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From: Dominic Asquith
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cc: PS/Baroness Symons
PS/PUS
John Sawers
John Williams
Paul McKell, Legal Advisers
Neil Crompton

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Simon Shercliff, Press Office

To: PS

SUBJECT: IRAQ: CIVILIAN CASUALTIES

1. In my minute of 8 November, I undertook to provide the Foreign Secretary with background for discussions he is due to have on where the Departmental lead should lie in Whitehall on the question of civilian casualties in Iraq.

Background

2. MNF-I produce a daily update on operations circulated on the military net which includes a detailed breakdown on casualty figures. We receive it via the Embassy in Baghdad. Three (random) examples as follows:
 - on 3 November there were 73 attacks in total (62 on MNF-I, six on ISF and five on civilians). One MNF-I soldier was killed and nine wounded; two ISF killed and none wounded, nine civilians killed and 33 wounded; nine enemy killed, four wounded and 25 detained.
 - on 1 November there were 73 attacks in total (55 on MNF-I, nine on ISF, six on civilians and three on infrastructure). No MNF-I soldiers were killed and five wounded; five ISF killed and 12 wounded; three civilians killed and 13 wounded; 16 enemy killed, seven wounded and 66 detained.

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On 31 October, there 95 attacks in total (87 on MNF-I, five on ISF and three on civilians). One MNF-I soldier was killed and 24 wounded; no ISF killed and eight wounded, 18 civilians killed and 18 wounded; six enemy killed, five wounded and 15 detained.

3. The MOD are fully aware of these figures as they are circulated on military channels. Indeed, PJHQ reproduce the figures each week for the Chiefs of Staff meeting. For the week ending 1 November these were:

54 Anti Iraqi Forces (AIF) killed and 7 wounded

56 "neutrals" (ie. non-combatant civilians) killed and 112 wounded.

4. The MOD themselves produce the figures for the UK commanded MND (SE), which were:

one AIF killed, none wounded for the week ending 1 November

one AIF and seven "neutrals" wounded for the week ending 25 October.

5. Cabinet Office are overseeing a pilot study this month of figures for MND (SE). However, since the US military (MNF-I) do not permit publication of country-wide data for civilian casualties (on security grounds), the MOD argue that they cannot reveal either the MND(SE) or the MNF figures. Moreover, the figures are unlikely to be comprehensive, or determine who is responsible for the casualties.

What next?

6. Our current line is to rely on Iraqi Ministry of Health figures. For how long this is sustainable in the face of what are likely to be increasing Parliamentary, NGO and media demands that we release *our own* statistics is questionable. The *Lancet* argues that there is sufficient discrepancy to justify a further study. This is likely to be a recurrent theme. Indeed, it is quite possible that another organisation or NGO commissions a study using a larger data base. Meanwhile, the current security operation in Fallujah will increase the pressure on MNF-I to prove that we are making every effort to minimise civilian casualties. There will be seen to be a certain plausibility in the argument that we can only do so if we can provide credible (ie. our own) figures for casualties.
7. Estimates of casualties in the circumstances that exist in Iraq, other than from MoH and NGO sources, will have to come from MNF-I who are deployed throughout the country. But MOD have ruled out the use of these. If MOD feel there are good reasons for holding back their own figures, it is incumbent on them to explain this to Parliament and the public. It would be logical that the MOD, as part of MNF-I, should lead on presenting the figures for casualties from hostilities in which MNF-I are engaged. In the case of Kosovo, for example, statistics on civilian casualties came via and were handled

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on military channels. I suspect NATO/MOD handling was the case in the previous Balkan conflicts and Afghanistan.

8. However, PS No 10's letter of 8 November to PS stated that it was for the FCO lead on getting a "strategic grip" on the issue of civilian casualties. If that is the determined view (which I would challenge for all the reasons set out above), we should do so on the following conditions.
 - (a) MOD to explore with DOD reverting to the practice at the time of the first Gulf War when civilian casualties were released into the public domain.
 - (b) If DOD refuses, MOD to explain publicly (to Parliament) why it is not possible to produce estimates from MNF-I sources.
 - (c) FCO to lead on the handling of civilian casualties, basing itself on the written statement. But Ministers should be clear that, in the absence of releasable data from military sources, we will be heavily dependent on figures from the Iraqi MoH, which will not be comprehensive. We will, moreover, need extensive support not merely from MOD and Cabinet Office, but MoH and government statistical experts.

Dominic Asquith
Director Iraq

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