

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<sup>642</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

<sup>643</sup> Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006. Note: Ambassador Bremer describes last-minute UK concerns about the early transfer of power. There is no evidence on this point in the papers available to the Inquiry.

<sup>644</sup> Public hearing, 26 January 2011, pages 50-51.

<sup>645</sup> [Telegram 359 IraqRep to FCO London, 28 June 2004, ‘Iraq: Valedictory: The End of Occupation’](#).

“... it is hard to escape the conclusion that CPA policies and US military tactics made the situation worse”.

**1134.** After security, Mr Richmond suggested that “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”.

**1135.** Looking back on the Seven Step Plan devised by Ambassador Bremer, Mr Richmond assessed it as:

“... no doubt overly ambitious ... But, rightly, he [Ambassador Bremer] wanted Governing Council buy in and by the time it was clear that they could not agree and that Sistani’s opposition was an insurmountable obstacle, three months had been wasted.”

**1136.** Mr Richmond said that a:

“... major political problem we faced was the lack of internal leadership, particularly but not exclusively Sunni, as a result of Saddam’s policy of eliminating all potential rivals. The CPA was forced to rely on exiles and political parties which were organised on ethnic/sectarian lines. Their dominant presence on the Governing Council and the absence of strong Sunni representation tended to reinforce a feeling among the Sunni community that they were being excluded from the political process.”<sup>646</sup>

**1137.** The Inquiry asked Sir David Richmond whether the CPA could have done more to encourage the election of political leaders who were more “indigenous”, in that they had lived through the Saddam Hussein era and were less bound by ethnic sectarian lines. He said:

“I think quite a lot of effort was put into it but I admit that we did not succeed ... the distinction between exile and indigenous over time ... disappeared but it was still a factor up until June 2004 ... Lakhdar Brahimi ... was very determined, rightly, to try to find some new Sunni individuals who could play a leadership role and he found that extremely difficult. He didn’t find it any easier than the CPA had found it.

“So yes, we failed, but I think it was because of the circumstances I have described there, the situation which we found ourselves in rather than a failure to recognise the problem or to put sufficient effort in trying to remedy it.”<sup>647</sup>

**1138.** In his valedictory telegram Mr Richmond observed that Iraqis were glad to be rid of Saddam Hussein and that much had been accomplished in the political arena (including the TAL and the creation of the interim government and electoral

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<sup>646</sup> [Telegram 359 IraqRep to FCO London, 28 June 2004, ‘Iraq: Valedictory: The End of Occupation’.](#)

<sup>647</sup> Public hearing, 26 January 2011, pages 49-50.

commission).<sup>648</sup> The new currency and independent Central Bank also counted as positive, as did work to “re-establish the machinery of government”.

**1139.** Although no immediate improvement in security was expected, and new structures were “fragile”, Mr Richmond nonetheless saw grounds for optimism, as the Iraqi people increasingly felt their future was in their own hands.

**1140.** The final paragraph of Mr Richmond’s telegram paid tribute to the UK staff within the CPA:

“Despite the risks, they got on with their work and in an organisation which repaid initiative exercised influence out of all proportion to their numbers. Their courage and fortitude were exemplary.”

**1141.** Mr Blair and President Bush met in the margins of a NATO Summit in Istanbul on the day that the handover took place in Iraq.<sup>649</sup> Mr Blair emphasised the need to support the IIG with training and equipment it needed, and for the new Government to develop a proper communications strategy.

**1142.** Mr Blair suggested that if asked about the IIG imposing martial law, the response should be that “the Iraqis should take tough security decisions in order to secure democracy, but this was not the same as suspending human rights”.

**1143.** On 29 June, at the same NATO Summit, Mr Blair announced that the ARRC would deploy to Afghanistan in 2006.<sup>650</sup>

**1144.** The handover to the IIG led the UK to review the Rules of Engagement and the Targeting Directive under which its operations were conducted, to reflect the fact that there was no longer a state of armed conflict with Iraq.<sup>651</sup>

**1145.** Instead of operations being governed by the Law of Armed Conflict, they would instead be conducted under the domestic rules of self defence as they applied to ordinary citizens in England and Wales (under section 3 of the Criminal Law Act 1967). The degree of force used must be the minimum necessary to avert the risk of loss of life and lethal force could only be used to prevent loss of life on the part of Coalition Forces or Iraqi civilians.

**1146.** Ms Vivien Rose, Head of the General and International Law Team in the MOD, wrote to Ms Cathy Adams, Legal Counsellor to Lord Goldsmith, to seek Lord Goldsmith’s endorsement of the new Directive.

**1147.** The revised Targeting Directive contained a “dormant” section which said that, if the situation in Iraq deteriorated so that a state of armed conflict existed once again

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<sup>648</sup> [Telegram 360 IraqRep to FCO London, 28 June 2004, ‘Iraq: Valedictory: The End of Occupation’.](#)

<sup>649</sup> Letter Rycroft to Adams, 28 June 2004, ‘Prime Minister’s meeting with President Bush’.

<sup>650</sup> Fairweather J. *A war of choice: The British in Iraq 2003-9*. Jonathan Cape, 2011.

<sup>651</sup> Letter Rose to Adams, 29 June 2004, ‘Targeting Directive for Iraq’.

the Joint Commander could seek Ministerial approval to conduct operations under International Humanitarian Law.

**1148.** On 30 June, the JIC issued an Assessment covering the overall security situation in Iraq.<sup>652</sup>

**1149.** The JIC judged that “the recent spike of activity by anti-Government forces is a deliberate attempt to undermine the political process”. The early handover may have avoided the transfer “being marked by a surge of violence”.

**1150.** On 24 June, there had been a series of attacks in Baqubah, Ramadi and Mosul which the JIC assessed were “probably co-ordinated”. The JIC assessed:

“Al-Zarqawi had claimed responsibility for some ... but the extent of his planning and direction is unclear. If he was behind the attacks, the breadth and scale would represent a step change.”

**1151.** The JIC assessed that the threat from Muqtada al-Sadr was declining, with indications of splits in JAM in Baghdad.

**1152.** The JIC judged that:

“The level of violence will diminish if the Iraqi Interim Government is able visibly to establish a credible degree of independence of action, deal with security, improve economic and social conditions, so gaining popular support. But Islamist terrorist attacks will remain a threat.”

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<sup>652</sup> [JIC Assessment, 30 June 2004, ‘Iraq Security’](#).