

# DECLASSIFIED

Reference: //2003

From: Dominick Chilcott  
Date: 17 January 2003  
cc: PS/Mr O'Brien  
PS/PUS  
Mr Ricketts  
Mr Ehrman  
Mr Fry  
The Legal Adviser  
Mr Stagg  
Mr Oakden  
Mr Patterson, UND  
Mr Williams, Press Office  
Mr Dowse, NPD  
Mr Jerney, Consular Division  
Mr Gray, MED  
Special Advisers

1. Discussed in draft. After 22 January, we will need to  
raise the level of exchanges with the US, in order to  
reach agreement on these key issues

✓ Mr Chaplin

2. MOD and DfID are submitting the annotated agenda - provided to  
their Ministers.

Private Secretary

*Chilcott 17,*

## IRAQ: DAY-AFTER ISSUES

### ISSUE

1. To seek ministerial approval for the general line we propose to take in discussions on 'day-after' issues with the US – as set out in the attached 'annotated agenda/overarching paper' (flag A).

### TIMING

2. Immediate. The UK team fly to Washington on Tuesday, 21 January for talks the following day.

# DECLASSIFIED

CONFIDENTIAL

## PREFERRED OPTIONS

3. That we should argue for following a UN, rather than a unilateral, American-led, route on day-after issues. We should also make clear that we need broad agreement soon on these issues, so that we can clarify the role which UK forces will play. Legal Advisers and UND agree. The MOD at official level are also content.

## BACKGROUND

4. For a number of weeks, officials throughout Whitehall, co-ordinated by the Cabinet Office, have been doing prudent contingency thinking on so-called 'day-after' issues - ie what the international community should do about Iraq once the coalition have toppled Saddam's regime. Most of these papers have been drafted in the FCO (and the overarching paper refers to some of them). Because this work assumes regime change through military action, we have kept it invisible, although we have shared some papers with close allies.
5. The aim of the work is to influence US thinking for the better. It is obviously strongly in our interests that UK and US thinking on day-after should be close, not least since British troops could be responsible for parts of Iraq too.
6. A Whitehall team, led by Edward Chaplin, went to Washington in early November for a first round of talks. There was little agreement amongst the various parts of the US side on the overall approach. But the talks were useful in airing the issues. Since then, we have handed over a number of day-after papers to the Americans (but got very little back in return). Although we have had a number of meetings with individual, visiting Americans, it is time to exchange views with them again more formally across the agencies.
7. We had hoped that by now US thinking would be beginning to converge. But differences between departments remain as stark as before. At one end of the spectrum, the Pentagon, , advocate the US leading a day-after operation, coopting willing allies for an extended period, until a new Iraqi government is ready to take over. At the other end sit the State Department who favour an internationalist approach with UN blessing. The NSC are somewhere in the middle. CENTCOM have set up a large military team to work up plans for taking over the government of Iraq. The risk is that, in the absence of a consensus position on day-after, the CENTCOM plan will be followed *faute de mieux*.

## ARGUMENT

8. We believe any unilateral US day-after plan would lack international legitimacy, as the UN is unlikely to support it. We expect the Iraqis' euphoria at being liberated from Saddam to turn quickly into resentment and anger at

CONFIDENTIAL

DECLASSIFIED

DECLASSIFIED

being subject to a foreign army of occupation, a sentiment which is likely to be reflected more widely in the Arab world. In a hostile domestic and international environment, it will be more difficult to embed lasting political and economic reforms. Any Iraqi government that the US hand over to is likely to be short-lived, unless the US somehow stay on to protect it. All in all, a recipe for a mess, with coalition forces obliged to stay on in Iraq for years.

9. The arguments for following the UN route look compelling and, we believe, would be very much in US interests (see the attached short paper – flag B - setting out why). To stay within international law, the coalition would anyway have to seek UN authorisation for remaining in Iraq once the conflict was over. The post WWII models of occupation in Germany and Japan no longer work.
10. As soon as practically possible, we envisage the coalition military handing over to an interim, civilian administration operating under UN auspices. With international legitimacy, such an interim administration would be supported in the region and probably tolerated in Iraq. Reforms conducted under its supervision would be more likely to stick. And it would aim to oversee a sort of 'Bonn process' for Iraq, under which the Iraqis themselves would create new political structures for their system of government. Lasting reform in Iraq will take a long time and the UN is more likely than Washington to have the patience for the long haul.
11. The Americans, not unreasonably, refuse to put their forces under UN control. That reluctance may partly underpin the Pentagon's approach. The answer may be a Kosovo model, where parallel security and civilian presences co-exist, both blessed by the UN, with the security forces responsible for supporting and co-ordinating closely with the civil presence but not under UN control.
12. We are unlikely to persuade all the agencies in Washington to see it our way on day-after in one session of talks on 22 January. But our aim remains to get an agreed coalition approach. Without it, the legal basis on which our own forces would act will be, at best, unclear and possibly unsafe. We also need broad agreement so that we can plan in detail how UK forces should conduct themselves in the aftermath of military action. The Secretary of State will arrive in Washington shortly after our talks conclude. We will update him on progress and recommend how he might follow up in his talks with Colin Powell. Day-after issues should also probably be on the agenda for the Prime Minister's meeting with President Bush on 31 January.
13. The Australians, as the other troop-contributing nation, have been invited to join the day-after talks in Washington. We have spoken to their representatives here in London and understand that they share our strong views on the desirability of action through the UN.

#### PARLIAMENT AND MEDIA

Page 3

CONFIDENTIAL

DECLASSIFIED

DECLASSIFIED  
CONFIDENTIAL

14. We have no intention of surfacing this work. But if it leaks, we shall emphasise that it does not imply any change of the policy objectives and that it is simply prudent contingency planning.

RESOURCE IMPLICATIONS

15. Almost none (other than flights on already stretched travel budgets).

***Dominick Chilcott***

Dominick Chilcott  
MED

(Tel:            )

CONFIDENTIAL

DECLASSIFIED