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From:

IPU

Date:

1 August 2007

cc:

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To:	Mark Lyall Grant	(agreed in draft)
	PUS	
	Private Secretary	

IRAQ: LOCALLY ENGAGED STAFF

ISSUE

1. How to progress inter-departmental discussion on possible assistance to serving and former LE staff employed by FCO, MoD and DFID in Iraq.

TIMING

2. Priority. There is evidence that the threat to our staff, always serious, is growing, particularly in the South. HMG's current policy is facing increasingly critical scrutiny from the media and Parliament. The Cabinet Office-chaired Iraq Senior Officials Group agreed last week that we should aim to bring this question to Ministers' attention before the summer break.

PREFERRED OPTION

3. That we circulate the information note at Flag A, which has been agreed at official level with OGDs, under cover of a PS/PS No 10 letter. I attach a draft.

AGREED BY

4. The information note has been agreed with Cabinet Office, MoD, DFID and Home Office.

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26 JUN 2008			
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ARGUMENT

5. Under the direction of Cabinet Office, officials have agreed that in principle we should seek to establish a coherent cross-Whitehall approach to this problem, and to submit an agreed set of recommendations to Ministers. So far, however, it has proved difficult for Departments to agree on a common approach. This is in large part because FCO, DFID, MoD and Home Office have very different equities:
 - we feel there is a strong moral, reputational and – in the context of our global emphasis on high standards in the treatment of LE staff – operational case for doing more to assist Iraqi staff who have to leave our employ because of threats to their security, or former staff who face continued difficulties.
 - MoD have vastly greater numbers of LE staff than FCO and DFID. They have directly employed around 15,000 Iraqis since 2003, and tens of thousands more via international or local contractors. MoD officials are therefore nervous about the resource implications of any commitment to do more for Iraqi staff. We believe that the figure of 15,000 can be boiled down to a much more manageable number. It is likely to include many casual labourers and other short-term hires. Such staff are not as closely identified with the UK and face a lower level of threat than, say, a typical FCO LE staff member. But MoD are reluctant to discriminate between skilled and unskilled labour. They are also concerned that any promise of assistance to LE staff (for example, asylum in the UK) would be the catalyst for an exodus of staff, and that this would undermine MND(SE)'s ability to operate effectively. We think this fear is exaggerated and that the risk could be managed by careful planning and framing of the criteria for extending assistance.
 - Home Office officials are predictably unwilling to contemplate any relaxation of the asylum/immigration rules for Iraqis who have worked for HMG, especially in view of MoD's numbers. As well as the domestic political and resource difficulties of integrating additional refugees, they are concerned that any change in policy could act as a pull factor for a larger number of Iraqis.
 - DFID have only a very small number of Iraqi LEs. They broadly share our views.
6. As a result, officials agreed that in order to bring this issue to Ministers' attention quickly, we should circulate an agreed information note setting out the background and possible policy options, pending further work on recommendations.
7. As the information note sets out, we and DFID have managed to find creative ways of helping a very few LEs. In most cases, however, we have little choice but to advise the

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individual concerned to relocate. This is usually to Jordan or Syria, where – even if they are able to remain – they face an uncertain future. In practice, any attempt to develop a more systematic and generous response will revolve around one of two issues: resettlement and/or money.

8. For FCO, the attraction of a joined-up approach with MoD and DFID is that this would increase our chances of securing greater flexibility from the Home Office on resettlement of Iraqis who face a continuing threat as a result of having worked for us. But this will depend on whether we are able to persuade MoD to be more constructive and proactive. The risks of seeking a cross-Whitehall policy are that we may find ourselves tied down to a lowest common denominator policy which does not adequately reflect our interests and concerns. We have put down a clear marker at official level that we would not want this to be the case.
9. This is particularly relevant to possible financial assistance, where a one-size-fits-all approach makes little sense given Departments' control over their own budgets and their own terms and conditions for LE staff, as well as the disparity in numbers. So long as our only real form of assistance remains financial, there may be a case for FCO going further than the three-months-salary-plus-air-ticket package to which we have so far limited ourselves. With typical LE staff salaries at around \$1,200 per month, the costs of doing so would not be excessive. For example, paying six months' salary to around fifty staff would cost around \$360,000.

RISKS

10. One of the main risks of a more forward policy, for FCO as well as for OGDs, is that it might set a costly precedent for other countries, now or in future, where we employ LE staff in a poor security environment. This is not a major concern in respect of the vast majority of our network; where the risks are not remotely comparable to those faced by LE staff in Iraq. But it may be relevant to Afghanistan. Afghanistan Group advise that the threat to LE staff is not currently as acute as in Iraq. But the security situation in Afghanistan is changing. Kidnapping has increased. Afghans working for international organisations and journalists (as interpreters) have been murdered by the Taliban. And as military pressure builds on the Taliban, they are responding against softer targets eg through increased use of suicide bombers. Targeting local staff could be the next logical step. The area where this is likely to be most acute is Helmand, where Taliban activity is strong and where the majority of UK troops (and therefore MOD LE staff) is greatest.

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BACKGROUND

11. FCO has around 27 LE staff on letters of appointment in Baghdad. In Basra, almost all of our regular LE staff at the Consulate General left after the June 2006 attack on a married couple, both LE staff, which resulted in the death of the husband and serious injury to the wife. The Consulate, the Basra Provincial Reconstruction Team (PRT) and our police training teams now employ around 18 Iraqi staff, plus around 20 labourers hired on a daily basis. These staff are hired through a variety of means. Some are salaried by us, some are on contracts, and some are employed via contractors such as Crown Agents. Basra estimate that the number of LE staff formerly employed by our civilian missions in the South is around 85, plus an unknown number of language assistants directly recruited by police training academies to support our civilian police training mission.
12. So far we are aware of three murders of those intimately connected with the civilian mission in the South:
 - in April 2007, , an adviser to the PRT and MND(SE)'s Commander (Legal) (like other PRT workers, he was salaried by the US Government via a contractor, but formed an integral part of a UK-led team)
 - in December 2006, , a former Chancery assistant who had moved on to work for other international organisations
 - in June 2006, , the CG's transport store manager
13. In addition to these, there have been numerous cases of intimidation or attacks against Iraqi staff, which have caused them to leave our employment and/or ask us for help. The number of former employees appealing for our assistance have risen markedly in recent weeks. Some have been prompted by the Consulate General's efforts to check on the circumstances of former employees, or by recent changes in US and Danish policy. But the Consulate General assesses that intimidation, even of former staff, has increased.
14. In Baghdad there have been no direct attacks on LE staff, but their safety would certainly be at risk if it were known they were working for us. One LE member of staff was forced to leave Baghdad after her identity and employment were compromised when her neighbour was kidnapped from her car. After consultation with regional posts, we have managed to find her an LE job at our post in Abu Dhabi.

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15. The CG in Basra estimate that the number of current and former staff who would claim assistance from us if we changed our policy would be no more than 50, and that the total number eligible by any reasonable criteria would not exceed 100.

IPU

Cc: PS/Dr Howells
SED
Afghanistan Group
HR Local Staff Section
Press Office

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