

REF ID: A128 0602 JUL 15 2/33/2
DECLASSIFIED

cc: PS/PUSS
PS/Suma
• Nicola Brewer
• Carolyn Miller

Alister Fennie

17 March 2003

Specials
2. A Fennie

15/2



32710
ce
8 MAR 2003

Foreign &
Commonwealth
Office

London SW1A 2AH

Dear David,

**Iraq: Phase IV (Day-After): US/UK Discussions on an
Authorising UNSCR**

~~You wrote to Condi Rice last week with our draft of an authorising~~
UNSCR for Phase IV. Mike O'Brien had a day's talks in Washington on
13 March following up your letter. Officials then had a further session in
Washington the following day. It is thus a good moment to take stock of where
this activity has brought us.

Our concept, you will recall, for Phase IV consists of a number of elements:

- (a) After an initial period of military administration, the coalition would transfer responsibilities to a newly created Iraqi Interim Authority (IIA). The IIA would operate under the light supervision of the UN Special Coordinator (who would have essentially 'nil obstat' powers). The coalition would not lose all influence on the IIA's decisions however, because it would be represented, albeit in a non-decision making role, in the IIA. But the IIA would not be managed or directed by the coalition.
- (b) The IIA itself would be spawned by a process (as yet undeveloped), facilitated by the UN Special Coordinator.
- (c) The IIA's work and that of the Iraqi public administration would be supported by a number of UN agencies, which would be supervised by the UN Special Coordinator. The Iraqis would thus govern and administer themselves with the Special Coordinator ensuring from above that they did not take any foolish decisions and with the UN agencies providing help from below.
- (d) The coalition would be left responsible for providing a secure environment, helping with security sector reform and working with the UN inspectors to make safe WMD. Their tasks would be set out in the authorising UNSCR.

DECLASSIFIED

CONFIDENTIAL
DECLASSIFIED



The coalition forces would not be answerable to the UN Special Co-ordinator.

We have made and continue to make some good progress with the US in bringing our ideas closer together. The US now accept that:

- (a) The Phase IV reform and reconstruction task is much too big for the US/UK to go it alone. All the traditional nation-builders will be required – the IFIs, the UN, NGOs, and the big bilateral donors (eg, the EU and Japan). We need wide international support to allow us an exit strategy.
- (b) UN Security Council authorisation will make it much easier to gather together this level of international support.
- (c) Since the reform programme goes beyond what the laws of armed conflict allow occupying forces to do, the international community will require a new UNSC mandate in order to have a legal basis for its work.

The talks last week, however, revealed that some important differences remain between us. In particular the US side want:

- (a) The UNSCR authorising Phase IV to identify and bless the US-led civil transitional administration (led by General Garner, under coalition military control) as the main body leading reform and reconstruction.
- (b) The UN Special Coordinator should be subordinate to the coalition military commander.
- (c) The US, not the UN Special Co-ordinator, to oversee the process leading to the creation of the IIA.
- (d) The IIA should be managed closely by the coalition not lightly supervised by the UN Special Coordinator.
- (e) When the coalition hands responsibility for areas of activity from itself to the IIA, it wants to continue to exercise control over the IIA's decisions in those areas.

In other words, the US want the UN Security Council to authorise them to take charge of the reform and reconstruction of Iraq. Although they accept the need to internationalise activity in phase IV, they want to keep the whip hand.

The US approach is almost certainly not negotiable in the UN Security Council. And the last thing we need is another prolonged and acrimonious wrangle in the Council over the details of the day after arrangements.

CONFIDENTIAL
DECLASSIFIED

DECLASSIFIED



Moreover, all the evidence suggests that while the Iraqis will be grateful to the coalition for having liberated them, they will not want the coalition ruling them for a long period. The Arabs will therefore be pressing for a UN role. In addition, we would like rapid Council agreement on the day after arrangements to show that the Council had reunited after its present difficulties.

We made clear to the US last week, and (many times before that) our view on the shortcomings of their Phase IV concept. President Bush's public statements at the Azores summit and the US/UK/Spanish vision for Iraq provide good foundations on which to build. We must keep the US to these commitments. The alternative would be grim – no Security Council authorisation would mean no wide international effort, and the likelihood of a much less consensual environment in which to operate: in short, far from a recipe for mission success.

The next procedural step is for the US to send us their version of the draft UNSCR for Phase IV. ~~We will then have a further bilateral exchange with them.~~ Probably, the best chance for further significant movement from the US might be when they actually have to propose a draft resolution to the UN Security Council. Meanwhile, we should continue to offer our advice, as their best friends, on what is and is not likely to work.

The key to reconciling US and UK differences may lie in the personality of the figure identified as the UN Special Coordinator. If he/she is someone whom the US can trust, it will make it much easier for the US to relinquish control. The Brazilian Sergio Vieira de Mello did an excellent job as the UN Administrator of East Timor and impressed the Administration during a visit to Washington last week. But he has only recently taken up his post as UN High Commissioner for Human Rights and may be reluctant to leave it, particularly if the Iraq position is seen to be little more than a US poodle. We can expect Annan to have similar misgivings about asking him to leave. We plan to sound Vieira de Mello out informally in the next few days. Meanwhile, we are working to identify other candidates for the role of UN Special Coordinator with whom the US and ourselves can work.

I am copying the this letter to Peter Watkins (MOD), Anna Bewes (DFID) and Mark Bowman (Treasury).

(Kara Owen)
Private Secretary

Sir David Manning
10 Downing Street

DECLASSIFIED