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Edward Chaplin
Foreign and Commonwealth Office

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Dear Edward

IRAQ: WORKING GROUPS

Washington TelNo 89 reports on the "Day After" talks with the US and Australia on 22 January. The talks agreed to establish several working groups to pursue issues which require further planning. We agreed that I should write round proposing how the UK side would take this forward. We envisage that the Ad Hoc Group on Iraq will provide the coordination point within Whitehall.

2. The work falls into the following areas:

- **The role of the United Nations.** We made some progress on 22 January in convincing the US of the need for a UN role in Iraq, beyond humanitarian work by its specialised agencies. We need to identify with the US the role for further UN resolutions including authorising appropriate measures in the event of material breach, authorising an international role in post-conflict Iraq, resolving issues over WMD, sanctions and OFF. We also need clarity over the role of the UN in helping to administer post-Saddam Iraq. We envisage that Stephen Pattison (Head of UND, FCO) would lead the UK side with and Peter Gooderham. Carolyn Miller and Ian Lee should be kept fully informed of the group's work and participate as appropriate. The NSC will lead for the US. Please would the Embassy find a name. The UK position is set out in the FCO paper 'Interim Administrations in Iraq: Why a UN led interim administration would be in the US interest' and related papers.
- **Economic.** The purpose of this group is to agree on the key economic issues which a post-Saddam government will face including financing requirements, the management of oil production and revenues, managing Iraq's debt, the requirements for reform of budget and central banking functions. The group will need to engage the IFIs and the Paris Club as early as practicable. We envisage that will lead our side

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drawing in expertise from DFID and HMT. The US lead will be Tony Wayne from State Department. 's paper 'Economic Issues in Iraq After Regime Change' sets out the issues from our side.

- **Humanitarian.** DFID are already working closely with the NSC and USAID. Carolyn Miller will continue to coordinate this work with MOD, FCO and others in Whitehall and report through to the AHGI.
- **Military planning for the aftermath.** At the talks we emphasised that there were many practical questions that would face an occupying force as soon as they took control of an area of Iraq. Work is underway on some of them at CENTCOM, but we should take up Frank Miller's invitation to spell out the issues in writing so that he can help to give policy guidance to CENTCOM where necessary. Brigadier Rollo will be responsible for taking this forward using the Embassy and our existing links into CENTCOM
- **War crimes.** We need a joint policy on dealing with war criminals. The US appear to want a two-tier approach. The Iraqi legal system would try those suspected of war crimes against the Iraqi people or those in neighbouring countries, but the US would want a different system for any war crimes committed against coalition forces. However this is not agreed policy. We agreed that lawyers and policy makers on both sides should discuss. We envisage that (Deputy Head of UND, FCO) and Elizabeth Wilmshurst will lead this consulting UND and MOD.
- **Rights under international law to occupy and administer Iraq after a conflict.** The US side were very confident that coalition forces would have these rights. FCO and MOD legal advisers should pursue with the US legal advisers. We envisage that John Grainger will lead for our side.

3. All of this work is now urgent. We should take the initiative in arranging the work of the groups, either through visits or video conferencing. We should give the Australians the opportunity to participate, though expect that they will have to staff it from their missions in Washington and London. Would those identified to lead on our side please report progress to me **by 7 February**. Clearly some of the groups will be discussing sensitive policy issues and have to refer to a more senior manager and report back to the AHGI for a steer from time to time.

4. Copies of this go to David Manning, Ian Lee, Bill Rollo, Carolyn Miller, Desmond Bowen, Tony Brenton, Ian Fletcher, Dominick Chilcott, Stephen Pattison, , Elizabeth Wilmshurst, John Grainger and to members of the AHGI.

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JIM DRUMMOND

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