Tuesday, 22 June 2010

IAN LEE

THE CHAIRMAN: I'm going to do a rapid opening mantra. One bit of it matters.

I'll open the session with a welcome to Ian Lee. Thank you for coming to see us for this private session, and also thank you for your helpful statement.

Now, the session is being held in private because we recognise much of the evidence on the areas we wish to cover will be sensitive within the categories set out in our Protocol on Sensitive Information -- for example, on grounds of international relations or because it relates to secret intelligence. In particular, we want to use this session to explore issues covered by classified documents.

We will apply the Protocol between the Inquiry and HMG regarding Documents and Other Written and Electronic Information in considering whether and how evidence given in relation to classified documents and/or sensitive matters more widely can be drawn on and explained in public, either in the Inquiry Report or, where appropriate, at an earlier stage.

I must stress that if other evidence is given during this hearing, which neither relates to classified documents nor engages any of the categories set out in the Protocol, that would be capable of being published, subject to the procedures set out in our letter.

Now, we recognise that witness give evidence based on their recollection of events. We, of course, cross-check what we hear against the papers to which we have access.

I remind each witness on each occasion they will later be asked to sign a transcript of evidence to the effect that the evidence given is truthful, fair and accurate.

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Now, for security reasons, we won't be releasing copies of this transcript outside this building, upstairs at 35. So if you could come in at your convenience to review it, we would be grateful.

With that, let's start the questions. I'll begin, if I may.

You became DG Op Pol -- we are learning the acronyms -- in September 2002. Before you took up that post, were you aware that planning was going on?

IAN LEE: On a sort of informal basis in the way that one is aware of things going on without any sort of knowledge of the detail.

THE CHAIRMAN: Yes. Then when you took up the post and started to look at the actual planning that had gone on, can you say very briefly what were the key objectives and current ministerial sensitivities about the planning?

IAN LEE: When I started, yes. Well, I suppose the first thing is that it was quite a sense of jumping in at the deep end, into something which, as I have said, I had been vaguely aware of, but hadn't really got any detailed knowledge of what had been going on. So there was quite a lot to absorb in the first instance.

I think the main things that struck me were that, although there had been discussions, they were staff discussions at quite a high level, and at quite a vague level between our staffs and the US.

THE CHAIRMAN: That includes MOD to DOD, but also PJHQ to CJO?

IAN LEE: Yes. Work had been going on, but none of it seemed to have arrived at any sort of definite form at that stage.

I think one of the first things I was aware of, in fact my staff who had been working as part of the inner circle before

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I arrived, was that there was some sort of -- well, apart from obvious difficulties of the route we were embarked upon, there was a specific issue about the objectives. I remember one of my staff telling me at the start, well, there's a question which we will have to resolve at some stage in some way about whether the objective is regime change or WMD, disarmament. So I do remember, possibly even on my first day, that that was mentioned to me.

THE CHAIRMAN: With a US dimension to it, as well as a UK?

IAN LEE: Exactly. That was the point, that as far as we had got at that moment, there was a sense that we were broadly trying to stay in line with the US, but there were areas which were difficult.

THE CHAIRMAN: At the time you took up the post, there was a pretty tightly drawn circle of those allowed to be in the know and take part.

IAN LEE: Yes.

THE CHAIRMAN: Was that a concern right from the beginning for you, that it wasn't wide enough?

IAN LEE: I wouldn't say it was a particular concern right at the start. It seemed to me, from previous experience, that it's actually quite natural in the evolution of any sort of operation that things start off with quite a closed group.

It was certainly a issue to bear in mind that, given the potential scale of what we were embarking upon, at some point this group would have to be expanded, and how that was going to happen was obviously an issue at the start.

THE CHAIRMAN: You gave advice very early on, in September, that you wanted to introduce the normal crisis management process, which implied, did it, some widening?

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IAN LEE: Yes. From my parochial point of view, I was aware when I arrived that I had effectively one person who had been leading in my area of responsibility on this, and I think, again in the first day or two, I thought this clearly is not going to be enough. So we are going to have to expand this under my direct control. Then later in the process, we had different ideas about how we would expand the circle to include other people in different ways.

THE CHAIRMAN: Yes. Just looking across the Atlantic, when you arrived did you have a natural opposite number in the States, in DOD or where?

IAN LEE: The short answer is no, I don't think I did.

THE CHAIRMAN: Given their very different structures, would it have tended to lie inside the Pentagon, or would it have lain inside CentCom or both?

IAN LEE: The theoretical equivalent, I think, would have been somewhere in the office of the Secretary of Defence. Within the Pentagon -- I'm sure other people have probably explained that, or you have read about the structures within the Pentagon.

My immediate boss in the MOD was a general, Tony Pigott, at that time, who had a natural opposite number, a link into the joint chiefs.

THE CHAIRMAN: Yes.

IAN LEE: Me, as the civilian, I would have had potentially a link into the civilian side, the Office of the Secretary of Defence, OSD, but in fact there wasn't really a person that I was dealing with there. It was more my other dotted line boss who had a link into the OSD.

THE CHAIRMAN: That was Simon Webb?

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IAN LEE: Yes.

THE CHAIRMAN: You have said already that the objectives, the strategy weren't at that point, September, clarified or clearly articulated.

Can you say a little bit about, Saddam having been toppled, whatever the objective was going to happen, what was going to take place instead, in the way of governance, in post-conflict Iraq? Was that in the sights of any of the planners at this point?

IAN LEE: It was certainly in our sights that there would be a post-Saddam situation in Iraq under whichever scenario unfolded.

We in the MOD, in our bit of the MOD, were focused on a sort of process of military strategic planning and trying to establish scenarios which would happen, could happen, as we went forward, and amongst those which were to be preferred or not to be preferred and what the implications were of all the different types of scenarios. In all of the scenarios, there was a definite sense that there was going to be a period post-Saddam, and the nature of that period would be different, depending on what had happened before.

The simplest example is if there had actually been a conflict, and some fighting, then what would happen afterwards would be different because of that.

Under another scenario, if there hadn't been any fighting, and by some diplomatic process or internal coup in Iraq, he had just gone, then the post-Saddam situation would be entirely different.

So we had got a sort of intellectual conceptual plan in that sense, but nothing in the sense -- if what you are implying is some sort of blueprint of what we thought the Government of Iraq

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might look like, there was nothing of that sort that I recall.

THE CHAIRMAN: More generally on that, conceptually, there's been quite a criticism we have heard about the lateness of -- not MOD particularly, but just generally -- planning for Phase IV, the aftermath. In some sense you are saying it's really a reactive thing. You have to await on circumstances before you can fill out a planning.

IAN LEE: In a sense it is, yes. It's something that we were aware of. I mean, I think of it in terms of levels of awareness and levels of planning. We were aware of it, as I say, at the sort of conceptual level, of the analysis of the situation.

If you go straight to the other end of the spectrum, then you can imagine some sort of very, very detailed plan as to how the country would be organised, who would be the government, who would be the local government, where the police would come from and so on. That's the other end of the spectrum.

The process which one imagines is going to happen during the course of preparations for conflict and during, is you would move from one end of the spectrum to the other, and things would gradually become more detailed and you would reach some critical point where you had a detailed plan.

My feeling was that that process was extraordinarily difficult, and it took a lot longer to get the sort of basic clarity about what was going to happen than one would wish.

THE CHAIRMAN: Of course, it involves other Government departments in a major way. You'd set up your crisis management pretty much as soon as you arrived. Some other departments don't set up bespoke units for the Iraq business until very much later on.

Was that noticeable to you, sitting in the middle of the MOD process? Was it a handicap in any sense for you to fill out

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planning as you went along?

IAN LEE: Yes. It was certainly noticeable. I'm trying to avoid hindsight here. It was certainly noticeable, and there's a sort of cultural feeling in the MOD that we are about crisis management. So it's quite natural for us to set up machinery to deal with crises, and we, as the MOD, are in control of this executive force, the armed forces and so on. So we can launch operations, and that's something we are used to doing and had some experience of doing before that. Probably the feeling in the MOD is that other departments don't have as much machinery of that sort, and it is probably fair to say that we then rather wished that they did.

THE CHAIRMAN: Now, Martin Howard took over from you as DG Op Pol. We have got a note -- you saw a copy of it -- to Martin from David Johnson. This is now July 2004, looking backwards, saying:

"The lack of collective discussion in Phases I to III contrasted ..."

I'm quoting:

"It seems absurd that in the run up to Desert Fox the Cabinet Office was holding meetings almost daily and reporting Number 10 in writing after each one, yet nothing remotely similar happened for TELIC, despite the significant expansion of the staff."

Is that a criticism you recognise, or a contrast at any rate?

IAN LEE: I can't speak about the sort of comparison with Desert Fox. I think David was in the Cabinet Office at that time. So he would have had a view of that. I was doing other things at that time. So I can't speak in terms of a comparison.

In the run-up to TELIC, in my period from September 2002, I think there was a Cabinet Office machinery which was set up quite early on, I think already in September 2002, at at least

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two different levels. There was a group that I went to, usually chaired by David Manning, which acted as a sort of clearing house, exchanging information amongst the players, if you like, at the Whitehall departments. And there was another group slightly below that, with more co-ordination effort going on.

How that -- neither of those groups, I didn't perceive them as having a particular executive role at that stage. How that compares with Desert Fox, I don't know.

THE CHAIRMAN: Okay. I'll pass the baton on to Martin Gilbert, still on planning, I think.

SIR MARTIN GILBERT: I would like to look for a moment at the state of package planning when you arrived. On 25 September David Manning gave instructions to the Defence Secretary:

"The Prime Minister does not want us to make any suggestion at this stage. We might be able to offer a major land contribution for force in northern Iraq. We should not surface this possibility at the planning conference."

On the same day, Peter Watkins replied that as well as presenting package 2, the MOD had also:

"... separately and heavily caveated, indicated to CentCom that we are still considering a land option."

Were the MOD authorised to do this by Number 10?

IAN LEE: I don't know really now what the distinction was. There is obviously a little distinction there between what you have just said on the one hand, appearance at this movements planning conference and what the representatives were authorised to say there. I remember that. I remember the fact that Number 10 were sort of cautious about what we should surface at that planning conference.

What other contacts were going on of a more informal nature between UK staffs and American staffs, I don't really know.

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That would have been remote from me. I mean, I would just make a sort of general point, really, that on the one hand there was a formal process of planning -- using the term "planning" to cover all these sorts of activities -- which has a flow to it, the formal process, and it goes to, in our case, the Secretary of State for Defence, and then, quite often, on to Number 10 for approval of that process, and authorisations go down.

I think you have to remember in the reality of the situation, in a sense, everyone is talking to everyone else as well at the same time. So there's a formal process which you can probably see more clearly from the papers, and then there's another. It just happens all the time. Everyone is talking to everyone else on a much more informal basis. Hard to pin that down at the time as to what was known where. Certainly I would say probably very hard to pin it down some years afterwards.

SIR MARTIN GILBERT: Was there a sense within the MOD that package 3 was something which the military really wanted?

IAN LEE: I wouldn't say that particularly. I would say when I arrived that there was a feeling that these -- more than a feeling; it was an actuality -- that different packages had been defined as part of a fairly sort of normal process, starting from a classic "do nothing", and then right the way through to a large land contribution. Because the surrounding situation was so fluid at that stage, I don't think anyone really knew which one of these we would end up with. They were simply fairly neutrally expressed at that stage as being possibilities, and there were lots of other factors in play.

I can't remember exactly when the question of the firemen's strike came into it, but, for example, that was a factor which might have limited the scale of our contribution and how it would have evolved, and certainly was causing the military side

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a degree of difficulty, thinking how are we going to manage all this, too many commitments on us at the same time.

SIR MARTIN GILBERT: It's interesting that three weeks after this instruction that package 3 should not surface at the planning conference on our part, the Secretary of Defence wrote to the Prime Minister, asking him for a decision on whether package 3 could be offered to the States for planning purposes, and he wrote again on 29 October -- so a fortnight after his first letter -- asking for the same decision. I think that you or your staff provided the drafts of these letters, and one of them indicated to the Prime Minister that:

"The United States is increasingly assuming no UK land contribution."

Was this an attempt to get the PM to make a decision, a land contribution decision?

IAN LEE: I think it was an attempt to describe the situation. As I said, there was a range of options which were there on the table, albeit that the package 3, the larger option, hadn't been formally put on the table at that earlier planning conference. Nevertheless, it still existed in our thinking, and I'm fairly sure -- I couldn't point to a piece of evidence, but I'm fairly sure that the US planning staff were aware of the existence of package 3, in its broad shape anyway, even if it hadn't been formally put on the table.

So that process that you described there was to point out that American planning was going ahead. There were lots of uncertainties, but because of the process of planning and the sort of critical path that you get with planning, when certain things cease to be possible because of the timescale, pointing out to ministers that if we don't surface this now and bring it up to some sort of equivalent level of possibility with the

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other packages, then by default it will fall by the wayside because it would be just too difficult to include that later in the American planning. So question to ministers: is this what you want, or would you like to at least keep open the option?

So, as I recall, of course, they did say, well, yes, let's keep open the option. No commitment to doing anything at that stage, no commitment to which option one chooses, but let's not throw any options away at this point.

SIR MARTIN GILBERT: What did Geoff Hoon mean when he used the phrase to the Prime Minister:

"There's a risk of a negative reaction of many of our own military personnel, particularly the army, if we do not allow a land contribution."

What did this negative reaction refer to, beyond the actual planning aspect?

IAN LEE: I don't know. Perhaps you asked Mr Hoon that question. I haven't seen whether he gave an answer, or indeed whether you did ask him.

I don't know. We are into the realms of my speculation. With that caveat, I can say that, well, there's certainly a school of thought always with military planning, and military people for that matter, that if there's some sort of conflict to which UK as a whole may be committed, then we should play a big and useful part, because of the perception of the kind of country we are.

So to that extent, if we are going to be involved, then there's a natural feeling we ought to be involved in a substantial way.

For reasons of self-protection, if you put in a small force, it's harder to support it and harder for that force to protect itself.

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Also for reasons of influence. I don't know about political influence, but military influence in the sort of staff headquarters sense.

So there are reasons why people want to be involved at that scale. Whether there was any sort of reason of military amour propre, that's even more speculative.

SIR MARTIN GILBERT: Thank you very much.

THE CHAIRMAN: You used the term "influence", and I think Sir Lawrence would like to pick that up.

SIR LAWRENCE FREEDMAN: One of the difficulties in your submission is that if you are doing a straightforward military operation in the UK, you size the force by reference to the problem at hand. Yet when you are doing something with the Americans, you are going to use different sorts of criteria. I guess historically one could look back and say there's been a tendency for the UK to try to judge the minimum force to get the maximum influence with the United States in such operations.

You mentioned it in your submission, and it's clearly an important factor. It's relevant to what we have just been discussing in terms of the land component.

Could you just reflect a bit, as much as a specific question, on the way in which this preoccupation with influencing the United States affected force planning?

IAN LEE: Yes. Well, basically I think that influence works both ways. If you are doing a purely national operation, okay, perfectly straightforward. If you get involved in any sort of multinational operation, then the question isn't simply what force you can have to achieve the effect that you want to achieve, but becomes another question about how much influence you have within the coalition or indeed within the alliance. So in a classic NATO operation, there's a whole process of people

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making contributions, and the size of those contributions is to some extent influenced by their desire to have influence, if you see what I mean. But it's contained within a multilateral framework.

Personally, I think there is a somewhat different question if you are in a coalition which is not part of the formal alliance, but a coalition dominated to a very large extent by the US, that on the one hand it's certainly true that if you put forward a substantial contribution, you can have some influence, maybe limited in different circumstances, but you can have some sort of influence.

On the other hand, if you tie yourself very closely to a large US operation, then the influence also works the other way. You end up doing things in order to fit in with the US operation. So a little bit -- as was referred to a moment ago, if their planning requires a certain timetable, and we have different packages that we are considering, then we are having to take a decision on whether or not to continue with those packages, and continue with the planning more broadly, in order to fit in with a US timetable. So in that sense the influence is working the other way.

Where the balance of advantage comes between us having a sort of influence on them or, on the other hand, being dragged along, as it were, because they are so much larger and have so much more capacity within the operation, well, that's a balance that has to be judged in the particular circumstances at the time.

SIR LAWRENCE FREEDMAN: But in this particular case, did you get any sense of American planning being shaped significantly by the fact that the UK was there? Obviously in some of the detailed things this would happen, but was the basic thrust of the American strategy shaped by their own operational assumptions

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and need?

IAN LEE: My feeling about that sort of issue is in a way I have both answers in my head at the same time. On the one hand, sometimes I think the American planning doesn't pay any account to UK influence. They will develop their planning, you know, regardless of other people's input, according to their own analysis and their own interests. You can certainly point to examples of where that kind of thing happened.

On the other hand, you can also point to examples where our involvement did have some influence on them. I was certainly told at the time that their serious consideration of the so-called northern option through Turkey, that arose as a UK suggestion. I know in the end it didn't happen for other reasons, but nevertheless there was evidence there that we had influence. Certainly on some of the targeting issues, I think again, some of our people working with the Americans did have an influence on the way they were planning the sort of targets they might be selecting.

So in a way, I have to say, both things. Sometimes we have influence and sometimes we don't. It's very hard to predict ahead of time in each case whether we will have influence or not.

SIR LAWRENCE FREEDMAN: I want to come to the northern option in just a second, and I think there are some questions later on in another area where we hoped to have influence, which is aftermath planning. But you mentioned targeting there.

One of the concerns that come through in reports of meetings with the Prime Minister is of the battlefield of Baghdad, say, that involves giving the city a severe battering. Is that the sort of thing you had in mind?

IAN LEE: Yes. I think, going back to our conceptual analysis,

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if you like, of the whole plan, scenarios, courses of action, what might happen, I think we were clear from a very early stage that a very heavy bombing campaign, of the sort that perhaps took place in the earlier Gulf War in 1991, would have severe consequences for the so-called aftermath. If you are destroying too much of the infrastructure of Iraq, then that would obviously have an influence because it was in this case more likely that in some way we would become responsible for Iraq.

That was an obvious thing to avoid, plus, of course, technology had moved on. So it was actually possible to target things much more precisely. That was certainly our concept. I didn't have these conversations myself, that I recall, with the Americans, but I think the people who did certainly stressed that there was a very sound reason for adjusting your targeting plan so that it was very precise, only focused on particular key military targets, and destroyed as little as possible of the infrastructure of the country which you would need to be in place afterwards.

SIR LAWRENCE FREEDMAN: Just before going on to the northern option, just in terms of the previous discussion about the land component, did you detect any shift in the sort of influence that we were having after that had been offered?

IAN LEE: No, I couldn't say that. I couldn't think of anything -- I would just repeat what I said about influence. It's a patchy phenomenon. Sometimes you have it and sometimes you don't. I wouldn't put it as before and after package 3.

SIR LAWRENCE FREEDMAN: Looking at the northern option, and in particular the importance of Turkey within this, it's a difficult thing to disentangle because, as you say, there are some indications that the UK always favoured this approach. There are other indications that CentCom were also drifting in

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similar ways. But, for whatever reason, it was always going to depend on Turkish compliance.

I think the puzzle that we face is that it isn't until January 2003 that this is recognised to be not on. Yet there are warnings, not that late in 2002, that the Turks are not going to buy this.

First of all, what's your view of how this came about?

IAN LEE: Well, certainly when I arrived in post, there was -- I think I'm right in saying from memory that the northern option existed as a possibility. I think it was described to me that there had been discussions with the Americans, as I said, but it was a UK idea. It was put forward because of its sort of overall military logic, that it would have the effect of distracting Saddam's attention between the south and the north, and therefore weakening both in a sense.

I think there was also a factor, if I recall, that it would provide a role for the UK forces. We would be able to fit in in some way in the north. So that's another reason.

I think I remember that there was a feeling that invasion only from Kuwait meant invasion from a very, very small area, and there would be huge logistic difficulties about launching forces only from one very small point. Therefore there was a sort of logistic reason in favour of the north.

On the other hand, as always with these questions, there were lots of countervailing reasons. There were logistic difficulties in the north, and also difficulties -- I don't remember the detail, I must admit, but difficulties about which US forces we could actually fit in with. Some were said to be easier to work with than others. Again, I can't remember the detail. Possibly for reasons of training, possibly for reasons of how the different technology and communications worked in

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different US formations.

So there were lots of complicating factors, but above all that there was a general feeling that if we could make it work, then from an overall strategic point of view, it would be helpful in the campaign to have a northern as well as a southern option.

As we know now, that option didn't fly. Whether people were very slow to realise that the Turks were not going to agree to this, I don't know. I was certainly personally fairly sceptical that they were going to agree to it, because for one thing I never saw any indication from them that they would agree to it. Not that they said that they wouldn't, but simply that there was no indication that they would. And I would just add that I had had quite a bit of experience in dealing with Turks in my previous job. So I had a sort of sense of what they were likely to agree with and what they weren't, and how they viewed the world, and it seemed a little bit unlikely to me that they would ever join in in a military sense.

SIR LAWRENCE FREEDMAN: I'm looking at a memo you wrote on 11 November[1], following a visit to Washington. I'll just read you what's said here about Turkey:

"Continuing uncertainty and [redacted] Despite this, they [redacted] continue to declare the northern front essential. Their definition of 'essential' stops just short of agreeing with the proposition 'no Turkey, no operation'. The bottom line is that they advise CDS to [redacted] and put it to him straight: we want to do the

[1] The date of the note was, in fact, 14 November.

north, will you fix it for us."

IAN LEE: Yes.

SIR LAWRENCE FREEDMAN: Do you recall that?

IAN LEE: Yes. That's something I wrote? Yes.

SIR LAWRENCE FREEDMAN: Yes, that was you.

IAN LEE: Yes. Well, yes, I recognise that. I recognise the sense that comes out of that, that there was a huge amount of uncertainty about whether a Turkish option, a northern option, would be possible for all the reasons that I have referred to.

I remember also that in the context of the time there was no uncertainty about co-operation, if you like, from Kuwait and Qatar and other countries that might be playing a part in some way, for basing and launching military effort.

By contrast at this stage, if you were thinking about an operation from two fronts, on the one hand there was lots of agreement, host nation agreement, if you like, from one side. On the other side, there was absolute uncertainty, unclarity, and that sort of discussion about who was going to take the lead on persuading Turkey to agree to the forces. So an unbalanced position.

SIR LAWRENCE FREEDMAN: Just a final point on this, to push a bit more, is just this question of whether -- this is a test of UK influence with the US. This is the way we would prefer at the time to fight the war. We can't seem to get clarity from the Turks. Maybe the Americans can. Are they pushing enough on our behalf?

IAN LEE: Yes. I think there was a sense of that, yes, that we -- I think we felt that, generally speaking, the northern option was a good idea and we ought to be involved, but also that we, the UK, couldn't take the lead on persuading Turkey to

agree to that, simply because we wouldn't have the clout to do that, and clearly we were not the major -- the leader of the Coalition.

So if anyone was going to persuade the Turks, then it would inevitably have to be the US. While on one level the US and their planning machine had agreed that it was a good idea and were taking forward a plan which included the northern option, it seemed to us that that prerequisite of that planning was that you got some sort of explicit host nation agreement from Turkey that they would take part. You had to get that first and you had to get it fairly early. Otherwise all the other planning that you might be doing at a lower level about how you were going to launch an operation would be for nothing.

And practical reasons as well, because of the timetable, that if you were going to launch an operation, people would have to actually go to Turkey and start doing reconnaissance of different bases, places to set up logistic facilities and things like that, and you couldn't do any of that without agreement from Turkey. So everything came back to the question of getting Turkey to agree.

SIR LAWRENCE FREEDMAN: Eventually Geoff Hoon did go to Turkey in January.

IAN LEE: Yes. I went with him.

SIR LAWRENCE FREEDMAN: I would be quite interested just to hear a word about that meeting. Do you think it might also have helped if he had gone earlier, if only just to get clarity on what the position actually was?

IAN LEE: I think one has to again avoid hindsight on a question like that. I remember there was a debate -- and I think this other note goes back to November -- certainly a debate about contact with Turkey and trying to persuade the Turks. A subset

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of that debate was who should do the persuading, and as is quite normal in such cases, there's a sort of ladder, an escalation of persuasion, that you start at lower staff levels and you work your way through.

As I recall, the visit that Geoff Hoon went on, where I accompanied him, that was a sort of last throw of the dice really, that everyone else had tried, hadn't had an outright "no", but hadn't had any sort of encouragement either. So we should try this. He should go, speak to his opposite numbers, as many people as possible in the Turkish hierarchy, and see what the result would be. The outcome of that visit was, I think, the realisation dawned that Turkey was not going to agree. So things moved on, away from the northern option.

SIR LAWRENCE FREEDMAN: In terms of planning, wouldn't it have been easier if, in a sense, he had gone earlier and that realisation had dawned earlier?

IAN LEE: Well, it would have been easier, yes.

THE CHAIRMAN: We could go on on this one for quite some time, but I think we had better move on. Rod, the south.

SIR RODERIC LYNE: Just a couple of quick questions on the implications of the switch to the south.

Am I right in thinking that you normally attended the meetings of the chiefs of staff?

IAN LEE: I did, yes.

SIR RODERIC LYNE: So you could sense the mood there. What was their reaction when it was clear that the previously preferred option of going north wasn't around, and they were going to have to plan for the south at rather short notice?

IAN LEE: I don't remember there being any particular dismay

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around that, as you might imagine, losing the northern option. I think they had probably been aware that there were doubts about the northern option, and therefore the southern option didn't just arrive, bang, one day, that there had already been some sort of thinking about it, about what might happen.

I think there was a sense that this was something of a challenge, that this required a lot of reconfiguring of exactly how the movements and all the nitty-gritty would work. But I'm afraid I don't remember much of the detail of that discussion. I think it emerged fairly rapidly -- certainly my memory is that it emerged fairly rapidly -- that there would be some sort of role that was viable for the UK forces in the south, and that it would be a role which would fit in with the surrounding US forces, referring to the point I made earlier about which sort of US forces we could work with and which would be more difficult. I think that emerged fairly rapidly at the time.

SIR RODERIC LYNE: Yes. It was a different sort of challenge militarily, and from the point of view of logistics and the kind of campaign, conditions and all the rest of it, and we have discussed that with a number of the military witnesses.

Can you recall how soon it became apparent that, as a result of this decision, we were actually going to be running an area of the south after the campaign?

IAN LEE: I don't really have a specific memory of that. I can't think of a particular meeting or a particular piece of paper. My recollection is rather more general --

SIR RODERIC LYNE: Okay.

IAN LEE: -- that we did -- simply that it would be inevitable that we would have control, at least in the early stages. If we were operating within an area, then the so-called aftermath

would come into being, if you like, straight away within that area, and therefore, de facto, we would be in charge of that area.

SIR RODERIC LYNE: I want to come back a little bit later on to the whole issue of aftermath planning. If I could just look at one document on this, which was, I think, in the list given to you, this is the Prime Minister's meeting with the chiefs of staff on 15 January 2003. The note is dated 22 January. You presumably were not at the meeting. Was this note circulated to you at the time?

IAN LEE: Probably. I don't think I was at that meeting, no.

SIR RODERIC LYNE: I'm not totally clear from the acronyms at the top. I don't see one that immediately identifies you on it. So I don't want to ask you about it if you didn't have it at the time. Did you have a chance to read it in advance, this note? Does that look familiar to you? It looks to me like quite an important briefing to the minister by the chiefs.

IAN LEE: No, I don't think I did.

SIR RODERIC LYNE: Let's not pursue that further in that case. Thank you.

THE CHAIRMAN: Legals. Baroness Prashar.

BARONESS USHA PRASHAR: In your statement that you submitted to us, you say that:

"We were aware throughout the planning period that the legal base would be an issue."

And that you were asked by the CDS to get a clear statement on that issue. Can you just describe to me your involvement in the areas linked to the legality and what briefings did you receive throughout this period?

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IAN LEE: Throughout the period? I think I should probably start by saying that my major involvement in questions of the legality was always to do with the military campaign plan, and within that, questions of targeting.

So we were always conscious that we had to have a plan, and particular parts of the operation had to be planned in a way that was legal in the sense of proportionality and only targeting military objectives and things like that. That works through from the level of the campaign plan right the way down to the level of clearing individual targets.

It was also obvious to everyone that there needed to be a legal base for the campaign as a whole, and I think we just continued on the assumption that that legal base would be there because without it we wouldn't be able to proceed. And I think we proceeded in the hope anyway, perhaps -- at some points even the expectation -- that that legal base would be provided by a UN resolution of some sort, now thought of as the Second Resolution.

So that was the assumption that we had. That would be in place. Then our involvement, my involvement, with legality was at the sort of level below that, if you like.

When we got to the point fairly late in the day when the Second Resolution fell away, then obviously there was a question, because what we had been assuming would be there, wasn't there. So what is the legal base now? That's when this debate came up, and that's when the CDS asked me, because he had seen, and I had seen, a long minute from the Attorney General explaining the legal situation, but without coming to a firm conclusion --

BARONESS USHA PRASHAR: Is this the minute of 7 March?

IAN LEE: Yes. I recall having a discussion with the Chief of

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Defence Staff at that time, and him saying, well, this is all very well, but at some point down the road here, I'm going to have to give an order to the forces and therefore I need a clear yes or no statement.

BARONESS USHA PRASHAR: Who else had seen the minute of 7 March?

IAN LEE: I couldn't give you a complete list. I'm sure Geoff Hoon and his office had seen it, the Chief of Defence Staff, me, the MOD legal adviser. As I recall, the distribution was very limited beyond that, if anyone. I couldn't give you a list, but I remember it being a very, very limited distribution. Even within a context that had lots of limited distributions, that was even more limited.

BARONESS USHA PRASHAR: Did you assess what was the MOD's view following the 1441 Resolution? You said earlier there would be a Second Resolution.

IAN LEE: Yes.

BARONESS USHA PRASHAR: Was there a view within the MOD as to what was 1441, and was that a sufficient basis on which to undertake action?

IAN LEE: I don't remember any MOD view about that. Our interest was simply that there should be an overall legal basis, ideally provided by 1441, but if not by that, then by a legal opinion from the Attorney General. If that was in place, then that was a basic assumption from which we could work.

BARONESS USHA PRASHAR: Now, you give a briefing to the Attorney General on 3 February. The minute says that he explicitly reserved his position on the Second Resolution. That's the minute of that. **(Handed)**

Can you recall the actual mood of that meeting?

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IAN LEE: On the question of the Second Resolution, I can't recall anything more than what was said there. He had simply said that he had reserved his position on that. That wasn't clear. There was no decision on that at that stage. So that was the background.

As I said, our interest, from the MOD point of view, and my interest was at the next level down, if you like, to create a plan, a statement of the objectives of the military campaign and so on, which would effectively be a sort of context within which individual targeting issues and questions to do with rules of engagement could be established. I think that briefing was to try and put forward these ideas and to brief the Attorney about that. This was our plan. The objective was disarmament, removal of WMD, and therefore, in order to reach that objective, these are the military objectives that we will follow and this is the shape of the campaign to do these things, and they all flow from that objective. There's a logic to it.

BARONESS USHA PRASHAR: It was to brief him and update him on your thinking and your planning?

IAN LEE: Yes, and to establish that the lines we were thinking on of creating such a document would be helpful, and it was going to be useful, if you like, from his point of view, as well as from our point of view.

BARONESS USHA PRASHAR: Do you think this lack of legal basis hampered planning for the aftermath, this somehow held back planning? Did that have an impact on the way you proceeded?

IAN LEE: I wouldn't say that that particular aspect of the legal basis held back the planning for the aftermath. As I recall, the more difficult issue was -- I suppose it's related, but the more difficult issue was to know what particularly the US thinking was about who would actually be in

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charge after the conflict. To put it simply, would the UN be in charge? And if they would be in charge, which was the position that the UK hoped would be the case, then a whole lot of things would flow from that about the way post-conflict Iraq would be managed. If the UN were not in charge, then the situation would be different.

So to the extent that that is related to 1441, which I suppose it is, then that was our issue. It wasn't directly related to 1441.

BARONESS USHA PRASHAR: Was it unusual for the Chief of Defence Staff to ask for a clear statement from the AG to be included in the directive? Is that unusual?

IAN LEE: I don't really know how to answer that. Again, I wasn't around in that position at the time of Kosovo operations, which is the other example. Other operations which I have been involved in or seen, like the Falklands or Gulf War 1, there probably wouldn't have been any because it was fairly obvious that the self-defence argument was much more straightforward. In this case it wasn't so straightforward.

THE CHAIRMAN: Was an important new factor the setting up of the International Criminal Court and the access by the United Kingdom to its jurisdiction?

IAN LEE: It was a factor. I certainly remember the Chief of Defence Staff was aware of that and concerned that proceeding without a clear legal basis might open UK personnel -- military personnel from his point of view, but actually civilian personnel as well in theory -- might open them to proceedings in the International Criminal Court. Whether that's legally correct or not, I don't know. You would have to ask somebody else. But that was a concern. I suppose it was something that prompted a focus on the issue of what the overall legal base

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was.

BARONESS USHA PRASHAR: Given concerns about the legal basis, and I think you were aware of Sir Michael Wood's reservations, did the MOD legal adviser express a view? Did officials collectively discuss the legal basis?

IAN LEE: I must say, I don't remember from the time Sir Michael Wood's reservations, and I don't remember any opinion being expressed by the MOD legal adviser.

BARONESS USHA PRASHAR: And there was never a discussion among officials?

IAN LEE: We probably chatted about it in the corridor, but not going much further than a sort of feeling that this was an issue, and we weren't really sure where it would come out, none of us being legal experts.

BARONESS USHA PRASHAR: At your meeting with the Attorney General, when you raised the issue of targeting, did he raise issues that you wanted to come back and discuss with your colleagues? What sort of issues did he raise with you?

IAN LEE: I think, from our point of view, the question of the overall legality of the operation had a relevance because -- as I say, to be specific, because the CDS would have to give an order. So it had a relevance, and we needed that. But I don't think -- I don't recall that we got involved in the actual legal argument about whether this was going to happen or not. That was for other people to decide --

THE CHAIRMAN: In the FCO?

IAN LEE: Principally the Attorney General, to decide whether we had a legal basis to proceed, and then if we did, fine, the rest of our planning could continue on that basis. The argument

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about what the legal basis was, which has been much aired subsequently, was not one that I recall the MOD becoming involved in, because in the way Whitehall is not -- it wasn't a question for us.

BARONESS USHA PRASHAR: One final question is on 11 March you gave Simon Webb a note, which said:

"The likely scenario today appears to be failed or vetoed Security Council resolution, but a Government decision that action is nevertheless lawful."

Now, what was the basis of this advice, as the Attorney General had not yet reached what you would call a better view. **(Handed)**

IAN LEE: I can't remember exactly what the basis for that is.

BARONESS USHA PRASHAR: But you were aware that there were issues around it?

IAN LEE: I was aware that there was, shall we say, a sort of balanced position in respect of the legality based on that longer minute from the Attorney General of -- I think you said it was 7 March.

BARONESS USHA PRASHAR: That's right.

IAN LEE: That one. So I was aware of that position. I was aware that there was a difficulty and a possibility that he might not agree that it was legal.

BARONESS USHA PRASHAR: But you can't recall where you got the impression that the action was nevertheless lawful?

IAN LEE: The only thing I can think of it might be based on is that within the Cabinet Office group that I went to, the subject came up, and we were assured that that question of the overall legal base was being sorted out and would not be a problem, but

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no more detail than that.

BARONESS USHA PRASHAR: Okay. Thank you.

THE CHAIRMAN: A change of theme now.

BARONESS USHA PRASHAR: We move on to relations with DFID.

Now, we have heard a number of accounts about challenges of involving DFID in the planning of operations against Iraq. What were the issues that were limiting the contribution of DFID, and who or what were the main barriers to that involvement?

IAN LEE: Well, as I recall it, we obviously, as I said, were aware of the question of the so-called aftermath being an issue, right from the very start, that there would be a need to manage that phase of the operation.

At the same time, while we were aware of that -- this is early autumn, early to mid-autumn 2002 -- the whole question of the military planning was regarded as extremely sensitive. I said at the start that when I arrived, prior to my arrival, we had been extremely small number of people involved, even within the MOD, or other departments, I assume, and this had expanded gradually. But the debate was still very much regarded as a 'close hold', the sort of phrase that people use, because of the details of the military planning, and the questions about timetable and potential starting dates for the operation and who might be involved, for all the classic reasons of security that you don't wish to give away that kind of information to your potential enemy. I think also there was a desire to keep things on a very close basis because of political controversy surrounding the issue which everyone was aware of as well.

The specific issue there was that we had embarked down the UN route. So there was a whole process of diplomacy going on, leading to the First Resolution, leading to the weapons inspectors going in, and our intention was sort of try and keep

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a balance, but the focus was on that diplomatic route and the weapons inspectors. Yes, there was a sense of military forces being prepared in some way, but that at that stage was a rather vague background sense of things. The focus was on the diplomatic activity and the weapons inspectors, and maintaining that balance politically was quite an issue for people at the time.

I think that -- I certainly remember this being said. I couldn't point to particular meetings, but a feeling that if one got into detailed discussion about aftermath planning and so on, then the assumption would be, well, that means that you are already committed to a conflict. So all this diplomatic track, all that is window dressing, and what you are really interested in is a conflict, and therefore that's what all this aftermath planning is about.

Therefore, in a strange way, there was a sort of reluctance to get into too much detail about aftermath planning for that reason and, because of the military security reasons, a reluctance to expand the number of people who were involved in the issue.

If you put those two things together, then you end up with a situation where the experts on at least part of the aftermath and reconstruction and humanitarian side, are not as fully included as ideally you would wish them to be.

BARONESS USHA PRASHAR: But it was the thinking, but was there other things to do with lack of trust between DFID and MOD and personalities? Was that a factor?

IAN LEE: I think there are differences that -- yes, there's a sort of cultural differences between different departments in Whitehall. I'm sure you can point to examples where previously parts of MOD had worked very happily with DFID on other

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operations. At the same time, the focus in DFID is probably different from that of MOD.

Undeniably, in my experience anyway, there are differences about the way the different departments approach an operation, and what the priorities are as seen from the MOD or as seen from DFID.

THE CHAIRMAN: Is one standing difference that DFID works essentially through NGOs or consultants, ie it works outside the ring of Government, whereas MOD and the military work inside the ring? That's a standing difference.

IAN LEE: Yes. That's something I've alluded to in the past myself. I think it is a difference. I think it creates a perception, as I've heard from people within DFID, that the military sometimes do things too quickly. They will perform some sort of operation, say in a post-conflict scenario, without thinking through necessarily what the implications of that would be, trying to do something helpful, but possibly having a counterproductive effect. So there's that sort of feeling, because the military can do things very quickly if they are on the ground.

On the other hand, from the military point of view, they can sometimes become frustrated when what they see as the slowness of DFID to operate because, as you say, DFID is not an executive operation. It operates at arm's length by organising or funding other people to do things, and inevitably that takes longer to organise. Plus they have a longer term view of things as well.

THE CHAIRMAN: And in terms of military security, much less reliable?

IAN LEE: I think it's probably fair to say that there's a sort of mindset, if you like, when you get into military planning operations, that everyone outside the inner circle is suspect in

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some way and can't be trusted with information. That happens within the MOD. It certainly happens in relation to other departments, and there are reasons for it which you can defend, but it's also not in all cases a helpful phenomenon.

BARONESS USHA PRASHAR: You said earlier that of course there was a sensitivity in terms of the worry about the conflict and the UN role. But planning operations must have been something of a different scenario, and in the aftermath, if there had been a humanitarian need, DFID would have been involved.

I mean, given the difference in operation, why were they not involved at an early stage? Because on 27 March I think you wrote to Nicola Brewer. You spoke about DFID attendance at chiefs' meetings:

"For the moment they are heavily preoccupied with the military campaign, so the feeling is that it would be better to have DFID on a when invited basis for meetings than going to discuss Phase IV in a substantive way."

Was this the follow-up to the debate in December and January on whether DFID should be involved?

IAN LEE: Yes, that date there seems quite late to me.

BARONESS USHA PRASHAR: Indeed.

IAN LEE: That's even after the conflict has started. I recall there being debate about involvement of DFID. I think in my bit of the MOD, our inclination -- my inclination, certainly -- was to include DFID earlier rather than later. Given the caveats to do with military security, et cetera, as has been mentioned, nevertheless earlier rather than later was where I would draw the balance. But there was resistance to their inclusion earlier in the piece.

My recollection is certainly that Nicola came to see me and others, I thought it was round about Christmas or January

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2002/2003, and that we had some sort of agreement that they would be included in the various meetings.

BARONESS USHA PRASHAR: Did they attend any meetings earlier on? Because this was about March.

IAN LEE: I think they did. It's hard to remember the exact timing of some of these things, and you have probably got a better feeling from the paper record, and although I have had a chance to look at some papers, the records that I have seen are not, shall we say, complete.

BARONESS USHA PRASHAR: I'm still not getting a clear sense of where was the resistence coming from.

IAN LEE: I think there were two areas of resistance. One was on a sort of military security grounds, that if we are discussing details, which a lot of the meetings were, in fact, details of not the post-conflict, but details of the conflict --

BARONESS USHA PRASHAR: But if the agreement was on an invited basis, and still you can't recall them being at very many meetings, where was the resistance coming from?

THE CHAIRMAN: You said there were two sources.

IAN LEE: Yes. One was the military security. If we were having lots of meetings about the details of the conflict plan, then no need for DFID at that kind of meeting.

Then I think the other resistance would be more political, in the sense that in a very sensitive political environment --

BARONESS USHA PRASHAR: This is a private session. You can be quite open.

IAN LEE: Yes.

THE CHAIRMAN: We are talking political relationships at the top of Government?

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IAN LEE: Yes.

THE CHAIRMAN: That's enough.

IAN LEE: The whole issue was controversial in the country at large, within the party of Government at the time, and therefore, you know, a feeling that why should we foment more controversy than we have already got?

BARONESS USHA PRASHAR: What opportunity did other Government departments have to contribute to the MOD's planning, apart from DFID? Did anybody else contribute?

IAN LEE: I think, from my perspective, it was mostly -- our contact with other departments was mostly DFID and the FCO. I couldn't speak authoritatively about what contacts there might have been with Transport, for example, on the movements aspects of military planning. And the Cabinet Office really, I think, took the lead on including other departments on a whole wide range of implications of the conflict and post-conflict. The Home Office and police departments and that sort of thing, that was more led by the Cabinet Office.

In terms of people coming to our meetings, it was Foreign Office and DFID principally, as I recall.

BARONESS USHA PRASHAR: And the Foreign Office were more involved than DFID?

IAN LEE: Yes.

BARONESS USHA PRASHAR: We have been told that, in contrast to the US, the UK military doctrine was that Phase IV began on crossing the start line of the campaign. This letter was sent on 27 March, seven days into the invasion. This is your letter to Nicola Brewer.

THE CHAIRMAN: The one we mentioned.

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BARONESS USHA PRASHAR: Which I mentioned earlier. I'm a little surprised to hear that substantive discussions weren't taking place on this in the chiefs' meetings or were they?

IAN LEE: I think -- maybe my memory is failing me here, but I think DFID were included in the chiefs' meetings before the conflict. I haven't looked at records of the chiefs' meetings. I presume, since they were all so beautifully documented, that they will be available.

So I think they were there, and I think there was discussion of Phase IV aftermath before the conflict started which included them. I certainly remember being involved with DFID, and in sort of joint discussions with DFID and the Foreign Office, and even going to America to talk to Americans well before the conflict started, not as well before as we might have, but nevertheless before.

So they were certainly involved before then. I must admit, I'm surprised by the late date of that letter. I don't recall that being as late as that.

BARONESS USHA PRASHAR: There are a couple of other questions that I really want to ask, because I have seen a record of your briefing to Clare Short on 13 February. It notes that she felt that the current timetable was being artificially created by US military preparations. The price of the Second Security Council Resolution with all the political and practical advantages it would confer was worth a delay until the autumn.

Was there a basis to her view that the military timetable was driving the diplomatic process?

IAN LEE: Well, I think that all rather hangs on the word "artificially". Certainly the timetable was, to a large extent, determined by American policy, American military preparations, and we were fitting in with that.

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The question as to whether that's artificial or not is a separate issue. I think my recollection is that Clare Short felt that it was, and her general sort of desire was more in favour of more time definitely in favour of a Second Resolution. "Artificially" is a value judgment.

BARONESS USHA PRASHAR: Did you brief other ministers, and who were they and why did you brief them?

IAN LEE: I remember being involved in briefings of Clare Short and the Foreign Secretary, Jack Straw, and Deputy Prime Minister, John Prescott at the time, with the Attorney General.

BARONESS USHA PRASHAR: Why did you brief Jack Straw and John Prescott?

IAN LEE: I think the briefings that we did were rather similar to the one that we did for the Attorney General at the time that I described earlier. They were briefings on the sort of --

BARONESS USHA PRASHAR: Proportionality?

IAN LEE: Well, to describe to them at a reasonably high level how the military campaign was constructed from our point of view, what the objectives were, what the tasks were, and the way that the campaign would be conducted; yet with a flavour of demonstrating that it was all being done with a view to the legality of the campaign, and that there was a structure to what we were doing which had been thought through and so on, so that they could arrive at a sort of overall image of what was being contemplated.

It's all very well to talk about a campaign, but without describing something about the way it was organised, you wouldn't necessarily, before the event, have a very clear idea of what it was going to look like and what sort of things would

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happen.

BARONESS USHA PRASHAR: Did they ask for these meetings or did you take the initiative?

IAN LEE: I can't remember.

BARONESS USHA PRASHAR: My final question is: did the MOD take any steps to build a better working relationship with DFID following the invasion? Was anything done to make sure the relationship was better, it worked more effectively?

IAN LEE: I think we did try to -- yes, we tried to include them in more meetings that we would have in the MOD, often informal meetings, and I think they were attached in some way and had some staff posted into PJHQ, who would act as a sort of liaison between DFID and the operational level.

They certainly were -- I'm hazy about the timing now, but they were certainly involved more in the chiefs of staff meetings.

BARONESS USHA PRASHAR: That is after the invasion?

IAN LEE: Yes. As I say, my recollection is that they were involved before, but my recollection is suspect after so much time.

BARONESS USHA PRASHAR: Thank you.

THE CHAIRMAN: Let's take a short break now, just five minutes or so. I think you will find it easier outside the room because the recording goes on.

(A short break)

THE CHAIRMAN: I'll turn straight to Sir Roderic.

SIR RODERIC LYNE: You said in your very helpful submission to the Inquiry that the nature of the post-conflict phase was always seen as crucial to the success, and that your experience

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was that we could never pin down a satisfactory plan, that is to say in our discussions with Washington.

I would just like to go through the story of the aftermath, not at enormous length, but chronologically, starting really in September 2002, when Simon Webb, in a minute to you, noted that Doug Feith, if I have pronounced that rightly, had asked for our advice, [redacted].

So there was an invitation to us to feed some thinking into the Americans, combined with a slightly alarming statement or implication that they weren't very far advanced in their planning on this important area.

Then there was a draft paper circulated by the Foreign Office on which you commented, "Scenarios for the future of Iraq after Saddam", 30 September 2002, and you put a minute, circulating that in the MOD, pointing out effectively that it wasn't very good. It had inherent contradictions, it needed beefing up in its military dimension, and there were questions raised. You identified a lot of very relevant questions, the first of which was whether the Security Council was going to be in a position to supervise a reconstruction effort if the US had acted in a unilateral mode, what one might call a very prescient question.

So that's the background. In this period, the early autumn of 2002, what was actually happening on our side to respond to this invitation from Feith to put some thinking in to them, and was this something that fell within your area of responsibility within the MOD?

IAN LEE: At that point I don't recall my part of the MOD actually engaging directly with the Americans on post-conflict aftermath planning.

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SIR RODERIC LYNE: What about our internal thinking? There's this Foreign Office paper. What was happening within the MOD about this? What processes were going on?

IAN LEE: This is quite hard to remember.

SIR RODERIC LYNE: To reconstruct?

IAN LEE: Exactly, to reconstruct it in that way.

SIR RODERIC LYNE: Perhaps I can offer you a prop then. I don't want to overtax your memory. This is eight years ago.

On 11 and 12 November, you went to Washington with the DCDSC, and that's Tony Pigott.

IAN LEE: Yes.

SIR RODERIC LYNE: And you reported back on this, and you discussed a number of different issues there, Turkey and so on. The last paragraph of your minute recording this visit is about the aftermath. It said:

"The joint staff presented. The presentation was light on detail on military content and on international legitimacy. Despite the efforts of the last two months to build a UN consensus for action, there was a clear US-led focus to aftermath thinking."

Then you concluded that setting up an HQ to deal with the aftermath is intended, but not yet implemented.

So again, you are sounding a warning signal, and then, shortly after that, you gave an oral briefing to the Secretary of State, the Ministry of the Armed Forces, on your visit, on all aspects of it. Aftermath management in the Secretary of State's private secretary's note of that briefing from you is very briefly dealt with. It simply says:

"Aftermath management. This was attracting increasing attention with a range of possibilities under discussion."

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Now, without asking you to dredge up details from the memory bank, do you have a recollection -- we are now into mid-November, time is getting on -- that you and others in Whitehall were getting concerned about this very important area of planning?

IAN LEE: Yes, I think we were. As I say, it's hard to recall the detail of exactly what papers were circulated, which meetings happened at which time, because this is a while ago and I have been away from it. But I do recall that at the time we had done quite a lot of thinking, as I said before, at a fairly sort of conceptual level, and a lot of the meetings that happened within the MOD and with the rest of Whitehall were concerned with identifying issues that needed to be addressed for the post-conflict and aftermath phase. So it was analytical work, if you like.

So we had a fairly clear idea of the sort of things that needed to be pursued, and that visit that you refer to, when I went to Washington with Tony Pigott, part of that visit was to try and pursue with the Americans how far they had got in identifying and considering the same issues that we had identified, and doing something about it, what sort of planning existed within their system.

SIR RODERIC LYNE: And how far had they got?

IAN LEE: My sense throughout that autumn was that they hadn't got very far. At least they would agree with the propositions that we put to them, and they recognised the weight of different considerations that arose, but in terms of actually proceeding with translating that into some sort of plan, not particularly far.

I remember on that visit in the discussion, I think it was with the military staff in the joint chiefs, we talked with them

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about the size of the headquarters they had at Tampa, and how many people were involved with the conflict planning, and really, in a friendly way, raised the suggestion that perhaps there should be some headquarters of equivalent size and clout doing post-conflict planning, that the two should work together.

As I say, they recognised the point, and I think they had some sort of staff effort mobilised in that direction towards post-conflict planning, but I would say my sense was nothing on the scale of the conflict planning.

So that was a worry because on the one hand we were saying this was extremely important, and a prerequisite for success overall was to have something of that sort. On the other hand, we couldn't pin down exactly what they were doing, and in order to reassure ourselves that we were satisfied with what they were doing, we had to get some basic assumptions in place, such as: is the whole thing operating under a UN lead or not?

SIR RODERIC LYNE: So you were trying to impart a sense of urgency, certainly at one of these contacts. Were we also taking the opportunity to try to plug in our own thinking on post-conflict planning in substance?

IAN LEE: I think we did. I'm personally a little bit in betwixt and between here, because on the one hand, in terms of the operational level, then that sort of discussion would happen through PJHQ and staffs embedded with Tampa, as to what people were actually planning to do on the ground. Then at the top level, if you like, then it was more a case of a lead being with the Foreign Office, talking to the Americans. Although we were involved in that, and I in January did go to Washington with Edward Chaplin, and I think it was Jim Drummond, people from DFID anyway, to talk to the Americans, as I recall, it was trying to put in, you know, substantive suggestions to them.

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It's hard to put in substantive suggestions about planning if you haven't got the basic structure within which you are working clear, because it has to --

SIR RODERIC LYNE: You need a docking point for your electric current.

In this analytical work, where were you getting the information, you and others doing it, about Iraq, about what we should expect after the campaign, about the state of the country, its sectarian, ethnic, political, economic makeup?

IAN LEE: Certainly I myself didn't have any direct knowledge of those questions. I think within the MOD we basically looked to the Defence Intelligence Staff for that content.

The work on this military strategic planning, this sort of conceptual analysis, was done by the military staff led by General Pigott. They would work in groups with experts, if you like, from the DIS and elsewhere.

How much they took direct input from, for example, Foreign Office experts on the region, or indeed academics and others, I'm not sure. As it came to me, those sort of analyses, it included some sort of commentary about Iraq, but I don't remember that being a very highly developed part of the analysis.

SIR RODERIC LYNE: In the meeting I mentioned earlier that the chiefs of staff had with the Prime Minister on 15 January, it was stated, according to the record -- presumably stated by the chiefs, it's not absolutely clear here -- that aftermath planning was still quite immature -- that obviously reflected what you had found, among others -- and any rapid regime collapse, followed by a power vacuum, could result in internecine fighting between the Shia and Sunni populations, particularly in Baghdad, and adventuring by adjacent countries

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and ethnic groups that irretrievably fractured the country.

That, again, is another rather pressing warning. From what you just said that judgment made by the chiefs of staff, reflected to the Prime Minister, may well have come from DIS, but you don't personally have visibility of where they would have formed that from?

IAN LEE: Not specifically that specific assessment. I remember in general terms papers sort of talking about potential scenarios. But in my recollection, they tended to be painting a picture which included all sorts of different scenarios, which might or might not happen in post-conflict Iraq. But they were all speculative, and it wasn't -- there was a full spectrum from those who would think that actually everything would be all right -- topple Saddam very quickly and then Iraqi systems would swing into play -- to those who thought that the whole thing would be complete disaster on all fronts. But there was nothing concrete to hang on to within any of those.

SIR RODERIC LYNE: What is striking about that statement is it isn't reflecting the "everything will be all right" part of the spectrum. It's rather clearly looking at the other end.

IAN LEE: Yes.

SIR RODERIC LYNE: As you say, you then took part in the interagency visit to Washington, and on 23 January you reported back on that in a detailed note that went to the Secretary of State's office.

On the plus side you recorded that the US was beginning to take the issue seriously -- well, this is 23 January -- beginning to opt for an operational effort. I think actually it was while your visit was taking place that we heard, or you heard, that the President had signed an executive order putting the Pentagon in charge. But you then go on to say:

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"[redacted]."

Which is fairly strong language.

Again, you are warning ministers that there are very worrying aspects to the planning.

How were ministers reacting to this? We are now only two months off the actual conflict. At the highest levels, by then the timetable was known on our side. I don't know if you were aware at this stage that the President had taken the decision to go into action around the middle of March.

Was there a state of alarm about this, or were people so focused on other aspects that they weren't thinking about this at the senior levels?

IAN LEE: I don't know whether I could use the word "alarm". I think it is important to remember that while this was going on, an awful lot of other things were going on as well. So it's really easy, again with hindsight, to focus on one particular bit, which is universally acknowledged to be, at least so far, subject to your report, a weakness in the whole campaign, and look at that in isolation.

So there was a lot going on, and a lot of uncertainties about the potential conflict itself, and at that stage obviously still a lot of concern about the diplomatic process. So many, many other things going on.

I think it's also true to say, yes, there was serious concern about the post-conflict issue, if you like, starting with this very fundamental point about who was going to be in charge after. Clearly the UK was not going to be in charge overall. We were going to have to fit in with something, with some

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structure, and essentially we wanted to know what is it that we are going to fit in with. Are we going to fit in with a UN-led structure? Okay, that would be ideal. If not that, what is the US-led structure that we are supposed to be fitting in with?

That visit to Washington, as I recall, was addressing both of those questions. Can we get a view on the UN lead in this? Can we persuade the Americans that that would be the best thing to do? And I don't know we achieved full clarity or satisfaction on that point.

Secondary to that, what sort of US structure are we going to fit in? And that's where the invention of ORHA, that's where that came in, and that's what I was particularly interested in at that stage. What is this structure? Is it clear what it is in itself and how it's going to work? And how could we fit into it?

My initial impression was that it wasn't clear what that structure was, and therefore, by definition, it wasn't clear how we could fit into it.

There was a worry, a big worry, about that. But also, I think it's fair to say, a feeling that, well, this is the US we are dealing with. They have got absolutely enormous resources potentially at their disposal for making these things work, and somehow or other, you know, they will make it work. We are worried because we would like more clarity now than we have got, because time is getting on. Nevertheless, we will keep working at it, and working towards clarity, and we hope that we will get that clarity in time, whatever "in time" means at that point.

SIR RODERIC LYNE: It will be all right on the night.

I'm not trying to engage in finger pointing with the benefit of hindsight. I'm struck by the fact that this documentary

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evidence shows that both you and the chiefs of staff sounded very strong warning notes on this subject. But our own preparations for this appear to have fallen through some very large cracks between, as you were discussing earlier with Baroness Prashar, the MOD, DFID, Foreign Office, Cabinet Office.

So I suppose in conclusion I would ask whether, looking back on this, you would see ways in which we should or could have focused on this aspect, which, as you rightly say, was not the only aspect, more effectively; and also whether, in the state of knowledge at the time, not with hindsight, when we got to March, it was right for the PM to have been given assurances by his military chiefs that the Americans had a winning concept, if that concept did not include us knowing that they really sorted out the aftermath, but were keeping our fingers crossed that they were going to get it wrong somehow.

That would be my last question on this subject.

IAN LEE: My view, looking back -- this is looking back. At the time one is caught up in events and it's hard to disentangle it all, but certainly looking back, I think there is a valid criticism that on the one hand we had identified an awful lot of these problems, and had identified quite explicitly, as I recall, the question of the aftermath as a crucial element of the campaign overall, and the whole concept of a successful campaign and winning including a successful outcome to that. So we had done that analysis. We were aware of that.

But we didn't actually carry that through, that analysis, into an analysis at the time of what the post-conflict plans actually were on the level of uncertainty that remained, and therefore the level of risk that remained, in the plan on those issues, and it never really arose as an issue posed in those terms at the time, as I recall.

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Posed in terms of, well, we are not sufficiently clear or sufficiently confident about the post-conflict plan, too much uncertainty, too much risk, and therefore, for that reason, we think we should not embark upon the conflict in the first place; I don't think that question ever arose in such clear form. It obviously arises now, with hindsight, but I don't recall it arising in that way at the time.

Because of the context, inevitably perhaps, there is a huge amount of momentum and focus on the conflict itself, and what's going to happen and a lot of uncertainties in that. That becomes a serious central issue, and however much you intellectually or analytically describe the wider campaign, psychologically the focus is on the conflict itself. A certain amount of, I suppose, optimism, hope, creeps in in respect of the aftermath. That will be sorted out, and there are too many things unknown there to do too much more planning. Therefore you go ahead and hope that you've got enough of a structure which can then be supplemented by ad hoc arrangements afterwards, and therefore it will all be sorted out.

I think, as we know, in practice it turned out to be a lot more difficult than we thought at the time.

SIR RODERIC LYNE: Thank you.

THE CHAIRMAN: You mentioned the invasion. Let's turn to the invasion itself briefly.

SIR MARTIN GILBERT: Can I just look for a moment at the very early days? We know it was not in the original plan to take Basra. There was much debate in Whitehall as to whether we should take Basra before the United States took Baghdad. Were you aware of any political pressure being put on us needing to take Basra?

IAN LEE: No, I can't recall anything.

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SIR MARTIN GILBERT: You[2] write on 30 March:

"Most importantly, entry to Basra is the decision for the Coalition land commander and is not Commander 1 UK Division's corps."

But on the following day, at a meeting between the Prime Minister and CDS and General Fry, the Prime Minister says:

"Huge strategic importance of Basra. What would it take to do it quicker?"

Did you know of this approach?

IAN LEE: I don't have a very clear recollection of that. All I remember at the time was that our forces had reached Basra, but hadn't gone into Basra, and there was some feeling of a sort of standoff, and therefore a sort of question mark as to what would happen next. But I must admit, I don't recall much more than that.

SIR MARTIN GILBERT: You made rather a perceptive comment to the Secretary of State for Defence a few days earlier, 26 March, where you said that success in Basra would build on the information operations that would be there, but it would divide the Coalition effort. You certainly had a --

IAN LEE: At the time I was capable of making perceptive remarks, but I don't recall that particular incident or that particular phase of the campaign very well now, I'm afraid.

SIR MARTIN GILBERT: If I could turn very briefly to also your earlier concerns about the aftermath. How long, do you recall, did the post-invasion -- the two words you used, "optimism" and "hope", just now -- how long did that period last in Whitehall, in a sense almost a honeymoon period?

IAN LEE: That's the kind of question it's quite hard to answer

[2] The 30 March paper quoted by Sir Martin was not authoered by the witness but by the Head of the MOD's Iraq Secretariat.

because it's based on memory and impressions. But on that basis, I think it lasted through the summer of 2003, and possibly even well into the autumn of 2003. And I recall a process of reporting from theatre which included descriptions of our forces going into berets rather than helmets, and people able to go around markets and that sort of thing, and not a great deal of trouble, as there was later.

So things are fairly benign, and the focus of attention in those early months was, from our point of view, my point of view, creating some reporting system, so that we could discover what was going on, and then quite a sense of, well, leaving it to the people on the ground. So we now had forces on the ground in our sector of Iraq, and we had -- I forget what they were called -- a Foreign Office representative there, and some sort of civil office assisting, and they were the people on the ground who should organise things, and obviously people in Baghdad as well who were in charge.

There was a feeling that they should be left to get on with it in the early months, not going too badly. At some point -- and again I can't remember exactly when this was -- there were signs of trouble. There was a question arising -- and I certainly remember wanting the answer to the question during that autumn, perhaps into the early part of 2004 -- are things getting better or are they getting worse? And that was the sort of question that I hung on to whenever I would go to meetings or read papers. Is this evidence of things getting better or getting worse?

I recall there was quite a period where I didn't myself feel that there was a clear answer to that. It clearly wasn't getting better. So it wasn't on an upward course. On the other hand, it wasn't necessarily getting worse either. It was sort of, you know, going along somewhere in the middle. Elements of

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better and elements of worse.

SIR MARTIN GILBERT: Thank you.

THE CHAIRMAN: Thanks. Turning attention, I think, to the south.

SIR LAWRENCE FREEDMAN: Well, just following on from that, but again, looking at the preparation of ministers for where we were going.

From January it was clear you were going south, and that, I guess as likely as not, we would have some sort of responsibility. But it's pretty unclear in the paperwork exactly when the idea that the UK would be responsible for the south took hold, and also what this was perceived to mean in terms of the sort of problems that we were likely to see.

Again, just on your recollection, how would you take that?

IAN LEE: Well, as I have said in relation to other questions, I'm not a very reliable witness in terms of the timing of things, because that's hard to recall at this stage. I'm sorry if the documentary record doesn't make it clear.

SIR LAWRENCE FREEDMAN: It doesn't help very much.

IAN LEE: What I can offer is, subject to that unclarity about the exact timing of this, I do remember discussions. I suppose it must have been some time after the conflict, but in 2003, the early period after the conflict, but this question of what area would we be responsible for, how would our responsibility be carried out.

I recall a slight discussion of whether we should go for a concept where we didn't take an area of responsibility, a geographic area, but we could sort of decide the thing up in a different way and take responsibility for a topic, if you like, a subject area, without having responsibility --

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THE CHAIRMAN: For the whole country?

IAN LEE: Yes, but just thinking of it in a different way, not as a geographical entity. So we would be responsible for, I don't know, for example, justice or something, and then that would be something throughout the country.

There was a slight consideration of that. But I recall a meeting, I think it was a chiefs' meeting, where it was felt that we should -- and I think it was explicit that we should use our experience from the Balkans, which had been divided up according to geographic sectors between different countries, and the simplest thing was to take responsibility for the area that we found ourselves in, and basically be responsible within the overall Coalition structure, but would be responsible for what went on within that area, and that was felt to be the sensible practical thing to do, drawing on previous experience.

SIR LAWRENCE FREEDMAN: Are you suggesting that this was after the actual main combat operations or in the later stages?

IAN LEE: I think it was, yes. I couldn't be completely sure about that.

SIR LAWRENCE FREEDMAN: In terms of briefing, how much work was done on the ethnic composition, economic/political structures of southern Iraq?

IAN LEE: I think there was some briefing on that. I personally don't remember a lot on that, or anything that was extremely clear or detailed on that. My recollection was that we had quite a lot of overhead imagery of Iraq, but not much detail on how the society worked within Iraq.

I certainly was present at -- on one occasion -- again, I'm slightly hazy on the timing of this -- I think it was a visit by the King of Bahrain who passed through MOD. At the time I was

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impressed because he was talking about different tribes and the different factions, and who was related to whom and so on in Iraq, and I hadn't read any of that before. So that seemed like a lot of detailed local knowledge that I hadn't picked up elsewhere.

There was another meeting at some stage with some Iraqi expatriates in London, and there was a similar flavour there.

So all I can say is that we got a bit of a flavour from some people there, but I hadn't seen that in the written briefing. To me the written briefing seemed a bit generalised.

SIR LAWRENCE FREEDMAN: As you got information of this sort, was this fed into the command structure?

IAN LEE: Yes, I'm sure it was. All information was fed around to all who needed to know.

SIR LAWRENCE FREEDMAN: But this is where hindsight is perfectly fair. Do you think ministers were properly appraised of particular risks that might be involved in moving into these provinces? Or was it just assuming, because it's a Shi'ite area, it would probably be just about okay?

IAN LEE: I don't know. I would say that before the event there was a certain amount of general briefing, general stuff about Shias, and the fact that the ruling class beforehand were Sunnis and the Shias had been oppressed by Saddam in previous times. So that sort of level of general briefing.

But once we were in the country, and we were dealing with the situation, an awful lot more detail comes out about who all the different groups are within the place, and who the individuals are, who can be trusted and who can't be trusted and so on.

SIR LAWRENCE FREEDMAN: So essentially --

IAN LEE: And it's a whole different level of detail once you

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are there, as compared to seen from outside. So self-evidently it was a lot more difficult, and I think, for example, our forces or our people selecting individuals from the Iraqi community to be in positions of responsibility, and then having to withdraw that position from them as they turned out not so reliable and things like that. So self-evidently there were difficulties and risks there that hadn't been foreseen.

Whether it would be actually possible to foresee such risks in a country with whom we had the kind of relationship that we had with Iraq prior to that -- in other words, hardly any relationship -- I'm not sure it would be even possible.

SIR LAWRENCE FREEDMAN: Then just one final question. One of the issues obviously was going to be security and law and order, and different governments have different implications for that. But this is a basic problem with troop levels as well.

Can you recall discussions about whether there would be sufficient troops to maintain security, especially some of the scenarios that were discussed of intercommunal violence? Was that going to be an issue?

IAN LEE: I think we were certainly aware of it as an issue, yes. There's an obvious correlation between troop levels and security in an area.

I think our assessment of this was that the troop levels were at a minimum end of the spectrum, if you like, but there's a correlation between the troop levels and the level of violence or insurgency or trouble from the local community. So in a very benign environment, clearly you don't need such large troop levels. If the situation becomes extremely hostile, then you need larger troop levels. That's self-evident.

Where you pitch yourself on the spectrum with your troop levels depends on an assumption about what the level of violence

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and problem would be, and that in turn depends on what other lines of operation, to use the jargon, you've got in place at the time.

So our assessment was that the key issue was consent, the consent of the Iraqi people. So if you generate consent from the local community by whatever means, whether it was particular humanitarian projects or reconstruction, or nice rapidly evolving political structures with people that they respected and so on, then that would generate consent. Within such a construct, you could reduce your force levels.

If, by contrast, you didn't achieve any of the things on those other lines of operations, then you would need larger troop levels because you would be dealing with more hostility.

So the whole thing was viewed not just as a military problem, but as a problem of mobilising all these different efforts.

SIR LAWRENCE FREEDMAN: But the troop levels that were actually set did tend to assume consent?

IAN LEE: I don't think they assumed consent in the sense of complete happiness, but they assumed a certain level of grudging consent, if you like, of bits of trouble, but not a full blown insurgency.

So it's a judgment. It's a judgment for people on the ground as to what levels you set. There is also the problem that if you have very high troop levels and a very prominent military position, you can actually work against your objective of consent because you are antagonising the local population by your very presence. So that's something else that is taken into the equation.

It's a difficult business. No easy answer.

SIR LAWRENCE FREEDMAN: Thank you.

THE CHAIRMAN: The aftermath planning from an American

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standpoint certainly started to go wrong pretty quickly. They fired Jay Garner and abolished ORHA. In comes Jerry Bremer and the CPA.

Just a couple of questions on the two big decisions that Bremer took very earlier, or at least that he announced very early. When he took them is another matter. He has given us a statement.

The first one is: the American account that we have had is in essence that Walt Slocombe came through London on his way to Baghdad as a member of Bremer's team, and was able to report that British officials were quite contented with the de-Ba'athification plan. That's what we understand to be the American account.

Did you see Walt Slocombe yourself?

IAN LEE: I did actually. I must confess, I hadn't thought about that meeting until this moment. So I'm now racking my brains as to what I can remember of that. The answer is, I'm afraid, not much. I certainly don't recall a specific discussion of de-Ba'athification at that.

THE CHAIRMAN: And you weren't aware of it in the broader MOD atmosphere at the time?

IAN LEE: I was aware of it after it had happened.

THE CHAIRMAN: But not before?

IAN LEE: I was not aware -- I can't recall anyway, a discussion about it beforehand.

SIR LAWRENCE FREEDMAN: What about the disarmament?

THE CHAIRMAN: I was going to come to that.

SIR LAWRENCE FREEDMAN: Sorry, I was jumping ahead.

THE CHAIRMAN: I think we have probably done de-Ba'athification

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to death over the period we have been taking evidence. But then there is the disbandment of the Iraqi army, or the self-disbandment and failure to recall it.

SIR LAWRENCE FREEDMAN: The question mentioned de-Ba'athification, but the real issue that Slocombe would probably have wanted to discuss was disarming or the end of the Iraqi army. Do you recall that part of the discussion?

IAN LEE: I don't, I'm afraid, no.

THE CHAIRMAN: What did become evident, once the Iraqi army had disappeared at any rate, was it was a Coalition objective to restore an Iraqi army that could function and take over responsibility in due course.

How did we try to inject energy and drive into the reconstruction process of an Iraqi security force, or was that something we simply left to the Americans to lead on?

IAN LEE: I think I recall at that time our focus was -- well, initially on trying to provide secondees, people for ORHA, and then the same process essentially for the CPA. So I'm not the best person -- I wasn't particularly close to that.

THE CHAIRMAN: So it's a CPA demand-led contribution?

IAN LEE: My recollection is that the management of those sort of questions was transferred essentially to Baghdad for CPA to lead, and the UK effort was to provide experts, influential people, whatever that means, to the organisation of the CPA, in Baghdad, who would then become involved in those questions of training up a new Iraqi army and so on.

I have to say, that was how we saw things going forward, and I didn't become directly involved in that.

THE CHAIRMAN: Still on the same general theme, and this is the reconstruction of a policing capability in Iraq post-invasion,

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there's a note we have seen from December 2003 where you were expressing real frustration at the lack of a civilian police capacity to do the training and do the embedding and the mentoring.

IAN LEE: Yes.

THE CHAIRMAN: We are going to take some public evidence pretty shortly on the whole policing issues, so we might want to use this bit of this hearing as it's not sensitive. But what would be useful to hear is your recollection of the difficulties, the blockages, perhaps even the conceptual challenge, which reconstructing a police force in a broken state presents.

IAN LEE: Yes. I had seen this paper before, this note that I had written. I think that was something that was drafted for me at the time. So, again, my recollections are partial.

I think it's probably a little bit analogous to the issues with DFID. On the one hand the Ministry of Defence is set up for deployments and crisis management. We have people that we can supply, and had to supply Royal Military Police as part of the initial force, and that could be expanded. And I think at some point there were discussions about sending other Ministry of Defence police, even, as part of the effort. But --

THE CHAIRMAN: That was a default proposal, wasn't it?

IAN LEE: Yes. From the military point of view and the MOD point of view, you can direct these resources to go somewhere. The main frustration I recall from the time was that in respect of other police, civil police, it was essentially a question of volunteers. I'm no expert on how the police forces are organised, but regionally, therefore, there was some sort of process -- others will know more about -- about trying to generate volunteers and people from the different civil police

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forces who might then go to Iraq.

THE CHAIRMAN: There's an oddity. You've got an FCO lead on what's essentially a domestic Home Office issue. But from the MOD standpoint, looking at planning, clearly there was an absence, a lack, in the UK system of an expeditionary police capability.

IAN LEE: Yes.

THE CHAIRMAN: Should we not have known that and planned around it?

IAN LEE: I suspect that's a lesson learned from this. It's probably a lesson learned from other operations in the Balkans as well. People talk about lessons identified, as opposed to lessons learned. So it's probably a lesson identified from this conflict, but not fully learned.

It's a wider question than just police. It's a question of all sorts of civil deployable capacity which we didn't have then. I don't know whether we have now. But it would certainly have been better if we had had more deployable civil capacity.

THE CHAIRMAN: Yes. Okay, thank you.

We would like to talk a bit about reinforcements.

BARONESS USHA PRASHAR: Again, a couple of questions on reinforcement of requests. In 2004 I think US approached UK forces. What did they request and how did you respond, and were there different views between the MOD how we might respond?

IAN LEE: The US approached us for additional reinforcements?

BARONESS USHA PRASHAR: Yes.

IAN LEE: I don't know. You would have to be more specific. I don't recall it.

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BARONESS USHA PRASHAR: This was a request made in considering the responsibility moving northwards to Najaf and Al-Diwaniyah.

IAN LEE: Yes.

BARONESS USHA PRASHAR: Just to jog your memory, I think on 7 May you wrote a memo. You said:

"UK armed forces have become seriously overcommitted."

Can you remember that?

IAN LEE: I don't remember much about the detail.

THE CHAIRMAN: I think this has sunk beneath the waves probably.

BARONESS USHA PRASHAR: That's fine. If you can't remember, let's leave it.

IAN LEE: I remember only in a very general sense that there was some feeling of we have got enough difficulties in our own area, and branching out into other parts of Iraq beyond where we are, whether it's this one, or at one point there was something to do with Baghdad and sending more troops up there, that we felt that this carried more difficulties for us and there wasn't enough benefit. It was too difficult. But I don't remember much about the finer detail, I'm afraid.

THE CHAIRMAN: A couple of points on intelligence.

SIR LAWRENCE FREEDMAN: You made some point about intelligence in your note to the Inquiry. Thank you.

I wonder if you want to add anything on that, particularly, again -- we see these documents -- you seem to have been surprised by the lack of hard evidence on WMD. This is the immediate aftermath of the conflict, something that you write to Simon Webb and Tony Pigott, saying there is no clear sense of real hard evidence.

IAN LEE: Yes.

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SIR LAWRENCE FREEDMAN: And I think you asked for a separate briefing from DIS because of your concerns.

Can you say a little bit more about at what point you became concerned that so much, if you like, had been done on the basis of so little hard intelligence?

IAN LEE: Well, perhaps I should start by saying that I'm a bit of a sceptic on questions of intelligence assessments, and at earlier times in my career I had seen intelligence assessments of things which on closer inspection turned out not to be quite as initially presented.

So I did approach this from a fairly sceptical viewpoint, and wanted to see what underpinned the assessments which appeared to be -- I know they are written often in classic JIC language, "On the one hand this, on the other hand that". But nevertheless, the overall impression of the assessments was fairly definitive. But I wanted to satisfy myself as to what actually underpinned that.

So I did make some effort to drill down a little bit beneath the overall assessment, and did find that there wasn't very much in terms of what I would call hard evidence, in fact almost nothing in terms of what I call hard evidence.

As far as I recall, it was almost entirely related to human sources, the veracity or reliability of which one takes on trust, and it's on the public record that most of those have been disavowed subsequently.

So yes, I didn't think there was a lot to hang on to at the time. Nevertheless, there were a lot of people around, far more expert in that than I was, and who had spent years researching the issue, and the overall assessment was as it was. So that was the position.

SIR LAWRENCE FREEDMAN: When you spoke to people in DIS, did you

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get a sense that they were all behind the basic JIC assessment, or did you get a sense that others were worried that information was a bit sparse?

IAN LEE: I got a sort of mixed impression, I have to say, from DIS. On the one hand, concurrence with the general overriding assessment; on the other hand, some disquiet, some agreement with the proposition that the edifice was built on a rather narrow base, and some disquiet that even they didn't have access to everything in detail that they would have wished to have access to.

SIR LAWRENCE FREEDMAN: To the CX in particular?

IAN LEE: Yes, different levels. You know probably as well as I do within the intelligence world there are circles within circles, and you never know where you are on the spectrum of circles.

SIR LAWRENCE FREEDMAN: Were you normally seeing CX at this time?

IAN LEE: I was seeing what I thought was almost everything, yes. But you never know.

SIR LAWRENCE FREEDMAN: You never know. Just as a final question here, were you aware that some people in DIS were unhappy about the September dossier?

IAN LEE: No, not really. I only know what I have read in the papers about that.

THE CHAIRMAN: I think we have come to the end of this useful session.

Can I ask, are there any general reflections you would like to add to your statement, which was very helpful to have anyway?

IAN LEE: Not really. The only sort of general observation is

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that it's difficult -- I'm sure for you, looking at the records over time, and difficult even for those of us involved -- to recreate the atmosphere at the time, the sort of psychology of those involved and the dynamics of what was going on. That is something that's hard to reconstruct from the paperwork.

All I would say is it was an intense atmosphere, with a strong focus in one particular direction, and a sense that everything had to move in that direction, and this was absolutely UK plc top priority number 1. This was the way to go. That was a powerful force within the whole situation.

THE CHAIRMAN: Thank you. This Committee has the advantage, which I don't share, of having two eminent historians who I'm sure are more than capable of understanding and perhaps reconstructing the atmospherics.

I've got one point, just out of interest. I sat on the Butler Committee. You said in your statement that it's perhaps now time for a closer look at the actual operation of the JIC system. I wasn't clear where you were heading in terms of the lesson. Is it that the professionals should have more say or less say, or that there should be more outside scepticism built in?

IAN LEE: More outside scepticism. But this is based on not just this example, but other examples in the past, that in my personal view, based on experience, it would be helpful and beneficial to the system if the intelligence professionals had more outside scrutiny from people who were involved but not producers of the intelligence.

That would include, particularly based on this experience, scrutiny of the actual underlying base evidence. In my view, and I have attended quite a few JIC meetings, it's the JIC professionals, if you like, who are holding all the cards, and

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it's not really possible to get underneath that from the outside, and therefore the risk which has been alluded to in previous reports on the sort of groupthink within the intelligence community, that risk is not mitigated as much as it could be by more external scrutiny.

THE CHAIRMAN: Since your time, and following the Butler Report, there is now an intelligence assessment box in each JIC assessment which should give the JIC community, including the policy makers, should it, just the kind of thing you were asking for?

IAN LEE: Yes. I have no knowledge of how the system operates now. I can only comment on how it operated then.

THE CHAIRMAN: Well, thank you very much for your evidence to us. If I may say so, the written record not least shows a great deal of impressive and acute analysis signed by you. Thank you for that.

Can I just remind about the transcript? We would be grateful if you could review it as soon as convenient to yourself. We would like just that little bit on policing. We would like to be able to use that, to refer to it, if we may.

With that I'll close the hearing. Thank you.

(The hearing adjourned)

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