

Monday, 21 June 2010

MAJOR GENERAL JONATHAN SHAW

SIR JOHN CHILCOT: Good afternoon.

MAJOR GENERAL JONATHAN SHAW: Good afternoon.

SIR JOHN CHILCOT: Welcome again.

MAJOR GENERAL JONATHAN SHAW: Excuse me. I have just brought all my stuff from last time, or from the evidence, because some of it is quite a long time ago.

SIR JOHN CHILCOT: I'm going to rattle through at high speed now. This afternoon we welcome Major General Jonathan Shaw.

General, this is your second session before the Committee. Unlike the other occasion, this session is being held in private because we recognise much of the evidence we want to cover will be sensitive within the categories set out in the Inquiry's Protocol on Sensitive Information -- for example, on grounds of international relations or national security or defence capability, and 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.

One thing is important. 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 on Sensitive Information, that would in principle be capable of being published, subject to the procedures set out in the

Inquiry Secretary's letter to you.

Can I also add an important thing? The Inquiry is presently seeking advice from the MOD and other Government departments because of other inquiries or prospective inquiries regarding detention and interrogation policy, and we don't therefore want to get into the detail of that today.

Now, we recognise witnesses give evidence based on their recollection. We of course check what we hear against the papers to which we have access, and I remind each witness on each occasion they will later be asked to sign a transcript of their evidence to the effect that the evidence given is truthful, fair and accurate, and for security reasons, in respect of this session, we can't release copies of the transcript outside these offices upstairs. So at your convenience, if you could come here to review them, we would be grateful.

With that out of the way, let's turn straight to the questions. [REDACTED].

BARONESS USHA PRASHAR: I want to ask a number of questions on the transition in Maysan province to Iraqi control. I think in your public hearing you said that the Maysan province was as good as it was ever going to get.

Can you just describe more fully the security situation in the province in early 2007?

MAJOR GENERAL JONATHAN SHAW: Probably not, which probably rather answers your question. I can give you an impression of it.

BARONESS USHA PRASHAR: It would be helpful.

MAJOR GENERAL JONATHAN SHAW: I use those words advisedly because --

BARONESS USHA PRASHAR: And how you get that impression.

MAJOR GENERAL JONATHAN SHAW: The reality was that we never controlled Maysan. People used to say that Saddam used to have several divisions in there, and he still didn't control Maysan. So there was absolutely no way we were going to.

Hence, the -- I'm not being obtuse when I say I didn't really know. You could only make a sort of judgment that -- the real judgment was whether what was happening in Maysan, however unruly it might or might not be, a threat to Baghdad, or was it a threat to Basra, or was it a threat to anywhere else? And if it was, how were you going to counter that threat and that situation?

Those were more the judgments that came out. Even General Casey, I think, towards the end accepted that controlling Maysan in any way that we would feel comfortable with was probably beyond us all.

BARONESS USHA PRASHAR: So we were unable to control the border?

MAJOR GENERAL JONATHAN SHAW: Certainly the border, but more particularly the Al Amarah bases.

SIR JOHN CHILCOT: So you were getting weapons being smuggled across from Iran?

MAJOR GENERAL JONATHAN SHAW: To the extent that they were. Getting actual intelligence on that, detailed intelligence, was incredibly difficult, and yet manning borders the length of that Maysan border was entirely unfeasible. So blocking the borders was one of those perpetual cries from the corps which they never took seriously because they knew that it was unachievable. We used to say, "You can't even block your border with Mexico, so how do we do it here?" It's really, really difficult.

BARONESS USHA PRASHAR: Did we try to use the Iraqi Border

Force?

MAJOR GENERAL JONATHAN SHAW: You could try, but of course they are locals.

BARONESS USHA PRASHAR: So what you are saying is the situation was impossible, rather than difficult?

MAJOR GENERAL JONATHAN SHAW: Yes.

BARONESS USHA PRASHAR: Did we obtain any intelligence? Did we have any intelligence for what was being smuggled across the border?

MAJOR GENERAL JONATHAN SHAW: Well, I heard stories about the amount of stuff that appeared in Baghdad or Basra or wherever, and you then got intelligence as to where it might have come from. But when you ask for hard intelligence that you could actually do anything about, it was always missing.

BARONESS USHA PRASHAR: So by transitioning Maysan to Iraqi control, were we further allowing the border to open up? Was it making the situation worse in terms of ...

MAJOR GENERAL JONATHAN SHAW: In a certain sense it didn't make any difference. It didn't make any difference. It was what it was.

In our view, the Iraqi/Iranian border was an artificial construct, not respected by any of the locals, who just wandered across it as their tribal and religious customs would have always wanted them to. It was where their trade routes went, it's where their familial routes went, and trying to block it was extremely difficult.

The security makeup there that we were particularly concerned about was the balance of influence between JAM and Badr Sciri, or ISCI as it became known, the two competing largest militias of the Shia, and whether that balance of power, if that's what

it was, was stable or whether it was likely to be unstable.

We thought that the violence that we had seen in Al Amarah between the two conformed to -- I think what I said last time -- this idea that actually inter-Shia violence was self-limiting, that it would flare up, but then they would always somehow come to an agreement of how to stop it when it got to certain levels, because no one wants a war between the Shia.

The judgment in the end about Al Amarah, which was in the end an Iraqi and US judgment about Maysan, was that it was sort of workable and, more to the point, that they had the military wherewithal and the tools to cope with it if it went horrendously wrong.

So politically it was as good as it was going to get, and I have to say that the governor of Maysan, the governor in Al Amarah, was one of those guys - actually I would put him up there with [JAM1]¹ as one of the two guys there who were sort of young, technocratic, modern -- to coin a phrase, a man you could do business with. He admitted at my first meeting he was a member of JAM, but of the religious movement, rather than the military movement. And allowing him to stay as governor of Maysan seemed like as good a risk as you could take. There didn't seem like any alternative, unless we were going to just flood the entire corps in there, and even then not necessarily succeed. So that was the judgment made, I think, by all parties.

BARONESS USHA PRASHAR: And the US were part of that judgment?

MAJOR GENERAL JONATHAN SHAW: They have to be. The way PIC was granted was you might get a recommendation from the MN division, but in the end it was an American with the Iraqi decision as to

¹ The UK's interlocutor within the Jaysh al-Mahdi (JAM) is referred to as [JAM1] to preserve his anonymity.

whether to grant provincial Iraqi control.

BARONESS USHA PRASHAR: And the troops which were released from Maysan province, were they sent home? Were they brought over to Basra? And if they were brought to Basra, what use were they put to?

MAJOR GENERAL JONATHAN SHAW: They were sent home, I think.

BARONESS USHA PRASHAR: They were sent home. So that was a decision in terms of making sure -- part of the drawing down?

MAJOR GENERAL JONATHAN SHAW: That was in part of the O&D plot for the deployment. That was the way that the operation was being run on an O&D plot. I had to reduce forces. I was meant to reduce forces earlier than I did. I had to argue very strongly to keep a battalion there longer to stay in Basra Palace. But remember, this is in the context of announced withdrawals that Tony Blair made in February in the overall plan to reduce troop numbers.

BARONESS USHA PRASHAR: After the transition had taken place, did US play any further role in Maysan?

MAJOR GENERAL JONATHAN SHAW: Yes, they did. One of the curious terms of granting PIC was that in a funny sort of way it gave US command in the middle a greater freedom of action within the provinces because the responsibility for the province became the Government of Iraq's, and with the Americans acting on their behalf or with them, they could then strike in there, and you'll have had instances talking about strikes into Al Amarah, for instance, which [they] launched and which other people launched, in a way that technically they couldn't have done before, when I was in charge, because then it would have come through me, and I could have said, absolutely no. As you have read in the thing, I've tried to put certain conditions in place, but ultimately,

in the end, this is a Prime Minister Maliki decision. If he decides something is wanted to happen, then something happens.

So in a curious sort of way, the Americans were never happy with the security in Maysan, but at least after PIC they could control the operations as to whether to strike or not, as opposed to having to wait for the Brits to do it or, as they'd learned to their experience, not to do it.

BARONESS USHA PRASHAR: So the handover, the timing, all this was part of the grand design. That's what would happen, or is it something that --

MAJOR GENERAL JONATHAN SHAW: I would say it was improvisation.

BARONESS USHA PRASHAR: As they went along?

MAJOR GENERAL JONATHAN SHAW: Yes, they were making the best of a very difficult job.

SIR JOHN CHILCOT: Let's turn to Sir Roderic for a few questions, and then we will have a break in ten minutes or so.

SIR RODERIC LYNE: Just moving from Maysan to Basra, you told us in your public hearing that in the time you were there, around 85 or 90 per cent of the violence was being directed against MND rather than against the locals.

Was this a robust statistic, or sort of instinctive your sense of the situation?

MAJOR GENERAL JONATHAN SHAW: It was what my J2 staff gave me. It was what came from the system.

SIR RODERIC LYNE: Was the system looking at the overall situation, or was it just looking at the violence of which we had visibility? Was it tapping into the --

MAJOR GENERAL JONATHAN SHAW: In a sense, that's almost inevitable. You can't count what you don't know.

SIR RODERIC LYNE: Yes.

MAJOR GENERAL JONATHAN SHAW: So if you are asking me, did I think there was lots of violence going on in the back streets I didn't know about, then the answer would probably be, well, maybe there was. Maybe there wasn't. But I have no evidence of it. So I'm not sure ...

SIR RODERIC LYNE: Yes. This 90 per cent figure has acquired a certain status. There are some people who have questioned whether our analysis was right. I mean, we have had many witnesses in public saying exactly the same thing that you said. We have had one or two people questioning the fact that it was quite convenient for us to have come to the conclusion that most of the violence was being directed against us. If we withdraw, which we wanted to do anyway, that's the right thing to do because then the violence will reduce. But you were convinced anyway from your analysis?

MAJOR GENERAL JONATHAN SHAW: Well, I would like to see the evidence to the contrary.

SIR RODERIC LYNE: Yes. I'm only quoting some people, including some people who were on the ground at that time, who have questioned it. But I think it's probably not a point that's provable.

MAJOR GENERAL JONATHAN SHAW: I can only judge on the evidence as given me.

SIR RODERIC LYNE: So what was the situation, the security situation in Basra when you arrived there? What did it look like?

MAJOR GENERAL JONATHAN SHAW: It was grim and getting worse.

SIR RODERIC LYNE: And it was grim because who was in control?

MAJOR GENERAL JONATHAN SHAW: Well, politically, yes. Well, politically, as you know, Wahili was nominally in charge. The Council, I think, was running scared of people in the aftermath of the Jameat incident. That, I judge, was their sort of motivation for not talking to us.

In charge on the streets, I should say, that was fairly disputed within themselves. But, as I say, evidence of that manifesting itself in a particularly violent or ugly fashion, I didn't have.

We were in charge where we were, when we were. But we didn't have a dominating presence in the city because we simply didn't have the numbers.

SIR RODERIC LYNE: So would it be unfair to suggest that the militias had more control of the streets than we had at this time?

MAJOR GENERAL JONATHAN SHAW: I think that is probably true, yes.

SIR RODERIC LYNE: I want to come back --

MAJOR GENERAL JONATHAN SHAW: But you are describing -- it's an interesting word "militia".

SIR RODERIC LYNE: "Militias", I think, probably is --

MAJOR GENERAL JONATHAN SHAW: Indeed, but the militias were in charge in Muthanna and Dhi Qar. Militias weren't illegal. What was illegal was their activity. The militias were riddled throughout the police force in Muthanna. It was in effect a Badr Sciri police force, yet Muthanna was a success. And it was the same largely in Dhi Qar as well.

I remember the TV interview that was given by the police chief there on the fourth anniversary that David Wood, the BBC correspondent, latched on to, and he complained vociferously

that, "30 per cent of my police are in the militia". What he meant was that 30 per cent were in JAM. The reality was that the other 70 per cent were in his militia, ie Badr Sciri. That's the point, that actually there the militia were being used in a way that was in accordance with the will of the Government of Iraq, because that was the big deal.

This was a conversation, this was a debate we had at the first MNFI conference, a force conference that we had, when people were discussing whether, in a broken society like Iraq, you should make use of militias as a form of primary social cohesion, which I said to them, "Well, you've already made that decision, whether you knew it or not, because in giving PIC to Dhi Qar and Muthanna, you have already accepted militia control, provided it works within the constraints of the GOI", and that's when Odierno then stood up and said, "Yes, it doesn't matter whether you are in a militia or not, it is a question of how you use that membership of a militia, whether you use it for good or bad purposes".

So the fact that Basra was rife with militia people was, yes, but so what? To what use are they putting their militia membership? And the trick I thought of in Basra was not to try and get rid of militias per se², but to try and make sure that the actions of those militias was used in a way that was constructive to the Government of Iraq and Basra, rather than destructive. That was the challenge, the whole political challenge of how to get them engaged in the political process.

SIR JOHN CHILCOT: This is very interesting indeed. Can I just ask a question on your understanding of the nature of the militia allegiance. The tribes, that's in a sense easy. That's kin, blood relationships, and also patronage surrounding it.

Militias, this is religious, political, geographical?

MAJOR GENERAL JONATHAN SHAW: Yes, quite a split between them. Muqtada al-Sadr obviously heading up the JAM, which gives it a religious tinge, and then you've got Badr Sciri, which had the rather tinge of -- well, more than a tinge; a reputation of being an Iranian proxy force.

SIR JOHN CHILCOT: But not with Iran as the focus for the Badrists?

MAJOR GENERAL JONATHAN SHAW: That was the interesting thing that happened part through my tour, where they switched their fundamental allegiance as their Supreme Leader away from Khomeini towards Sistani. This is when they changed their name from Sciri to ISCI, and thus changed their primary loyalty from being seen to be Iranian to being Iraqi.

SIR JOHN CHILCOT: Thanks.

SIR RODERIC LYNE: So the contrast that you are making, between Muthanna and Dhi Qar on the one hand and Basra on the other, is that in the former two, the militia effectively were helping to provide security. Law and order may be rather -- order, let's say. Order rather than law.

MAJOR GENERAL JONATHAN SHAW: I would agree with that.

SIR RODERIC LYNE: But in Basra, at least at the beginning of 2007, it was the opposite. And what you were seeking to do in the course of that year was essentially to recruit them so that they became, not a force for good, but a force that was on side, rather than off side.

MAJOR GENERAL JONATHAN SHAW: Yes. My inspiration was a great

² The witness later added that, in his view, that which would have been impossible.

American general, Lieutenant General Vines in Afghanistan, who I met in 2003. He'd been there 18 months. He said, "The longer I'm in Afghanistan, the more I look at the way you Brits ran India. You worked with the forces in society, rather than against them". I thought that was an extremely wise thing to say, particularly if you have got limited numbers and you are on a limited timeframe. So that's very much what I tried to do in Basra, to work out what -- to try and understand the forces within Iraqi society, and try and merge them towards a sort of arrangement whereby they could run themselves in a self-sustaining way, without us being there.

SIR RODERIC LYNE: Did you also sense, as you came into this, in crude terms, that Whitehall basically wanted out, had lost interest, was focused much more on Afghanistan by the beginning of 2007?

MAJOR GENERAL JONATHAN SHAW: To be frank, I didn't think it. I was told it.

SIR RODERIC LYNE: Told by?

MAJOR GENERAL JONATHAN SHAW: Right up.

SIR RODERIC LYNE: And told it directly by your chain of command, as it were, but this was --

MAJOR GENERAL JONATHAN SHAW: Even outside and above my chain of command.

SIR RODERIC LYNE: We are in a private meeting here. You can speak very frankly. Did you have any briefing beyond the Ministry of Defence, Cabinet Office, Downing Street?

MAJOR GENERAL JONATHAN SHAW: Yes.

SIR RODERIC LYNE: Sir Nigel Sheinwald?

MAJOR GENERAL JONATHAN SHAW: Yes.

SIR RODERIC LYNE: The Prime Minister?

MAJOR GENERAL JONATHAN SHAW: No.

SIR RODERIC LYNE: Defence Secretary.

MAJOR GENERAL JONATHAN SHAW: "Get out by Christmas". That's what Nigel Sheinwald said, "That's what the Prime Minister wants. He wants you out by next Christmas".

SIR RODERIC LYNE: Okay. That was your marching orders?

MAJOR GENERAL JONATHAN SHAW: With a weigh point. I had to get down to certain numbers by the next RIP, which was in May, the Relief In Place. When the brigade came out, they were meant to come out with so many commanders. Your orders were a set of 4 plus 35, how many battalion headquarters you had and how many companies you had. That was the metric of power.

SIR RODERIC LYNE: And you had to get out by Christmas with the resources that you had there, don't come back to us asking for twice as many troops to help cover this?

MAJOR GENERAL JONATHAN SHAW: Absolutely. That was the glide path. That was how you get there. You have this glide path going down. It was campaigning --

SIR RODERIC LYNE: The glide path has to go down; it can't go up and then down?

MAJOR GENERAL JONATHAN SHAW: Absolutely. It was campaigning by O&D.

SIR RODERIC LYNE: Yes. What other conditions were attached to the objective of getting out? Did you have to achieve certain things in order to make it okay to get out by Christmas?

MAJOR GENERAL JONATHAN SHAW: You had to work within the

American tolerance. This is what PJHQ -- work within American tolerance, assist the Government of Iraq, blah blah blah and so forth.

SIR RODERIC LYNE: Did you need to be able to say, "We have left Basra a better place than it was when I came in at the beginning of the year"? Did you have to achieve --

MAJOR GENERAL JONATHAN SHAW: Not so explicit.

SIR RODERIC LYNE: Can you remember, was there a sort of political objective relating to --

MAJOR GENERAL JONATHAN SHAW: Yes, there was. It was leave Iraq -- you have the wording there in front of you. Leave a self-sustained Iraq or something. To be frank, I can't remember.

SIR RODERIC LYNE: That's the vague aspiration.

MAJOR GENERAL JONATHAN SHAW: That's it. That was as specific as it got.

SIR RODERIC LYNE: So as long as you can say we have done that, hand on heart, that's okay.

While you were there, we had a pretty high casualty rate, 41 fatalities and over 400 injuries. Did that affect London's attitude to withdrawal or your attitude as the commander down there?

MAJOR GENERAL JONATHAN SHAW: Absolutely. I think -- well, the former more than the latter. The casualties, the steady drip of casualties, you can witness it now with Afghanistan. It's the same thing. It has a ratcheting effect on the political machine of people asking why are we there, and the contrast is telling because of course in the Iraq War, it was such an unpopular war anyway, that every time casualties occurred, it raised more

political questions as to why we were there. What it did, it increased -- our perception in theatre was that it increased the pressure on the politicians to achieve what they had decreed they were going to do, which was get troop reductions. It increased the necessity for troop reductions because that was, if you like, the criteria of success.

SIR RODERIC LYNE: There are one or two points relating to this I would like to come back to at a slightly later stage, but I don't want to hold anybody up from their tea, this being Britain.

SIR JOHN CHILCOT: Unlike Sir Roderic, Sir Lawrence does want to hold us up from our tea because you've got a supplementary.

SIR LAWRENCE FREEDMAN: I'm interested in this militia question.

Through these hearings, exactly how we describe people seems to take on policy implications, whether they are Former Regime Elements or insurgents or terrorists, and now this question of militias. It conjures up something, and what you are telling us is it may not be a very helpful terminology.

I'm wondering if that's because it's more useful in situations like Iraq to think in terms of political groups which happen to have armed groups, and you may want to distinguish that from bandits, gangsters of some sort. Actually looking at the purposes these groups set for themselves may be a more useful way of thinking about it.

What are your reflections on that?

MAJOR GENERAL JONATHAN SHAW: Absolutely. It was why I gave the I hope not too garbled talk about Harry Potter last time, about dark states and shadow states and all the rest, political groupings backed by militias, backed by death squads, perhaps with tribal affiliation. You have to look at it in that kind of grid of loyalties and associations, and to do that requires

an enormous amount of intellectual focus and dwell time, which we tend to be bad at, certainly back here in London. It's very hard back here to get an idea of the granularity of what's going on and why people are doing what they're doing. Our natural tendency is to tidy up the battlefield with neat acronyms. I see people doing it with Taliban in Afghanistan, and it makes my hair stand on end. It's just tidying up the battlefield, when most of them are probably just scrotes given \$5 to go and throw a bomb or something. It's just that sort of thing.

So I think we have a natural tendency to ascribe a word and give a simplistic meaning to it, and I think that's just the way we, in our rushed way, do things. But I think it hides a whole wealth of complexity.

SIR LAWRENCE FREEDMAN: I notice when we talked about this a bit in the public hearing, you used Charles Tripp and Toby Dodge a bit.

MAJOR GENERAL JONATHAN SHAW: Yes.

SIR LAWRENCE FREEDMAN: Compared with your intelligence sources, and you're getting pretty good stuff, presumably, from SIS and JIC and so on, how useful did you find the academic perspective? Why did you use an academic perspective on this?

MAJOR GENERAL JONATHAN SHAW: Because the academic perspective was the best perspective to create a narrative that actually made things make sense.

The intelligence people are very good at giving you quite a lot of the here and now, but in terms of understanding the big drift of history, the big tidal currents, the big things that make people work the way they do, that's not the job they are asked to do.

I think it's a big shift in intelligence that intelligence by its name actually focuses on secret intelligence, and yet most

of the secret of understanding what's going on in the world is open source. It's culture, it's tradition, it's history. In Charles Tripp and Toby Dodge you've got people who focus more on that, and on to which you can then put the secret intelligence, and the two I found extremely consistent. I think the two help explain each other very well.

SIR LAWRENCE FREEDMAN: For me it's an interesting question of how academic research can be integrated much more into operational issues, as well as in a broad strategic context.

I think I saw at some point, although you used them, you disagreed to some extent with the implications for how you handled the militias. Is that right? I saw somewhere that you --

MAJOR GENERAL JONATHAN SHAW: I couldn't cite where I would have done that, but I may have done.

SIR LAWRENCE FREEDMAN: The broader point is just this one of: do you think that the military generally are that good in taking advantage of the academic resources they do have access to?

MAJOR GENERAL JONATHAN SHAW: I think they are getting better. I think there's a whole branch of culture and understanding that's going on, that's being enforced on people. But I think my approach is unusual, and I think that's regrettable, frankly, because I just think you are operating blind otherwise.

SIR LAWRENCE FREEDMAN: Thanks.

SIR JOHN CHILCOT: Let's break for ten minutes and have a cup of tea.

This is such a fascinating topic, one is reluctant to let it drop. I don't know, Martin, whether you wanted to add anything before we rise?

SIR MARTIN GILBERT: No.

SIR JOHN CHILCOT: Let's break.

(A short break)

SIR JOHN CHILCOT: I think Sir Martin would like to pick up the questioning.

Martin, over to you. This is the Basra deal.

SIR MARTIN GILBERT: If I can just take up very briefly a point which Sir Lawrence was touching on earlier. I have been very struck, reading your reports, about your very thoughtful attitude towards the culture and the society and what it means. I was just wondering to what extent or how were you able to convey your approach or sensitivities to those under your command? Was this something which, as it were, was the subject of pep talks or guidance?

MAJOR GENERAL JONATHAN SHAW: Yes, all that. A directive in an operational -- an op order, which included a three-page intro, a sort of political preamble, context, which is on the record. It's there as a public record. It's there. So you can read it. That was the most tangible evidence.

The other was briefings of incoming brigade. 1 Brigade I came across and briefed them up, but also in any case, the commander of 1 Brigade, Jim Bashall, had been a company commander of mine in 2 Para, and he had been reading or had been writing -- he was absolutely -- he had worked with me before in Northern Ireland and other places, and he was absolutely on message about violence being the last resort rather than the reason we were there. So he was absolutely on message.

To the 19 Brigade, who I inherited when I arrived there, you could argue it was a more difficult chain. But actually it wasn't difficult because, again, the brigade commander had worked for me before in [REDACTED]. So he knew the way I thought, he knew the way I worked, and was very amenable to

what I was saying in the sense of I didn't actually stop what he was doing, which was a lot of strike operations, but I was just putting more emphasis on why he was doing it and what the objective was.

I think there were daily briefs in the headquarters where you sat down and went round and went through the functions of the headquarters and the situation that was going on, and I think it became very quickly apparent to them the way I was looking at it, and the sort of things I was interested in, and the sort of analysis that I was trying to achieve.

SIR MARTIN GILBERT: It did permeate, and it became a part of their --

MAJOR GENERAL JONATHAN SHAW: I hope so.

SIR MARTIN GILBERT: If I could now turn, I suppose as an integral part of that in some ways, to the negotiations with [JAM1]. Can you tell us how they started?

MAJOR GENERAL JONATHAN SHAW: Sort of yes and no. [REDACTED]

[REDACTED] I wasn't there when they first began. But yes, I can tell you from my perspective where it began. It began right back in January when I arrived, and the germ of the idea had probably been in my head before I got there.

Very quickly, but I can't tell you precisely when, it did occur to me that the whole approach of trying to annihilate JAM in a kinetic attritional confrontational was a bit futile and went against all the tenets of counter insurgency and counter-terrorism as I understood it. And, related to what I said earlier about our tendency to tidy up the battlefield by neat acronyms, it seemed to me a general truth that terrorist groups tend to have various strengths of allegiances within them. The real question the commander has to make is to where

to drive the wedge. Where is the reconcilable and where is the irreconcilable? You kill the irreconcilable and you take the reconcilable on board. That's roughly how you do it.

So very quickly on arriving there, going back to linking to what I said about General Vines, about working with the forces rather than against, if you then look at the motivation -- and this became apparent really only when I got there [REDACTED] [REDACTED] -- the motivation when I got there was -- or what I observed when I went there was not so much what they were hitting, but what they were not hitting. They weren't hitting the oil refineries. They weren't burning the place down. There was nothing nihilistic about it. It was gangster-ish. It was all calculated in that sense.

So it occurred to me that these people were people who wanted Basra to succeed, and also I got the common impression from everyone I spoke to that they were Iraqi nationalists first. The conclusion I came to over my time there was that their loyalty was to Iraq first, and if they were working on Iran's behalf occasionally, for most of them that allegiance was rent not bought, was the phrase I used. It was done for a purpose, as indeed it proved when I turned to [JAM1].

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Anyway, we're leaping ahead of ourselves.

But it meant that in January the idea started coming to me that we had to start looking for someone to talk to. It sprang out of my first conversation at the Southern Iraq Steering Group with Ros Marsden, the Consul General there, where I had inherited a situation where the military commander and the Consul General had joint ownership of the Southern Iraq Steering Group.

Well, I've always adhered to the principle that Rupert Smith enunciated by saying if you can't identify who is in charge, you are in trouble, and joint ownership strikes me as a recipe for disaster because you don't know who is in charge.

I said to her, "Listen, this is a political problem, not a military one now. We're supporting you in achieving a political end state for Iraq. So you are in charge, I'm in support. What do you want me to do?" "Oh, thanks very much. I don't know."

I said, "Right, what is your political plan?" She said, "Well, I haven't got a political plan." "Okay, why not?" She said, "Well, one reason is because all the intelligence assets are under your command and they are all focused on force protection".

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] and that was the attitude, that we were going to shoot our way out of this one. And I thought, "Well, that's got to stop. This is nonsense". As I say, that's not my understanding of how you do COIN, how you do counter-terrorism. That's just futile, particularly in this culture of a revenge culture.

So I re-targeted [assets] to say, "Listen, I want you to look for people to talk to in JAM [REDACTED]

[REDACTED] There has got to be someone

[REDACTED]."

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

So he went off, and I think it was in [date redacted] that he found the perfect man [REDACTED]

[REDACTED]. Without any involvement from me, apart from my saying, yes, let's give it a go, a sort of trial run on some kind of -- you might call it a non-aggression pact at this stage -- was entered into. They dropped for three days -- it was a three-day trial period. [We] said, "Prove that you are the man who can deliver peace in this place. Let's have no IDF for the next three days", or whatever three days they were. It was when I was away on leave that it happened, and sure enough, there was no IDF until just a couple of shells on the evening of the third day, and we said, "That's pretty impressive".

SIR MARTIN GILBERT: That's really what gave you the potential for a deal?

MAJOR GENERAL JONATHAN SHAW: That was proving that he could do what he said he could do. We had to look at the whole -- and that's when I started looking in detail at the whole motivation of this. If there's one thing that I regret about the whole thing, it is the information package that goes with it, because I wouldn't have called it the deal if I had been able to. But I have to say, when we were doing this operation [REDACTED], the last thing on my mind was a PR package, quite the reverse. I just wanted it to happen.

So in retrospect, big mistake. I should have packaged it better like the American Anbar uprising, which was broadly the same thing. They were [REDACTED] changing their allegiances. They came up with a sexy title. Unfortunately we came up with a "deal", which sounds rather smelly and horrid.

It's a shame, because actually the motivation behind the deal was anything but a deal, if you like. It was a change in mindset. It was a recognition of -- the way I see it is that it was a recognition by [JAM1] of who the real enemy was.

[REDACTED]

In a sense there was that dynamic, that what the Iraqi nationalists were doing was killing us, but also getting themselves killed and arrested, trying to liberate the country from us, all the time weakening themselves so that the Iranians could come in afterwards. If you like, the conversation that I had with [JAM1] in [month redacted] and I've got some notes in there about it, was all about trying to work out what his vision was of Basra, what his motivation was, why he was attacking us.

What was really interesting about that conversation was the extent to which his motivations entirely agreed with mine. He wanted the place to prosper. He was a strong Iraqi nationalist.

[REDACTED]

[REDACTED] not an Iranian proxy at all.

[REDACTED]

[REDACTED] As I say, [REDACTED] he was very similar to Governor Maliki up in Maysan, and I thought it is a guy who is worth taking a punt on because he seems to have all the right motivations.

I said to him, "If that's what you want for Basra, why are you attacking us?", and he came out with the line, "Because you are the occupiers". I said, "Yes, well, we are only occupying at the behest of your Prime Minister. We will leave when your Prime Minister wants us to, but the Iranians won't", and he seemed to sort of take the point on that.

SIR MARTIN GILBERT: You had, I believe, two meetings with him; is that right?

MAJOR GENERAL JONATHAN SHAW: I did have two meetings with him. I had one in July and one in August. The one in July was when we discussed what was required.

SIR MARTIN GILBERT: And that dealt with specifics?

MAJOR GENERAL JONATHAN SHAW: No, that dealt with the concept. It depends what you mean by "specifics". Because if you are asking for a sort of signed bits of paper and memorandum of understanding, you won't get them. This was an agreement that he would -- rather, the first meeting, this was a change of -- this was a recognition on his part that he had changed his allegiance, that he no longer saw us as the problem, that he recognised that we were a temporary thing, and that he would put his forces behind, instead of attacking us, actually supporting us.

I said to him, "If you've got political ambitions here, and you want Basra to be good, what you should be doing is actually facilitating all this investment money. I've got millions of pounds to spend on this place. I'm trying to build a children's hospital. I'm trying to do this, I'm trying to do that. Instead of attacking us, what you should be doing is protecting us and stopping these ghastly Iranians from doing this, and you should be getting all the political kudos from being seen to be the protector of the

development and the bringer of munificence to your council", blah blah blah blah blah.

That's what I suggested he did. I said, "Meanwhile, we are an army and we are a proud army. If you want us out of here, the easiest way to do that is to stop attacking us. We are not going to be beaten out of here, and we will stay here as long as it takes. So the longer you keep shooting us, the longer we will be here because we can't be seen to be defeated. You understand that. You are a proud army yourself", blah blah blah. A bit of flattery and all that sort of stuff. Even though he had probably seen the Prime Minister's announcement back in February saying we were leaving anyway.

Critically, I think, what he didn't know, but what we knew he was afraid of, was being handed over to the Americans when we left. So we also knew in the back of our mind that legally -- going back to our legal conversation earlier on -- we wouldn't actually do that. Actually, when we pulled out, we would have no option but to hand those straight over to the Iraqis, which would mean they would be free.

[REDACTED]

But what it meant was that we had a currency that had a limited time duration. The question was: how do you make the most of that limited time duration? How do you make the most of that currency in the time you have available?

At that first meeting he upped his stakes. He said, "Well, you have been that long fussing around on this, that instead of two people, I need to be allowed to release four people this time". So I went away and thought about that, and thought, well, actually they've got 120 in the DIF now, or something, and rising. We can't take any more. We seem to arrest about another ten a week. We are bulging to capacity. There's millions of people out there. What's four as opposed to two? So absolutely, go on, take it, have four, was my sort of thought. But, of course, I had to go and negotiate that then with Petraeus and Odierno and our politicians back home, and indeed with the Iraqi government.

So the way we left it at the end was that I would go away and try and get clearance for this renewed understanding, shall we call it. I don't like calling it a deal for reasons given.

So I did. Des Browne saw it instantly, and absolutely signed up to it. The Foreign Office had washed their hands of the whole thing by this stage and said they weren't interested.³

SIR JOHN CHILCOT: We want to come on to that in a bit more detail in a moment.

MAJOR GENERAL JONATHAN SHAW: Okay. Des Browne signed it off. This went up the MOD chain. He signed it off straight away. He was very happy with it. It went to Rubaie, certainly. We were told that it had Maliki's imprimatur on it, but as ever when you hear that you never quite know what that means

[REDACTED]

³ The witness later added the following detail: [REDACTED]

The Americans -- I had to personally talk to Odierno and then to Petraeus to persuade them it was a good idea. In both cases I found they had been misbriefed on the plan, so I had to rebrief the whole thing in detail to them both, and they both agreed.

SIR MARTIN GILBERT: Misbriefed in what way?

MAJOR GENERAL JONATHAN SHAW: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] That wasn't the plan at all.
[REDACTED]
[REDACTED]

SIR MARTIN GILBERT: One final question from me. Did [JAM1] himself try to impose conditions such as our exit from Basra as part of the arrangement?

MAJOR GENERAL JONATHAN SHAW: I think that was implicit to the whole thing. That was implicit, that we would -- but no, he didn't. He didn't. He didn't.

SIR JOHN CHILCOT: [REDACTED]?

MAJOR GENERAL JONATHAN SHAW: [REDACTED]
[REDACTED].

SIR JOHN CHILCOT: Which meant that we would go?

MAJOR GENERAL JONATHAN SHAW: But he didn't say you get out. The implicit bit of the bargain was that he would support us, and therefore, because he was supporting us, he wasn't attacking us, therefore he wasn't an enemy, though if you look at my conditions, my legal authority to retain them in the DIF, once someone is -- the judgment we had to make every month when we did our audit of the 120

people in the detention facility: do we have credible grounds for believing this guy is a security threat to Coalition forces in here? Once he had agreed to not attack us, that actually he saw the Iranians as the problem, not us, that he was going to help, et cetera, therefore we had no grounds for holding him. Therefore we had to let them go. That was the legal rationale of the whole business. His part of the arrangement -- whatever you want to call it -- was that he didn't attack us. If he attacked us, therefore by definition he would be an enemy. So that would stop the whole thing.

SIR MARTIN GILBERT: And everything would flow from that.

MAJOR GENERAL JONATHAN SHAW: And everything would flow from that.

SIR JOHN CHILCOT: I would like to go into the clearance business just a little bit more, but out of pure curiosity on my part, do we know what happened with [JAM1]? Has he prospered?

MAJOR GENERAL JONATHAN SHAW: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

SIR JOHN CHILCOT: Again, picking up your cultural analysis, [JAM1] is talking [government officials working closely with the military] but then also to yourself as the top military man.

Would in his culture the military prevail [REDACTED]
[REDACTED] in terms of did he need to trust you?

MAJOR GENERAL JONATHAN SHAW: Yes.

SIR JOHN CHILCOT: Before anything could actually happen?

MAJOR GENERAL JONATHAN SHAW: Yes. That's what I understood.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] in the end it's about trust and looking people in the eye.

SIR JOHN CHILCOT: Seal the understanding.

MAJOR GENERAL JONATHAN SHAW: Seal the understanding.

BARONESS USHA PRASHAR: You have already touched on how you cleared the deal in terms of the MOD and the Government and Petraeus. But did you sense that back in London everybody understood the situation? Was the Prime Minister briefed about it?

MAJOR GENERAL JONATHAN SHAW: I can't tell you if the Prime Minister was briefed about it or not.

BARONESS USHA PRASHAR: Did they fully understand what was going on in London?

MAJOR GENERAL JONATHAN SHAW: Well, I hope so. I wrote them extensive briefings on it. I gave everything I could on that.

I wrote papers to justify it, to understand it. CJO, who obviously I work through, he personally understood it and wrote letters on behalf of this issue up to MOD.

BARONESS USHA PRASHAR: So you were confident that you had the top cover in London for what you were doing?

MAJOR GENERAL JONATHAN SHAW: Absolutely.

BARONESS USHA PRASHAR: How did you broach the Government of Iraq and who was made aware? You dealt with Petraeus.

MAJOR GENERAL JONATHAN SHAW: That was done through the senior British representative in Iraq, Bill Rollo, who was by then just newly arrived in post. It was unfortunate because he had literally just arrived two weeks before. But he, as the rep in Baghdad, took it to the Government of Iraq through Rubaie, the security adviser, and got the clearance.

BARONESS USHA PRASHAR: What was their reaction? Did you get any sense of how they thought about it?

MAJOR GENERAL JONATHAN SHAW: The only reaction I got was that they were positive, [REDACTED].

[REDACTED]

BARONESS USHA PRASHAR: Thank you.

SIR JOHN CHILCOT: Just developing your point, would they have seen it, you judging the political situation in Basra, as

[REDACTED] ?

MAJOR GENERAL JONATHAN SHAW: Definitely.

SIR JOHN CHILCOT: [REDACTED]

[REDACTED] ?

MAJOR GENERAL JONATHAN SHAW: Very difficult, and I think a big factor in the issue's favour was the fact that General Mohan was in favour of it. He was playing that political field. That was his huge contribution, creating that sort of political space in Basra to gather all these competing militias into one thing, as far as he could.

SIR JOHN CHILCOT: Yes. Thanks a lot.

Moving on then, Rod.

SIR RODERIC LYNE: To finish off the look back at the deal, in the absence of a better way of putting it, but before negotiations happened, when you arrived, as you mentioned earlier -- and this was clear from about your first report back -- you were looking to reposture this. You had plans for reposturing.

Did you have trouble getting buy-in for this from the Americans, from General Casey?

MAJOR GENERAL JONATHAN SHAW: Well, I had plans to reposture. The plans -- that was the mission I was given, to reposture.

SIR RODERIC LYNE: Yes.

MAJOR GENERAL JONATHAN SHAW: Did I have problems with the Americans? Yes. It was a deeply problematic issue. Op ZENITH, I think I spoke about last time, had been conceived in the era

of the ISG report, Baker-Hamilton -- the ISG report, the era of General Chirelli, who was the corps commander and General Casey, and the era of accelerated transition in Iraq. That was the whole mood in 2006, and that was the mood that seemed to be justified by the mid-term elections in 2006, and in the ISG, and all informed opinion was saying, "America get out of Iraq ASAP."

It was then over the Christmas of 2006/2007 -- in that context, Op ZENITH, the British reposturing and move out was entirely consistent with the American plans. The difficulty was that over Christmas 2006/2007, the President took the advice of the American Enterprise Institute, amongst others, and Jack Keane amongst others, and went for the surge instead.

The question I posed when I went back into MOD in January, just before --

SIR RODERIC LYNE: Instead of Baker-Hamilton?

MAJOR GENERAL JONATHAN SHAW: Exactly. I went back into MOD in January, and I said, "My orders stay the same?" "Yes." I said, "What about the surge?" "The surge is nothing to do with us." And I was told, "I have cleared this with General Casey and he is very happy". That's what CDS said to me.

I went out to Iraq, and three days -- on the Wednesday I was up in Baghdad, and I said to General Casey, 'I understand you're happy with our plans', and he said, 'I'm not happy with your plans'. Okay. he said, 'And I'm looking forward to hearing you explain them to Sec Def Gates who is coming out for his first visit to theatre on that Friday, and he is coming to Basra and you're going to explain what you're going to do.' So it was a very interesting start for me.

Was it easy to justify? Not really, no, because you could tell that at the very top level our countries were now on

different paths, and asking military people to, you know, contrive military justifications for stuff that fundamentally is underwritten by different political directions, I think, is very difficult. It was a challenge, and I don't think the Americans were ever very comfortable with our military plans from that moment on.

SIR RODERIC LYNE: Was it fair that all of this should be left to you? If the divergence went up to the top level, would you have been helped if you had had people up the chain of command, including the political chain of command, doing more to convince the Americans of the rightness of what we were doing?

MAJOR GENERAL JONATHAN SHAW: I think it's right at the very top. I think it's Prime Minister to POTUS level, frankly. I think, in my view, the lack of any stitched-up information agreement, management, information management, to manage that evident discrepancy between the American surge and the British withdrawal, the complete absence of any way of coping with that, apart from just saying the situation is different in the south, hopeless. I thought it was -- for a Government that spun itself or prided itself so much on PR, I thought it was hopeless.

SIR RODERIC LYNE: As the negotiations with [JAM1] advanced and then clearance procedures went through, what was the initial attitude of Graeme Lamb, who was up in Baghdad at the time, I think, and also of our ambassador in Baghdad?

MAJOR GENERAL JONATHAN SHAW: I think from the -- there were many of us that, looked at dispassionately, believed that in terms of Iraq and Afghanistan, these should be sequenced operations; that Afghanistan was going to last a long time, so play it as the long game, and that Iraq was the short game that wasn't going to last that long. So let's make a success of that. From a straight military point of view, we would have

much preferred to have made Iraq the main effort until it was "finished", and then move on to Afghanistan.

But the die had already been cast on that one. Politically Iraq was a hugely unpopular domestic war, and Afghanistan was the winnable good war. So you could tell the way that was shifting.

Up in Baghdad, as I say, as I said last time I think, Graeme Lamb very much agreed with that. He would have much preferred to have UK stay in Iraq much longer and done its job there much better. I got the same that's probably the same with Dominic Asquith as well.

You will have spoken to Graeme Lamb about this, but I think, given he had two jobs, he always used to say to me that he could never do the British deputy bit. He was the Deputy Force Commander. That's what his job was. He didn't have time for the domestic -- playing the British card, and he was quite open about that.

So I think he understood why we had to do what we did, but he would have been much happier had we kept force levels -- had we been true to the conditionality sense of Iraq, rather than having already decided we were going to pull out almost regardless.

SIR RODERIC LYNE: Did we in fact have any real alternatives?

MAJOR GENERAL JONATHAN SHAW: There you go. I agree.

SIR RODERIC LYNE: No, I'm asking the question, not stating a position. You were the guy on the ground.

MAJOR GENERAL JONATHAN SHAW: Indeed. Well, as I have explained, I'm not sure in my own mind whether mass of troops was the issue. As I have written in other publications, the critical dynamics in that kind of operation are legitimacy and time. We had been there that long, our legitimacy was very low.

Our time, we knew, was limited. So unless you got an extension on the timeline, which I knew was politically impossible, quite what we had to do about legitimacy, God knows, because we didn't have any in the local area. We had very limited legitimacy. And bringing the third equation in -- mass -- the amount of mass you need to dominate a population of 2 million, and the amount of time you would have needed, et cetera, et cetera, the dynamics were just unfeasible.

So I could never in my own mind put a comprehensive military plan that would have achieved that political objective. I just think, given the total constraints, it was unfeasible. If you look at how many troops -- again, as I said last time, look at how many troops we had in Northern Ireland. That's 1.5 million people and the trouble was fairly localised. Basra City, 2 million people, so a big thing to dominate in that way.

So I couldn't really see a military plan I would have argued for. What I did argue for was keeping the forces we had for longer, to allow us to keep what limited footprint we had,

[REDACTED]

So what I tried to do was sustain the forces we had for as long as we could, rather until we had PIC, and then if I had my way, we would have pulled out completely and gone because I think the situation after PIC --

SIR RODERIC LYNE: So you would have kept some in Basra Palace until we did PIC, which was about another four months --

MAJOR GENERAL JONATHAN SHAW: That was always what we were arguing for.

SIR RODERIC LYNE: -- three months, I'm forgetting how long --

MAJOR GENERAL JONATHAN SHAW: Well, these things were never neatly related. Basra Palace became one of those totemic issues that then the Iraqi government got hold of, and they said that the transfer would take place in August. Our attempt to choreograph the granting of PIC and the withdrawal of troops and the handing over of Basra Palace just crashed and burned because of course we didn't own the turf. The Iraqis owned a bit of it, the Americans owned a bit of it, and we owned a bit of it.

We owned the troop levels, and I was still trying to hang on to that. The Iraqis suddenly owned Basra Palace, and then it was the Iraqis and Americans that owned PIC. That sort of confusion of C2 meant that choreographing those three was very difficult.

So it just didn't work, and I confess that I left Iraq -- I left Basra in a situation of vulnerability for my successor that I had always warned was the worst case. That's pretty much how it ended, apart from the fact we got out of Basra Palace, but we were living on a very vulnerable position, I always felt, holding on to an assurance that we couldn't actually deliver on, or that I was worried we wouldn't be able to deliver on. That is what always worried me about the whole overwatch posture.

SIR RODERIC LYNE: But if they had actually asked us to come back in and do something, we were ill placed to do so?

MAJOR GENERAL JONATHAN SHAW: Well, I always made that judgment in advance, that the overwatch posture was an extremely vulnerable one for UK Limited because it had us in a position of holding responsibility that I wasn't sure we had the means to deliver on. I had stated that even before I went to the country, that I thought that overwatch was a concept that had been overtaken by events, that it was a concept that had been

designed in benign times, a sort of de-escalating security threat situation. But that actually, in a situation where the security was actually still pretty rampant, this overwatch position was a very vulnerable one.

SIR RODERIC LYNE: How difficult would it have been to withdraw from Basra Palace if we hadn't had a ceasefire?

MAJOR GENERAL JONATHAN SHAW: Well, you can only conjecture. I can give two scenarios. The benign scenario is actually what had previously happened in Shaibah Logistics Base, in the old school building, the Shatt Al Arab hotel, where we had actually done an extremely good and peaceful handover to the Iraqi security forces in those locations. But that had been done over a long time, over a few weeks, with no publicity. People probably knew it was going to happen, but it was done almost by sleight of hand, but not quite.

Basra Palace had become so totemic. The resupply convoys were getting shot up every time enormously. We were taking more deaths every time going in there. It actually became the major source of conflict. It was not so much our strike operations; it was our resupply operations. They became real combat operations to resupply this place, and the general sense was that this had become such a totemic place, this was going to be the totemic humiliation of the British forces shot out of Basra. This was going to be the proof of the pudding.

I can't tell which of those would have happened, but I have a horrid feeling it would have been the latter, just because it had become so totemic, Basra Palace.⁴

⁴The witness subsequently added the following detail: 'Indeed, subsequent conversations with [officials working closely with the military] relate JAM affirmation after the reposturing that attacks on it [Basra Palace] had been in the offing but were halted by the 'deal''.

SIR RODERIC LYNE: Just to wrap up on the deal, the withdrawal to the airport, what you said about overwatch, looking back on it, you describe a situation in which we had left ourselves effectively with no viable alternatives to what we did. You had a relatively small force under your command. We had lost the initiative long before you arrived in Basra. We certainly were not in control of the security, though we maintained, indeed, notionally, under the Coalition, that was what we were supposed to be doing there. Then we withdrew into a concept of overwatch that you just described as something that you yourself didn't believe in. Fortunately our bluff wasn't called on overwatch. Then, after a period in that posture, we finally left.

Looking back on all of that, what are the lessons that you would draw about what we should have done, what we should think of for the future? And are you confident that those lessons have been absorbed? This is very much at the heart of this Inquiry.

MAJOR GENERAL JONATHAN SHAW: I think the problem with that question is you are asking a military person to answer a fundamentally political, organisational, Whitehall-centric problem.

I would say most of the problems that we had -- there were problems in the military, I guess, and there have been long military internal studies. My own sense though is that at the top level, the real problems were political: the way the operation was entered into in the first place; the lack of cross-department buy-in to the whole mission; the failures of command and control in Whitehall; the, if you like, campaigning by O&D numbers, rather than methodological. It was bizarre.

Yes, the failure, as I have said, to manage, certainly in 2007, the IO optic between what America was doing and what we

were doing that. The failure to manage that at the top level, I should have thought, was --

SIR JOHN CHILCOT: I'm going to ask you in a few moments for general reflections on a whole set of things. We have time enough to do that. When you are answering Sir Rod Lyne's question, there's going to be another and longer opportunity.

MAJOR GENERAL JONATHAN SHAW: Okay. I'm sorry, your question therefore is the straight military one?

SIR RODERIC LYNE: I was interested very much in the military view, rather than the political view, because I think that our political decision-makers need to have a very frank military appreciation, and that was really what I was looking for.

MAJOR GENERAL JONATHAN SHAW: Okay. Well, in the military side, I think one of the problems for the military is that they were lumbered with responsibilities within what you might call a COIN operation for which they were never granted the authorities to execute, by which I mean that people tend to call COIN -- if you are going to call what we were involved in in Iraq (and Afghanistan) a COIN operation --

SIR JOHN CHILCOT: Counter insurgency?

MAJOR GENERAL JONATHAN SHAW: Counter insurgency -- then, given that involves levels of insecurity that preclude the full operations of civilian agencies and departments, it seems to me that the experience of Iraq, and I guess in Afghanistan, is that the military find themselves responsible for executing actions for which they are never given the authorities to discharge.

So, you know, redevelopment; we were never given any money. Southern Iraq Steering Group, postulated to be in charge of southern Iraq, and yet the plan that Richard Shireff put off his whole redevelopment -- in fact, the Basra plan that that was all

part of was funded 90 per cent by American money, not British money. British commanders are never given money to deal with. Yet the first line or one of the first lines of American COIN doctrine is money is a weapon, and other commanders could use money as a weapon in a way that we couldn't.

Failure of command and control in operating theatres that allows one person to tell other people what to do. Why? Because back in Whitehall departments don't agree, even if, as generally happens in theatre, you get great agreement with people because you are all focused on the issue, and quite often you get agreement on what everyone is doing. So it's a failure of C2.

Another lesson that hasn't been learned yet, I don't think, is the way that defence organises itself. Finances are related directly to defence planning assumptions and --

SIR JOHN CHILCOT: Can we leave that side to the final reflections? We want to get into that at length.

MAJOR GENERAL JONATHAN SHAW: Okay.

SIR JOHN CHILCOT: I'm getting slightly anxious, because we've got one more set of questions to get through before we finish, but I don't want to stop Rod's line of questioning.

SIR RODERIC LYNE: I was wrapping up Basra. But let's move on, and then you can go wider at the end and have another bite at that cherry.

SIR JOHN CHILCOT: In the meantime, Lawrence.

SIR LAWRENCE FREEDMAN: I want to go you some questions on equipment and resources. So this may give you a chance to come back to some of those points.

Looking at your update of 7 June to CJO, notable amongst other things for a description of a lunch of lamb kebabs, sheep

testicles and chips. During the course of that you say -- and Sir John was alluding to this earlier, I think:

"Our vehicles are protecting us but at an unsustainable rate. On average we are losing an armoured vehicle due to damage beyond local repair at a rate of a vehicle every nine days, faster than the UK can resupply them."

Which vehicle were you referring to?

MAJOR GENERAL JONATHAN SHAW: That was Warriors.

SIR LAWRENCE FREEDMAN: Could you perhaps just fill in more about what you might have had in mind in making that statement? Was it just a statement of fact?

MAJOR GENERAL JONATHAN SHAW: It was the unsustainability of what we were doing. Perhaps as simple as that, really, alerting people that what we were doing was unsustainable.

SIR LAWRENCE FREEDMAN: Would you like to say anything more on the Warrior problem? Presumably you have been losing quite a number of people due to it.

MAJOR GENERAL JONATHAN SHAW: Well, it fitted into the whole problem of protecting mobility, and the unanswerable question there is of how to protect people.

There is no such thing as a safe vehicle because if you look at the percentages of what protection means, only a part of that percentage is actually the hardening of the vehicle itself. Most protection is achieved by not being located or identified or targeted in the first place. I think we had one patrol of FRES -- I don't mean FRES, what do I mean -- Snatch Landrover in our time. Some Yorkshire soldiers were killed in it, which hit the headlines.

But actually more heavy armoured vehicles were hit than Snatch. Snatch were extremely useful in getting around the

city, getting to places the opposition hadn't anticipated, and basically avoiding dicking screens and being very silent, and Major Crowley, the Yorkshireman who got an MC on that trip, was the company commander there and he swore by Snatch. Snatch has come in for a lot of criticism, but actually it was an extremely effective weapon, and the soldiers really liked using it because, although it was risky, it avoided the damage.

I suppose the point I'm making there is that there is no such thing as a safe vehicle, and it's an illusion that the press -- we've unfortunately, as a department, lost that PR campaign, and people no longer bother fighting it, which I think is a great shame, because I think the intelligence is you could quantify that judgment by rationale. Whenever I explain it and say to my wife something, she gets the picture straight away. But we seem to have lost the ability to convey that simple message about protection and what it means and how you achieve it in the public arena. So now it's become a political stick to beat people with.

SIR LAWRENCE FREEDMAN: Thanks. That's very helpful.

You were raising the sustainability question. If you were losing Warriors at that rate, you just would not be able to cope. What was being done to deal with that problem?

MAJOR GENERAL JONATHAN SHAW: I can't recall. Sorry.

SIR LAWRENCE FREEDMAN: You can't recall making --

MAJOR GENERAL JONATHAN SHAW: I can't recall what was done about it or -- sorry.

SIR LAWRENCE FREEDMAN: Presumably when the ceasefire came up --

MAJOR GENERAL JONATHAN SHAW: In a sense it would answer itself, exactly.

SIR LAWRENCE FREEDMAN: Can I move on to another issue, which

you dealt with in another one of these updates, this one of 26 July. This relates to the fact that you were in, including when a number of UORs arrived. In this particular report you mentioned the case of the [REDACTED] and its sustainability package. It says:

"It is already suffering serviceability problems through a lack of adequate spares support."

I'm just wondering whether this was a very isolated incident or whether it was an indication of some of the problems of dependence on UORs?

MAJOR GENERAL JONATHAN SHAW: It will have been the latter because UORs, by their definition, are designed just for the theatre. They are not designed to address what you might call the system. They are a temporary stopgap that buy you what you need for the operation.

One of the things that we found -- one of the problems that the army's had in particular is that you end up with sets of UORs which are designed to equip the operation, but they don't equip the system that generates the troops for that operation. So there's no training fleet. There's no training margin. What that does is it means that people arrive in theatre and start operating on equipment they haven't had a chance to train on. Or, if there is a training fleet, what it means is that they spend a large amount of their time training on one set of equipment, and then they have to ditch all that and learn a whole new skillset in their build-up training, and then deploy that equipment.

What that all is is symptomatic of an army that is equipped with UORs for the modern conflict, rather than those equipments being in core, and that's a really big financial issue that in the planning round the MOD is grappling with, about whether to

fund -- the catchphrase is whether to take UOR equipment into core.⁵

If you look at the vehicles that the British Army is trying to struggle with at the moment, it is astonishingly complex how many vehicles there are, because these UORs come along in tranches. It's not unusual for a battalion to have to man six different types of vehicles with all different categories of licence. The training bill and the complexity bill, it's really confused at the moment.

SIR LAWRENCE FREEDMAN: That's quite an important observation, about the consequences of relying on --

MAJOR GENERAL JONATHAN SHAW: Absolutely, yes.

SIR LAWRENCE FREEDMAN: You also, in this update, were making some comments about the problems of delay, that it just took time for the stuff to get into theatre.

MAJOR GENERAL JONATHAN SHAW: It does, but I have to say, I was impressed by the speed. By the time I was there, the efforts that people were putting into getting UORs there was immense. UORs were arriving at a pretty rapid rate. Yes, there was a delay between putting the bid in and getting it, but quite often it was because the kit wasn't there, and there had to be some very original thinking to, for instance, produce protective screens for warriors, modifications to cope with new bomb types. So I wouldn't fault the effort.

SIR LAWRENCE FREEDMAN: Because in your public hearing, you said that equipment kept coming through at a remarkable rate.

MAJOR GENERAL JONATHAN SHAW: I agree with that, yes. I agree with myself.

⁵ The witness subsequently added the following detail: 'UORs come without sustainment packages. Equipment in core receives 'through-life' sustainment funding lines.'

SIR LAWRENCE FREEDMAN: You agree with yourself. I should hope you do.

But you notice the tension between these comments on some of the UORs --

MAJOR GENERAL JONATHAN SHAW: I think they are saying -- I don't think they are contradictory. They were coming through at a remarkable rate, as in lots of them were arriving. What I'm not talking about is how long the delay was from when they were initiated. Nor am I saying anything about the fact that we're only equipping the operation, not equipping the whole force generation system.

SIR LAWRENCE FREEDMAN: So a lot of it is an emergency system which then creates long-term consequences?

MAJOR GENERAL JONATHAN SHAW: Absolutely. Yes. The army is now badly out of shape on its equipment programme.

SIR LAWRENCE FREEDMAN: Do you think that's a problem that is exacerbated by the turnover of commanders, that the different commanders see different needs as they come in? I'm just trying to work out why it is that you would have so many different sorts of vehicles, for example.

MAJOR GENERAL JONATHAN SHAW: Well, in large part it's because the situation changes. It's the evolving situation which calls for different requirements.

Let's take vehicles for a start. We invested quite a lot of money converting old FV432s to what I think were called Bulldogs, and I think it cost a million quid a throw to change those, which worked very well in Basra. But they are absolutely useless in Afghanistan, because one is an urban setting and the other was a rural setting, where there's no use for them.

So suddenly you've got this fleet of vehicles that you have

bought and you now have no use for, because the situation has changed, you have moved on. And it's trying to keep that flexibility of response in the situation.

You also get a situation where the enemy threat is constantly alternating in Basra between snipers and IEDs. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].⁶

What was fascinating about being in Basra was the way that, fighting a thinking enemy, they were constantly changing their tactics. So the requirement was changing as well. As the IEDs came in, so we got one layer of -- as the IDFs started coming in, so they started -- so we got certain forms of protection against that. So, again, the balance of investment changes and the game changes.

SIR LAWRENCE FREEDMAN: You can see the difficulty particularly with IEDs because they're an intelligent enemy. Are there ways in which an intelligent response could be more agile, I suppose? Presumably you could anticipate, after a while, that as you blocked off one vulnerability another one was likely to arise.

How was your interaction with the planners back in the UK about how you could see the very sort of tactical level of threat likely to develop?

MAJOR GENERAL JONATHAN SHAW: I think it was pretty good. Was our ability to foresee the future that clever? Probably not, although in some cases I would say -- on the EOD case, for instance -- it was a simple question of capacity and numbers and sort of resource back at home. I went from being GOC to being the Chief of Staff at land forces in charge of generating

⁶ The witness described the technical and analytical process involved in responding to the IED threat.

capability for this war, and I just saw that we were constantly chasing the latest demand. Because every six months a new team goes out to Afghanistan, does a review of how many troops you need and what sort of kit you need and sends it back, and then you start regenerating something.

SIR LAWRENCE FREEDMAN: That was the point I was asking you about before in terms of --

MAJOR GENERAL JONATHAN SHAW: But in a sense you were indicating -- you were wondering whether that was a question of the personality of the commander, or whether that was just the evolving situation, and I would say it was more the latter. I would say it's more the evolving situation, that life is constantly changing, and you are constantly chasing risks. And the thing about risks is that once you have backed up a risk on something, you are never going to withdraw the forces for it. So your force tends to get bigger and bigger all the way round, because once people have taken the risk, people are then unwilling to back off.

SIR JOHN CHILCOT: Right. We have come to the end. Final reflections. And on the question of the JAM, I think it would be very helpful if we could have a short note after this, some time at your convenience, on your meetings with [JAM1] because I don't think we have got a written account of the key points.

MAJOR GENERAL JONATHAN SHAW: Okay, yes.

SIR JOHN CHILCOT: The other thing I ought to say, if you want to go much wider -- as you were starting to do, I think, earlier -- in your final reflections -- and I'm not trying to discourage you -- that probably falls outside the private nature of this hearing. So there would be a publishability question. I just thought I would mention that.

And before we move on to any more general reflections you might have, a question I wanted to raise when you were talking with my colleagues about the [JAM1] discussions. There must have been a pressure of mutual trust and confidence between you and him personally to enable the thing to go forward. Was that, as it were, at the human level, or was it, as it were, at the level of the roles that each of you occupied?

MAJOR GENERAL JONATHAN SHAW: [REDACTED] Insofar as one can judge these things, I took it at the human level actually. He gave me a smacking set of kisses at the end. I'm told that's quite important in Arab society. He needn't have done.

SIR RODERIC LYNE: Sheep's eyeballs all round.

MAJOR GENERAL JONATHAN SHAW: I genuinely felt, as I said earlier -- there were many people over there who I didn't trust, who I thought were weak, who I thought didn't have the backbone for what they were doing, and who I distrusted and didn't respect. But, as I say, the two people who really I thought were straight up were the governor of Maysan, as I said before, who was also called Maliki, and --

SIR JOHN CHILCOT: Mohan?

MAJOR GENERAL JONATHAN SHAW: No, [JAM1]. Mohan is an interesting man. I liked Mohan, [REDACTED]

[REDACTED]
with [JAM1], I just felt at a human level he was straight up. He made sense, and he was a hard man and delivered on what he said. I thought he was true to his word.
[REDACTED]
[REDACTED]
[REDACTED].

SIR JOHN CHILCOT: You told us in an earlier sequence, almost as an aside, about doubts surrounding the information policy assumed by the Government, and we may take that within the envelope of this private session or you could expand it. But if you do, I think it might encounter the publishability question.

MAJOR GENERAL JONATHAN SHAW: Thank you --

SIR JOHN CHILCOT: It's up to you.

MAJOR GENERAL JONATHAN SHAW: -- for that warning. No, I think I made the point. I think it's well covered elsewhere.

I think -- and re-reading my notes, I noticed on the questions you asked me to prepare for, that whole attitude of the American position towards the UK, I think there was a lack of trust that started right from that period about what we were going to do, exacerbated by Gordon Brown about to take over - was he going to jump, wasn't he - and I think that rather soured the relationship. I think I have covered most of it.

SIR JOHN CHILCOT: I didn't want to be discouraging. International relations or defence matters or classified references, they are all covered.

MAJOR GENERAL JONATHAN SHAW: Yes.

If I could just go back to the question you asked me earlier, Sir Rod, about military lessons.

I think if you look at what the army is trying to do now in terms of its posited force structures for the future, for the defence review, you will see the sort of lessons that the army is trying to institute. Much more emphasis on stabilisation, on Humint, on dealing with civil situations, and that whole area of development, that whole area of competencies, that in violent situations the civil agencies don't deliver. So that whole emphasis on delivering that wider set of counter insurgency

cross-Government capabilities, and working with other Government agencies, which is something that's not in the standard ORBAT, but that's something that the army has really learned the lesson that it needs to do more of.

But as I said before, I think one of the fundamental problems remains that defence resource is still linked to defence planning assumptions and planning tools, and those planning tools have not altered throughout the course of the wars in Iraq and Afghanistan, which has meant that the army has found it very difficult -- the army in particular, and wider defence in general, you could say -- to restructure itself and adapt to the changing evolving operational scene in a way that draws unfavourable comparisons with the way the American army has done. But of course the American army has the authorities and the finance and the resource to change itself in a way that the British Army doesn't.

So that whole question of linking resources and assumptions to structures, and who makes what decisions when, I think, is something that bears really close examination, because I don't think we have got it right, and I think it hinders the ability of the services to respond to changing situations in a way that's really unhelpful.

SIR RODERIC LYNE: Petraeus went away and did a year's thinking at Fort Leavenworth, and rewrote quite a lot of American doctrine on this.

MAJOR GENERAL JONATHAN SHAW: He did.

SIR RODERIC LYNE: Have we had any equivalent rethink on ours?

MAJOR GENERAL JONATHAN SHAW: We have produced a new doctrine, yes. Absolutely.

SIR JOHN CHILCOT: But that doesn't answer the higher level

question.

MAJOR GENERAL JONATHAN SHAW: It doesn't answer the higher level organisational question.

Yes. I'm not convinced that the new American COIN -- well, there are many Americans who would tell you that actually what was produced by Petraeus in his year off was a recipe for success in Iraq and that its applicability in somewhere like Afghanistan is not complete. It again needs adapting. I think that's the point about the COIN doctrine -- well, about any doctrine, anyway. It should be an abstract, not a how-to-do list, and some things that work in some places won't work in others.

I read the doctrine when it came out in 2007, and I thought it didn't apply in Basra⁷ because, as I said, there was no population to protect in Basra. So to my mind, the situation was actually fundamentally different.

So the interesting question is to what extent the Americans then revise that doctrine in the light of what they are learning in Afghanistan and how that needs that revising. I think that brings home the point, that doctrine is not how to do something. It should be at best how to think about something, and then it's up to commanders on the ground to adapt what they know to the circumstances in, as the Germans, would say, a Hegelian process, producing a new reality that relates to the current situation.

SIR JOHN CHILCOT: Though when you are planning for a foreseeable operation, as opposed to a reactive one, you have to make some assumptions --

MAJOR GENERAL JONATHAN SHAW: You do.

SIR JOHN CHILCOT: -- about what you will find, even though what

⁷ Witness subsequently clarified that, in his view, it did not apply *completely* in Basra.

you find will be different.

MAJOR GENERAL JONATHAN SHAW: Absolutely. Correct.

SIR RODERIC LYNE: Can I just follow up on that point? You referred to the value to you of what you learnt from Charles Tripp and Toby Dodge. In your debriefings you referred not only to that, but to a number of other published works like Mark Allen's book, *The Arabs*, which you said you told all your commanders to read, and you had very strong Whitehall contacts before you went out, which you said you used by going round and visiting people.

But you also commented that with the roulement you had commanders arriving in theatre who had to sort of relearn the same lessons about culture and society over and over again.

What's wrong with our machine that it can't bring all this together and provide the input of information? Do we not have the capacity that we used to once have, to know about abroad, so that you can adapt to the very different -- you are quite right -- very different circumstances of an Afghanistan or an Iraq?

MAJOR GENERAL JONATHAN SHAW: I think in part we have lost that ability nationally. Either we have lost it or we don't listen to it, or we have become more culturally imperialistic than we care to recognise.

I think one of the issues is about campaign management. I think everyone focuses on the six-month tour lengths being the problem at breeding the lack of continuity. I think that's an illusion. I think the problem of lack of continuity is more a methodological one. It's more that there is no laid-down methodology. There's nobody that owns the campaign and takes the incoming commander and says, this is what we're going to do, drive on.

SIR JOHN CHILCOT: There's an end of tour report, but not a handover.

MAJOR GENERAL JONATHAN SHAW: In a sense they will do a handover, but the incoming commander is then allowed to do in a sense what he wants. That's certainly what I found, and I contrast this to -- sparing General Roger's blushes -- his presence at the back, because he was in charge pretty much of the time. But in the Northern Ireland time, you used to go out in advance, and you would be told, "This is what you do, this is what you don't, because this is the campaign, this is the long-term vision, and this is your little place in it. Got it? Don't try and win the war on your watch". And that's what you did. That doesn't happen for Iraq, and I don't think it happens in Afghanistan either.

SIR JOHN CHILCOT: This is what you mean by campaign management?

MAJOR GENERAL JONATHAN SHAW: That's what I mean by campaign management. I kept asking: what is the methodology? A lot of people -- if you look at what Richard Shireff and I did, they were diametrically opposite things. If you dig hard enough, you can work out why the two made a certain sort of sense, but the reality is that we were allowed to do what we judged was the right thing to do by our lights, and the funny thing was the system supported us both. We both did very different things.

SIR LAWRENCE FREEDMAN: Isn't that a CJO problem?

MAJOR GENERAL JONATHAN SHAW: Well, he would say -- you had better ask him that. Is it him?

SIR LAWRENCE FREEDMAN: Not in terms of assigning blame, but just in terms of trying to think through the implications.

MAJOR GENERAL JONATHAN SHAW: That is what I would like to see. But if you read the official doctrine, if you read official

doctrine it's not actually CJO's responsibility to manage in that sense the campaign. That is the job of the guy who is the in-place commander, which in our theory is our national commander in theatre, which is the SBMR(I). But as I have already said, he's up in Baghdad, doing the theatre stuff, and that was down in Basra, and he wasn't doing that job because he was the deputy force commander.

SIR LAWRENCE FREEDMAN: One of the other points that was made to us about this from the American side is the idea of having people, when they come back on tour, going to the same place that they were before. Presumably that was happening anyway.

MAJOR GENERAL JONATHAN SHAW: Yes, the Royal Welsh in Basra Palace, it was their third time there. They were very happy to get out again.

SIR LAWRENCE FREEDMAN: So that wasn't going to be an issue in this case. They were always going to be going back to where they were before in Iraq.

MAJOR GENERAL JONATHAN SHAW: That's true for Basra, but if you remember, over the course of the operation, it did shrink from being much, much larger to just being Basra.

SIR LAWRENCE FREEDMAN: In Afghanistan, obviously, it was different.

MAJOR GENERAL JONATHAN SHAW: In Afghanistan there's a continuity issue. 3 Para going back to where they were in 2006. That raises issues in itself, yes. But it's that lack of campaign, I think, of continuity and ownership of the narrative. It can be done because Graham Binns followed the narrative that I wrote, as did Barney White-Spunner until Charge of the Knights, when he started again. So it can be done if you write it down and lay out a methodology.

SIR JOHN CHILCOT: Who owns it on the American system? CentCom?

MAJOR GENERAL JONATHAN SHAW: Yes and no. I mean, theoretically, I suppose, CentCom ought to. [REDACTED]

[REDACTED]

SIR JOHN CHILCOT: I think that's about it. Any final, final reflection?

MAJOR GENERAL JONATHAN SHAW: I could go on for hours. I have mentioned, I think, cross-Whitehall. One of the things that puzzled me was how cross-Whitehall -- having operated in both the domestic and the overseas arena, I can say with absolute certainty that we handle domestic incidents much better than we handle overseas ones, particularly in the CT community. We've worked out a methodology of doing cross-departmental work that works. I just think in the overseas world, I have yet to see it work nearly as well. We seem to deny the lead department system that works so well domestically, and I still don't think we have sorted it out.

SIR JOHN CHILCOT: Thank you. Let's close there. The transcript has got to be looked at in this building, I'm afraid, but no hurry. We really would like a very short brief note about the key points in your dialogue of the [REDACTED] meetings with [JAM1], if you could bear to do that.

MAJOR GENERAL JONATHAN SHAW: Sure.

SIR JOHN CHILCOT: Otherwise, thank you very much indeed.
A valuable session. With that, I'll close.

(The hearing adjourned)

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