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Dear David

Iraq: Basra

You asked for advice from the Foreign, Defence and Development Secretaries on the implications of the security incident on 19 September, in which two UK servicemen were detained by the Iraqi Police Service and militia elements. The attached paper sets out the agreed view of officials, but has not yet been seen and agreed by the Foreign Secretary.

The incident highlights what was previously more opaque: that we face acute challenges in achieving our objectives in the south-east region; and that we need to review carefully what is achievable in what timeframe. While the media portrayal of Basra on the brink of descending into political chaos is wrong, it is nevertheless clear that the situation remains fragile.

Our paper concludes, however, that alternative options to our current policy are limited; the sole realistic option is to maintain our course and see the job through. Nor should we be alarmist in the wake of media reporting: the Basra incident is not representative of the broader police service in the south-east; refusal by the Governor and Provincial Council to do business with us should not loom large in our assessment; and Baghdad politicians share our understanding of the challenges and the need for them to exert a firmer grip on the south-east.

We need, however, to make adjustments to our policy, while sticking to our strategic approach. William Patey and Stuart Innes, together with General Brims, have started that process and have begun to focus Iraqi politicians' minds on what needs to be done. Moreover, our military are back on the ground visiting police stations – a fact welcomed by the majority of Iraqi

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Police Service officers. Our key objective now will be to put the Iraqi Transitional Government on notice that we will take decisive action against those who threaten us or our strategic objectives, as and when necessary. We will also need the US to work with us to send a coordinated and sustained message to the Transitional Government that it needs to grip the general issue of non-sectarian, impartial institutions of state, which go much wider of course than Basra. The Transitional Government's track record getting a firmer grip is not reassuring. But it is important that we continue to do what we can to ensure they face up to their responsibilities.

I am copying this letter to Penny Ciniewicz (Cabinet Office), Chris Baker (MOD), Moazzam Malik (DFID), PS/ 'C' and Simon Collis, Consul-General Basra.

Yours ever



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SOUTH-EAST IRAQ: IMPACT OF SECURITY INCIDENT IN BASRA

Introduction

1. The security incident on 19 September, in which two UK servicemen were detained by the Iraqi Police Service and militia elements, highlights what was previously more opaque, that we face acute challenges in achieving our objectives in the south-east region. Stability in the south-east is being threatened by intense rivalry among political parties and their militias. Criminality, jockeying for patronage and leaders' differing political visions are being exacerbated by tribalism and increasing religiosity. Specifically, this has a severe impact on the effectiveness of the police service. In better circumstances police training should by now have gone beyond the basics to deal with the broader problems posed by divergent loyalties to both militias and police. The region is vulnerable to Iranian interference. Baghdad's authority and control are limited, and are likely to remain so for another year. More details of the objectives/challenges in the south-east are at Annex A.

Change of policy?

2. The media portrayal of Basra being on the brink of descending into chaos is wrong:
 - While militia rivalry is a fact of life in the Basra police, the behaviour of the Jamiyat police station (where the two men were initially held) is not representative of the police service as a whole. Some 70 out of 240 Jamiyat officers are pursuing primarily a militia rather than IPS agenda. This should be set against a total southern police force of around 14,000. Police officers will continue to have dual loyalties to the state on one hand and militia/tribe on the other. It will take five, possibly 10 years to train up a sufficiently large cadre of middle management

police officers loyal to state institutions. Meanwhile, our training of the broader police service has and will continue to develop the requisite skills;

- The much-publicised refusal by Basra Governor al-Waili and the Basra Council to do business with us is an irritant, but will pass.

. We are taking steps to re-engage with the Council;

- Baghdad politicians share our understanding of the challenges and the need for Baghdad to exert greater control over the south-east region.
3. For the reasons above, while the impression of losing political consent in Basra (criticism by the Governor and the Provincial Council) is awkward, the effect is not significant. Nevertheless, the situation remains fragile (as it was before), with British influence for the time being compromised by this incident. As before, progress in reversing the legacy of the Saddam years, and countering the effects of religion, tribe and Iran will require sustained engagement. Successful reform of the security sector, particularly of the police, is inseparable from successful transition of politics and society.
 4. Public comment has raised the question as to whether we are on the right policy course. In truth, alternative options to our current policy are limited. **Asserting direct British control** over local government and rule of institutions is out of the question. There is no legal base for this. We ceased to have the authority of an occupying power with the passage of UNSCR 1546. In any event, such a move would provoke severe instability and expose us to the charge of "mission creep" or "mission failure". And it would run completely contrary to transition policy in the rest of the country. If, on the other hand, we were to **pull out more rapidly**, the Transitional Government and security forces would be unable to fill the

vacuum. Militia rivalry would escalate. Iran's influence would be entirely unchecked. We would be accused of "cutting and running".

5. **Our only realistic option is to maintain our course and see the job through.** But we need to make adjustments to our policy, while sticking to our strategic approach of ensuring in due course successful transition of responsibility for rule of law in the south-east to the Iraqis. We should continue to take decisive action against those individuals who have attacked UK personnel and/or operational capability, or are known to be planning such attacks. We should apply pressure on the Iraqi authorities to take action against those who abuse and represent a threat to law and order (but who do not explicitly threaten us); they should start with firm action against Jamiyat personnel.
6. We need from the Iraqi government explicit consent that we can take action where we need to and a commitment to delivering on their side. But experience shows us that expecting the Iraqi authorities to get a firmer grip is unlikely to be fulfilled. We will need to be ready to take more direct action, on a temporary basis, if they fail to deliver on issues that directly threaten us or our strategic objectives.
7. An immediate problem presents itself: whether there will be "reprisal" attacks on UK personnel in theatre, and whether and, if so, when we can re-engage our assets. Specifically, we cannot at present deploy safely our police and prison trainers and mentors among Iraqi Security Force units. This problem is not limited to security sector reform. DFID and FCO personnel are also constrained in their reconstruction, capacity building and political work. They are essentially locked down and the recent lethal bomb attacks mean that the threat level has increased significantly. We are currently addressing how to re-engage, deploy our expert teams and make a difference, while managing the risks to staff.

Immediate next steps

8. There are immediate steps we need to take, within days (much is already in hand).

In rough sequence, these are:

- **Investigate the circumstances surrounding the killing of the Iraqi man** on the morning of 19 September
- **If appropriate, engage in a reconciliation/blood money process** with the man's family.
- **Secure an explicit undertaking from the Governor and (new) Chief of Police** that our personnel will be able to operate in safety. (Comment: In isolation from other steps, this undertaking will be worthless).
- **Get a clear commitment from Baghdad politicians to grip the south-east.** Our argument to them must be that ceding control of police and militias to Basra (and with Iranian influence close by) threatens Baghdad's authority. Specifically, we want Baghdad to plan, on a contingency basis, deployment in Basra of an out-of-region force which can take on criminal/militia elements.

But we need to recognise that Baghdad's response will probably be limited;

- **Get the Interior Minister to visit Basra**, immediately. He needs to assert his authority. If he doesn't deploy on the ground, he is likely to fail. He has already shown reluctance to do so. We will need to change his mind (probably through SCIRI, of which he is a member);
- **Take the necessary steps to ensure the referendum process in the south-east passes off smoothly** and proves to be internationally credible;

- **Demonstrate to the international community (in particular, the US) that we can handle the situation.** The US want to discuss with us how they might help us on resources, for example by letting us focus resources on Basra while they help out in the other three provinces. We will need to make clear that the underlying problems, while serious, are not new, we are confident we can address Security Sector Reform and can manage the politics, without military resources from them. Moreover, the US record in addressing police loyalties in their areas of responsibility is no better than in Basra. It is not clear in any case whether the US Administration could justify such a deployment to its domestic audience such a deployment. And if we conceded the three provinces to the US, we would have to recognise they will bring to bear a more robust military approach than ours. In the EU, France points to the Basra incident as further evidence that the EU's rule of law/policing mission in Iraq (EUJUST LEX) is pointless. We will be addressing these points with the French, while stiffening the Commission and Secretariat's resolve;
- Consider the **despatch of a senior UK police officer** (e.g. Sir Ronnie Flannagan) with relevant background in such sectarian issues, to audit the police in MND(SE). There would only be value in this proposal if HMG were prepared to follow up on any recommendations he might make.

9. Within the next few weeks, we need to:

- **Have an effective Chief of Police in place.** This might involve replacing the incumbent, who is unaffiliated to any party and is unable and unwilling to take action against party militias. His replacement must have political clout. There are risks: selecting a new Chief may well provoke confrontation between militias, played out in the Provincial Council; if our preference for a candidate were to become known, his effectiveness would be neutered.

His appointment will provoke rival Sadrists. We cannot get into a position where we

advance one militia's interests over another. Ultimately, the Interior Minister will need to appoint a replacement. We will need to ride out any consequent unrest.

- **Deploy our training teams again, but only when we judge that it is safe for them to work without fear of reprisal.** They will in any case need improved access to helicopters in order to move beyond Basra city. Greater use of existing theatre helicopters, if feasible, should assist this. For FCO, DFID and OGD personnel to operate out of Basra will in any case require an airbridge (similar to the one in Baghdad) from the Consulate-General to Basra airport.

Longer term challenges

10. But we will need to confront key challenges. These are:

- Police officers' loyalties to militias will persist. In effect, most police officers will continue to have dual loyalties, to the police service and to militias/tribes. The challenge will be twofold: to identify and bring on those officers who are, notwithstanding their loyalty to militia and tribe, prepared to advance a rule of law/policing agenda (and reviewing how we might work in closer mentoring – Sir Ronnie's visit would be a first step); and to root out those officers (an unknown number) who are entirely under the sway of militias/tribes. A centrally driven severance package would help soften the blow. For the more criminal elements, we should encourage and support the Iraq authorities in Baghdad and Basra to arrest and detain them, in numbers (though there will be constraints in the short term on our ability to mount covert operations). This will cause severe unrest, which we will need to be prepared to ride out.

- **The constitution referendum and elections will raise the temperature.** We can expect militia/party rivalry to accelerate, given that elections will be run on a provincial basis and the requirement for loyalties to a national list will be lessened. This may imply that we become less of a target. But, again, we will need to be ready for increased unrest. We will need to time carefully any action we take against those who are a threat to us;

- **Iran will continue to play a dangerous game.** Elements in the Iranian regime exert significant influence over the south-east. Reporting suggests an Iranian hand in training and moving men, money and materiel over the border. Sizeable Iranian funding is being channelled through a variety of local clients. It suits the Iranians to keep us and the Americans on the back foot in Iraq. We have tackled them about their behaviour in the south-east before, with no result. There is an unavoidable read-across to the Iranian approach on the nuclear dossier and this

has all been exacerbated since Ahmadinejad took office in early August. The US want to discuss with us how to tackle the Iranian influence (through action in Iraq).

- **We may not be able to deliver, by next year, the minimum standards required in rule of law and governance.** We should consider whether our aspiration to draw down troops by the middle of next year will be premature, or to what extent we can continue with our SSR efforts beyond transition. We should also consider how the UK's response to a more challenging security environment might deter international organisations (including the World Bank, IMF and the UN) from establishing a presence in the south-east.
- **We will need to allocate more resources, which might include military resources, to security.** The next weeks, and possibly months, are likely to be rough. Attacks on us are becoming more sophisticated. We will need to protect our staff.

Managing UK expectations

11. We need to elaborate a core script which persuasively puts the argument that we need to stick it out. A suggested script is attached (at B). Themes might include:
 - The need to see the job through. What happens in Iraq affects the whole international community. Our determination to address the problem of militia/criminal elements in the police service, in full coordination with the Iraqi authorities.
 - That this latest Basra event does not derail the transition process. A firm rebuttal of the idea that Basra is on the brink of descending into chaos - the scale of the problem in Basra is of a totally different order to other parts of Iraq.

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- Sensitising the public to the need to stay the course in the south-east, albeit on a reducing scale, heading off now allegations of "mission creep".

FCO/MOD/DFID

30 September, 2005

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ANNEX A – OBJECTIVES AND CHALLENGES TO THEM

Our objectives for south-eastern Iraq

We want to leave south-eastern Iraq on a sustainable path to achieving some basic objectives:

Political

- Identifying itself as part of the Iraqi nation, connected to Baghdad
- Resistant to Iranian influence
- Having credible, effective local government

Security / Rule of Law

- Security forces (including police) which provide sufficient law and order to avert a descent into criminality and chaos, and owe their allegiance to state institutions, with tribal and militia allegiances managed. Human rights culture rooted.

Economy

- Secured and improving electricity generation capacity
- Improving water and sanitation services
- National government in Baghdad drafting plan in consultation with provinces to improve these services in the longer term.
- First steps towards improvement in conditions for investment by the wider international community and the private sector

Challenges

Legacy from the past. The Saddam Hussein regime, followed by ineffective CPA planning neglect from successor transitional governments.

Rivalry between political parties/militias. At the national level, Shia Islamist political parties are held together (just) within the United Iraqi Alliance. In the South, however, direct competition and confrontation between two broad trends is overt

Poor local governance. Local government has yet to demonstrate a capacity to govern. There is corruption. Little clarity on the responsibilities of councils relative to Baghdad.

Religion. Religiosity is stricter in the South and becoming more so.

Tribalism. Tribal belonging matters to Iraqis (but not as much as it did). In rural areas in particular, tribal violence is a serious problem (NB in Maysan).

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Iran. Elements in the Iranian regime, exerting significant influence over the South-East. Much reporting suggests an Iranian hand in moving men, money and materiel over the border. Sizeable Iranian funding is being channelled through a variety of local clients.

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ANNEX B

CORE SCRIPT

We are in Iraq to support the Iraqi people and at the request of the Iraqi government.

This is not just a local struggle but also a strategic struggle between international terrorists and the rest of the democratic world. The Iraqis, supported by the United Nations, are fighting alongside British and multinational forces which are now operating under UN Security Council Resolution 1546.

The battlefield is over the establishment of democracy, the formation of security forces to protect it and social and economic reconstruction. We want to build all three: the terrorists want to destroy all three.

The terrorists are trying to destroy the democratic process by intimidating voters, deterring registration, murdering Sunnis who want to take part and assassinating their elected representatives.

They are trying to destroy security by killing those who join the security forces and by trying to foment civil war.

They are trying to destroy the economy by blowing up oil and water infrastructure

And this struggle will not be easy. As Iraq gets closer to its referendum and elections, the terrorists will get more desperate to wreck the process.

But, despite all the terrorist activity, progress is steadily being made on all three fronts

Progress on democracy

- high turnout at the January elections, despite murder and intimidation
- creation and development of a constitution, agreed by the Assembly
- registration of voters and preparation for forthcoming referendum in October and elections in December

Progress on building Iraqi security

- Iraqi security forces now number 180,000 and exceed the multinational forces
- training and capacity of forces now improving
- 80% of counter terror operations now have an Iraqi lead or involvement
- exemplified by recent Iraqi lead in successful security operation in Tal-afar