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FROM:

APS/Mr O'Brien

DATE: 11 February 2003

cc: PS/PUS

Mr Ricketts

Mr Ehrman

Mr Chaplin

Mr Gray, MED

Mr Pattison, UND

UND

Research

Analyst

Mr Hetherington, Research

Analysts

Mr Grainger, Leagl Advisors

, DSI

Mr Chilcott

SUBJECT: IRAQ: DAY AFTER ISSUES

1. Mr O'Brien hosted a briefing meeting on Day After issues on 11 February. It was agreed that the following action points should be taken forward.

GENERAL

2. You agreed to produce a matrix of the main actors for day after issues (including in the UK and US military) and where they fit into the chain of command. You would also produce an organogram illustrating what departments, both within the FCO and across Whitehall were working.
3. You agreed to draw up a table to clarify a) those issues on which we could have some influence over US thinking, b) those areas where there is disagreement with the US and where discussion will have to be conducted at the highest level and c) areas where we agree with the US and are content for them (or us) to take the lead.
4. The Minister asked for an early meeting with Iraqi opposition leaders, given that an earlier appointment had had to be postponed.

EXIT STRATEGY

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5. Mr O'Brien stressed the need to consider how our work fitted into a managed exit strategy. The importance of a role for other Arab states in modernising Iraq needs to be considered. It would assist in process of exiting and handover.

LEGAL BASIS FOR COALITION OCCUPATION

6. Mr O'Brien offered to reinforce John Grainger's contacts with MOD lawyers with MOD Ministers to ensure that all the relevant departments of the MOD fully understood our obligations and legal limitations under international treaties.

LIKLEY POSITION OF UK FORCES IN IRAQ

7. You briefed that a decision had not yet been made on whether Britain accepted there would be a "British Sector", as the US were suggesting. Mr O'Brien thought the sooner a decision is taken on this the better, to enable planning. It was agreed that we would need to make sure that the US didn't skewer its aid predominately into those areas under US control. We also needed to think about contingency planning for certain scenarios: including what would happen if UK forces surrounded – but did not control – certain towns ie: in the event of internal disorder breaking out.

POLICING AND JUDICIAL REFORM

8. Mr O'Brien welcomed the work already in hand on policing. It was agreed that it would be hard to predict at this stage a) the capability of an Iraqi police force and b) the extent to which they would be willing to work with coalition forces. Our experience in policing in other areas (such as Bosnia) should mean we would be well placed to share our expertise with the US and help influence their thinking on these issues.
9. Setting up an independent Judiciary was important. Mr O'Brien asked whether this was an area where the Arabs (together with outside experts ie: from the EU) could make a real contribution. You agreed to draw up a scoping paper on the judiciary, which could be shared with the US.
10. On prison reform, Mr O'Brien said we needed to get the torturers out of the Iraqi prison administration, but widespread reform would be a matter for a future Iraqi government. We had to consider what we needed to do in the short term and what areas were for the Iraqis to do themselves over a longer time scale.

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SECURITY SECTOR REFORM

11. It was agreed that the US saw themselves as the lead nation. On Security Sector Reform, we should ensure that we feed in to their decision making process. We could suggest leading on those areas where we have expertise eg: good governance.

ENVIRONMENTAL CLEAN UP

12. Mr O'Brien asked for a paper on the environmental effects of military action, including the oil fields and the possible consequences of flooding if the dams were destroyed. You agreed to include this in your proposed paper on CBW contamination/environmental outcomes.

OIL

13. You briefed that FCO officials were talking through this issue with Whitehall colleagues. Mr O'Brien thought an early steer from Ministers across Whitehall would be needed on this. It would also be important to ensure transparency on this issue: the greater the transparency the easier it would be to sell the argument to the public that Iraq was not all about oil.

APS/Mr O'Brien

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