



House of Commons  
Defence Committee

---

**Iraq: An Initial  
Assessment of Post  
Conflict Operations:  
Government Response  
to the Committee's  
Sixth Report of Session  
2004–05**

---

**First Special Report of Session 2005–06**

*Ordered by The House of Commons  
to be printed 20 July 2005*

**HC 436**  
Published on 27 July 2005  
by authority of the House of Commons  
London: The Stationery Office Limited  
£0.00

## The Defence Committee

The Defence Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Ministry of Defence and its associated public bodies.

### Current Membership

Mr James Arbuthnot MP (Chairman) (*Conservative, North East Hampshire*) Mr David S Borrow MP (*Labour, South Ribble*)  
Mr Colin Breed MP (*Liberal Democrat, South East Cornwall*)  
Derek Conway MP (*Conservative, Old Bexley and Sidcup*)  
Mr David Crausby MP (*Labour, Bolton North East*)  
Linda Gilroy MP (*Labour, Plymouth Sutton*)  
Mr David Hamilton MP (*Labour, Midlothian*)  
Mr Mike Hancock MP (*Liberal Democrat, Portsmouth South*)  
Mr Dai Havard MP (*Labour, Merthyr Tydfil and Rhymney*)  
Mr Brian Jenkins MP (*Labour, Tamworth*)  
Mr Kevan Jones MP (*Labour, Durham North*)  
Robert Key (*Conservative, Salisbury*)  
John Smith (*Labour, Vale of Glamorgan*)  
Mr Desmond Swayne (*Conservative, New Forest West*)

### Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via [www.parliament.uk](http://www.parliament.uk).

### Publication

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at:

[www.parliament.uk/parliamentary\\_committees/defence\\_committee.cfm](http://www.parliament.uk/parliamentary_committees/defence_committee.cfm)

### Committee Staff

The current staff of the Committee are Mark Hutton (Clerk), Richard Cooke (Second Clerk), Ian Rogers (Audit Adviser), Daniel Korski (Committee Specialist), Adrian Jenner (Inquiry Manager), Lis McCracken (Committee Assistant), Sheryl Dinsdale (Secretary), and James McQuade (Senior Office Clerk).

### Contacts

All correspondence should be addressed to the Clerks of the Defence Committee, House of Commons, London, SW1A 0AA. The telephone number for general inquiries is 020 7219 5745; the Committee's e-mail address is [defcom@parliament.uk](mailto:defcom@parliament.uk). Media inquiries should be addressed to Adele Brown on 020 7219 0724.

# First Special Report

---

The Defence Committee published its Sixth Report of Session 2004–05 on Iraq: An Initial Assessment of Post Conflict Operations as HC 65-I on 24 March 2005. The Government's response to this report was received on 20 July 2005. It is set out below.

## Government response

---

The Government welcomes the House of Commons Defence Select Committee's report, "Iraq: An Initial Assessment of Post-Conflict Operations" published on 24 March 2005 (HC 65-I). This memorandum sets out the Government's response to each of the main points of the Committee's report in the order in which they were raised.

### Pre-war Planning for the Post-Combat Phase

**1. The post-conflict situation with which the Coalition was faced did not match the pre-conflict expectations. The strategic centre of the Coalition in Iraq was inevitably the Coalition Provisional Authority in Baghdad. To some extent this complicated the task of British forces in the south. Taken together these factors contributed to delays in post-war stabilisation. It is not difficult to understand how mistakes could have been made in planning and executing Iraq's post conflict reconstruction. No post-conflict mission in the last 60 years has been as challenging as that which faced the Coalition in June 2003. (Paragraph 26)**

The post combat operations phase of operations in Iraq has been particularly challenging. Not only have coalition forces been faced by a determined insurgency attempting to undermine an emerging Iraqi government and inflict casualties on coalition and Iraqi security forces, but this has also been one of the first times in recent history that the UK has had to take on the obligations of an occupying power, and operated as a junior partner in a counter-insurgency. As the Committee recognises, UK forces in MND(SE) have also been operating in a situation where the link between tactical success in MND(SE) and the achievement of a favourable strategic outcome in Iraq is limited.

Nevertheless, we accept that there are lessons to be learnt in terms of improving the way that we conduct post-conflict planning, and much effort has been put into this over the last two years.

**2. The considerable success that has been achieved in Iraq—especially in the areas controlled by the UK—can, in large part, be traced to the British forces' ability to adapt to changing circumstances. Suppleness and pragmatism are at the heart of the British forces' professionalism. (Paragraph 26)**

We welcome the Committee's comments on the considerable success that has been achieved in Iraq through the hard work and professionalism of British Armed Forces.

## The Insurgency

3. It is difficult to avoid concluding that the Coalition, including British forces, were insufficiently prepared for the challenge represented by the insurgency. A wide range of predictions for the post-conflict situation in Iraq were made in advance of the conflict. We are concerned that there is some evidence that the extensive planning, which we know took place in both the US and the UK, did not fully reflect the extent of that range. We also believe that the Coalition should have foreseen that its presence would be resented by some Iraqis, particularly Sunni Arabs and some Shia nationalist elements, and portrayed as cultural and economic imperialism. (Paragraph 36)

4. We note that there is not one anti-Coalition insurgency in Iraq, as frequently portrayed in the media, but several, anti-Coalition, anti-Iraqi Government movements. These different movements are conducting operations with very different objectives. (Paragraph 43)

5. We note that the scale of the anti-Coalition, anti-Iraqi Government insurgency movements was underestimated by the Coalition. At the same time, we acknowledge that a fixation simply on the number of insurgents does not necessarily, by itself, provide insight into their effectiveness and resilience. (Paragraph 47)

6. We are concerned at the continued influx of foreign fighters into Iraq through neighbouring countries, particularly Syria and Iran, and note that this was probably facilitated by the inadequate attention paid to border security by the Coalition immediately following the invasion. More broadly, it appears to us that the Coalition failed to appreciate the potential for an insurgency in Iraq to attract foreign fighters, both from the Middle East and further afield (e.g. Chechnya). (Paragraph 51)

We note the Committee's comments. We have already acknowledged in the report we published on the lessons from Op TELIC that while some planning took place to deal with likely disaffection following the invasion of Iraq, an insurgency on the scale that subsequently followed was not foreseen before the end of major combat operations. As part of our efforts to improve Iraq's border security, we are assisting in the development of the Department of Border Security (DBE) through training and mentoring DBE personnel in MND(SE). We have also supported infrastructure projects to rebuild border security posts.

7. We note that the various insurgency movements have been structured, motivated and resourced to inflict significant military and civilian casualties. They have employed a range of tactics from assassinations to suicide bombings depending on their motivations and goals, but foreign fighters, such as Musab al-Zarqawi and other Islamic extremists, have been particularly skilled at using psychological operations such as kidnappings and beheadings. In the foreseeable future, MNF-I and the Iraqi Government will continue to be attacked, but the various insurgency movements have not developed into a genuine national war of liberation and are unlikely to do so in the future. (Paragraph 56)

We note the Committee's comments.

**8. We commend British forces for their approach to counter-insurgency in their areas of operations. We are convinced that their approach has been a contributing factor in the development of the more permissive environment in southern Iraq, which has resulted in relatively little insurgent activity. We do, however, remain concerned about a number of tactics employed by the MNF-I generally. We urge MoD to use its influence to affect MNF-I's posture and approach. We also encourage MoD to ensure that the Iraqi civilian powers are given a prominent role in the counter-insurgency campaign. Finally, we emphasise and endorse the need to combine politico-economic and military strands of the counter-insurgency campaign. We have been told that this approach was adopted following the appointments of General Casey and Ambassador Negroponte, but we are concerned about the state of civil-military cooperation in the counter-insurgency campaign preceding their appointments, i.e. from May 2003 until June 2004 when Ambassador Bremer was head of the Coalition Provisional Authority. (Paragraph 73)**

We welcome the report's commendation of British Armed Forces for their approach to tackling counter-insurgency. It is important to recognise, however, that the security environment in which British Armed Forces are operating in south-east Iraq is quite different to that faced by MNF-I forces in the Sunni triangle of Iraq, and there is necessarily a need to adopt different procedures and tactics in these areas.

The current MNF-I campaign plan fully recognises that campaign success will only be achieved through progress along political and economic as well as security lines of operation, and coalition strategy in Iraq is configured to reflect this.

We also agree with the Committee on the importance of the Iraqi Government playing a prominent role in the counter-insurgency campaign. Ultimately, only the Iraqis can bring about campaign success in Iraq, with the coalition playing a supporting role. The coalition is therefore focussing on helping Iraqis—from the top levels of government to troops on the ground—develop the capacity to take responsibility for security. While this process will take time, the planning and direction of major counter-insurgency operations is, for example, now conducted jointly between MNF-I, Iraqi Ministers and senior Iraqi Military officers, with Iraqi Ministers finally responsible for setting strategic direction.

## **Challenges in Southern Iraq**

**9. We note that the relatively stable security environment in southern Iraq has been caused by a number of factors, including population density, topography and the attitude of the Shia population to Coalition forces. But we are also in no doubt that the approach and tactics of the British Armed Forces have played a major part. (Paragraph 84)**

We agree with the Committee's comments on the successful role played by British Armed Forces in southern Iraq.

**10. We condemn any abuse of Iraqi civilians by British forces. We believe, however, that coverage given to these cases has been magnified because British forces are known—both in Iraq and beyond—for the professionalism and sensitivity which they bring to their tasks. As such, we trust that the actions of a few soldiers will not be allowed to overshadow the contribution made by the many soldiers who have served in Iraq. (Paragraph 90)**

We welcome the report's recognition that the vast majority of British Servicemen and women who have served in Iraq have done and continue to do an outstanding job in Southern Iraq. Over 85,000 personnel have served on Operation TELIC, and only a tiny minority have been involved in incidents involving the alleged ill-treatment of Iraqi civilians. A number of these have already been cleared of any wrong-doing.

Nonetheless, our troops in Iraq are not above the law. All allegations or suspicions involving activity of a criminal nature are taken seriously, particularly when they cast doubts on the good name of the British Armed Forces throughout the world. It is MOD policy to initiate an independent Service police investigation into every instance where the action of British service personnel may have led to the injury or death of Iraqi civilians, and ensure that if Rules of Engagement have not been followed, appropriate action is taken in every case.

**11. We welcome a review of the circumstances that led to the incidents in March 2003. We have noted previously that the Coalition did not expect—and did not have adequate facilities to deal with—large-scale looting and looters. The consequent pressure on individuals may have been a contributing factor in some of the cases. But we are also concerned that the incidents may have been connected to the way in which soldiers and officers are instructed in their legal obligations during post-conflict operations. We therefore urge the senior officer leading the lessons-learned process established by the Chief of the General Staff to approach the review of the issue of abuse by British service personnel in Iraq as broadly as possible, examining not only the circumstances in Iraq, but also more generic questions related to the Iraq policies, preparations and pre-deployment training provided for Peace Support Operations. (Paragraph 91)**

On 25 February 2005 the Chief of the General Staff announced that in light of the recent courts-martial of four members of the Royal Regiment of Fusiliers, a senior experienced officer had been asked to review the issues arising from the trial and assess their impact on the Army's operational effectiveness. Any lessons identified will be applied to future operations. The review can only complete after courts-martial and any other legal processes are over. Findings will be published in due course.

The lessons learned process will be wide ranging in tracking matters arising out of the Royal Regiment of Fusiliers courts-martial and any other similar cases in future. Such matters might include:

- allegations of widespread abuse, made by some of the witnesses,
- technical breaches of the Geneva Conventions;
- the Army's level of preparedness for dealing with looters.

**12. We accept that circumstances in Iraq currently call for the limited use of internment of civilians by MNF-I. We believe, however, that this extraordinary power needs to be reviewed regularly and should only be maintained for as long as there is a compelling operational need for it. MNF-I should, as matter of priority, assist the Iraqi Government in developing the capabilities to detain, prosecute and imprison those who are judged to present a serious threat to the country. (Paragraph 101)**

At present we consider that the power of internment is necessary for maintaining security in Iraq. We agree with the Committee that this power should be maintained only for as long as there is an operational need for it, and that it is important to assist the Iraqis develop their own capacity to detain, prosecute and imprison.

The authority to intern has its foundation in UNSCR 1546, which authorises coalition forces to use ‘all necessary measures’ to maintain security in Iraq. UNSCR 1546 will lapse once the political process in Iraq reaches the stage at which a permanent government is elected, currently anticipated to be December 2005. At that stage, the continuing coalition presence in Iraq will require a new mandate. The power of internment will be reassessed at that point.

The coalition fully recognises the importance of assisting the Iraqis develop the capabilities to detain, prosecute and imprison. As part of the coalition effort to support the development of these capabilities, the UK government has spent over £2 million on training for the Iraqi judicial sector, and £1.7m on prisons mentoring in the south of Iraq, and has also deployed a justice adviser with human rights law experience to Basra. In Basra, the Consulate is supporting a Ministry of Human Rights Office Detention Centre Monitoring Programme for 12 months. They will be mentored and assisted by the UK Justice Adviser and Police and Prison Advisers.

**13. The cost of UK military operations in Iraq for the three years 2002–03 to 2004–05 is expected to be in excess of £3.1 billion—equivalent to the target acquisition cost for the two future aircraft carriers for the Royal Navy. The 2004–05 Spring Supplementary Estimates provide only limited information on the costs of operations in Iraq. We consider that a more detailed breakdown of costs, for operations involving such substantial sums of money, should be provided in future to facilitate effective parliamentary scrutiny. (Paragraph 109)**

The costs in Iraq vary according to the operational tempo. Whilst MOD forecasts future costs for planning purposes the costs remain uncertain and to publish them would be misleading. Actual annual costs for Iraq are reported at the end of the year and will be published in July in a Public Expenditure White Paper. These costs are then audited by the National Audit Office and the finalised figures published in the MOD’s Annual Report and Accounts for 2004/05 in the Autumn.

## Security Sector Reform

**14. We conclude that the successful conduct of the elections to the Iraqi Transitional National Assembly on 30 January 2005 will go down as a turning point in Iraq's post conflict development. Their success demonstrated not only that Iraqis have an appetite for democracy and an enthusiasm to be involved in shaping their country's future, but also that the Iraqi Security Forces have begun to develop the capabilities to provide effective security for their own people. (Paragraph 120)**

We agree that the successful conduct of the Iraqi elections marked a significant step forward, not only for the political process, but also for the Iraqi Security Forces, particularly the police. They were widely perceived to have done a good job in preventing the bloodshed promised by insurgents on election day, and this has boosted their own self-confidence, as well as public confidence in them. No police stations were abandoned either during or immediately after the elections, and there were many individual acts of great bravery by Iraqi Security Force personnel on the day.

The work on election security was also evidence of the growing capacity in Iraqi Ministries to plan and direct their forces. The Iraqi Security Ministries and Security Forces have since applied and developed the lessons learnt in planning for election security to provide security for other events.

**15. We believe that Security Sector Reform should have been given greater priority by Coalition and British forces before and immediately after the invasion in March 2003. Only belatedly, did the Coalition begin building the Iraqi Security Forces. Even then, a bottom-up, numerically-focused approach meant that the Iraqi military, security, and police did not develop in a well-coordinated manner. We are pleased to see that a more realistic approach to the build-up of the Iraqi Security Forces is now being taken with much greater emphasis on capability, effectiveness and long term sustainability. (Paragraph 129)**

The extent to which all of Iraq's security apparatus would dissolve—particularly the police—was not predicted before the invasion, though there was an expectation that Commanders would be tasked with some security sector reform tasks. With the end of combat operations and the immediate transitional period there were no Iraqi governmental structures to decide on security force policies. In consequence the immediate need was to build Iraqi Security Forces from the bottom up. Only with greater Iraqi engagement and the emergence of an Iraqi Government and establishment of Iraqi Ministries has it become possible for appropriate dialogue on policies.

The initial aim was to deliver significant numbers of ISF as quickly as possible. As the nature of the terrorist threat has grown and evolved the need for better capabilities has naturally emerged. Now that large numbers of ISF have been recruited and have basic training and equipment, it is possible to concentrate on developing capability, particularly the key ones—leadership, command and control, intelligence, logistics—which will enable the Iraqis to take over control of security themselves. This will, of course, take time and effort.

**16. The need for political oversight by the Iraqi Ministry of Defence over the Iraqi Security Forces is a crucial part of Iraq's post-Saddam Security Sector Reform and we remain concerned about the slow institutional development of the Ministry. (Paragraph 135)**

We agree that it is important for the Iraqi Ministry of Defence to have political oversight over the Iraqi Security Forces. There is an international team of advisers headed by a UK MOD civil servant working with Ministers and officials in the Ministry to help them build the institutional capacity that will enable the Ministry to maintain oversight over its forces.

While the Ministry still needs to develop in a number of areas—notably command and control, and resource management—it has nevertheless made considerable progress since it was established in spring 2004. The Ministry has developed a Defence Strategy identifying the functions of the ministry, the principles under which it should operate, and institutional objectives. Cross-cutting committees with civilian and military representation have been set up to bring together different functional areas of the Department and facilitate coherent planning and implementation. The current challenge for the Ministry is ensuring that these mechanisms work effectively.

**17. We welcome the creation of the Ministerial Committee of National Security as a mechanism for the Iraqi Government to begin taking control of the Iraqi Security Forces and to coordinate military and security policy with political and economic policies. These mechanisms now need to be developed further by the Transitional Iraqi Government as well as at working-level. (Paragraph 139)**

We note the Committee's comments.

**18. Parliamentary oversight must be a central feature of the 'new' Iraq's security arrangements, and we call on Coalition partners and the UK Government to provide assistance to the Transitional National Assembly in establishing mechanisms for parliamentary oversight of the Iraqi Security Forces. (Paragraph 142)**

We continue support for the Iraqi Transitional Government to develop its capacity to govern effectively, through our Embassy and through UK civilian and military advisers working with Iraqi Ministries. As a sovereign country, it is for the Iraqi Government to decide what mechanisms it wishes to establish for parliamentary oversight of the Iraqi Security Forces.

**19. Ensuring appropriate oversight over, and coordination mechanisms for, the Iraqi Security Forces that mirror Iraq's decentralised political system is important, but we believe care needs to be taken not to undermine the Iraqi Government's control of its national security apparatus. (Paragraph 145)**

Iraq has traditionally had a highly centralised political system, and we do not expect this to change significantly. Obviously, the situation in Iraq following the end of combat operations, as mentioned in the response to paragraph 15, meant that Iraqi Security Forces were generated from the bottom up, on a regional basis. MNF-I is assisting the Iraqi government and security forces to develop the command and control, communications and logistics infrastructure, that will link the National government with troops on the ground. It is, however, for the Iraqi Government and population, not the coalition, to decide on the nature of their political system, and the security structures they wish to put in place.

**20. The command chain of the Iraqi Security Forces cannot yet sustain responsibility for operations carried out in its name. At this stage of the Iraqi Security Forces' development this is unsurprising. It is important, however, that we recognise the limitations which this places on the current and future capabilities of the Iraqi Security Forces. (Paragraph 150)**

Although it will take some time for the Iraqis to develop a comprehensive and effective command and control capability, and to build up all the support structures needed to sustain their forces on operations, the Iraqi government does already have some ability to plan and conduct independent operations. For example, two recent operations, Al Barqh (Lightning) inside Baghdad, and Maharabeen Kudmaa (Veterans Forward) in the north-west, are of note due to the competence shown by the Iraqis during the planning. Both Interior Minister Jabr and Defence Minister Dulaimi played a full part in the process, as did senior military officers and officials.

While Coalition forces will continue to assist the Iraqis to conduct counter-insurgency operations as required, we expect the Iraqis to become increasingly capable of taking on greater levels of responsibility including independent, intelligence-led counter-insurgency operations.

## Naval Forces

**21. It seems clear to us that MNF-I—and, by extension the UK—will need to assist Iraq in protecting its sea-based assets and territorial waters from terrorist attack or incursion for the foreseeable future. (Paragraph 153)**

Development of the Iraqi Navy is well underway with their vessels making a continuous contribution to coalition maritime security operations in Iraqi territorial waters. Training is provided by a UK-led Assistance Support Team based at Umm Qasr, which is shifting its emphasis towards mentoring Iraqi staff as operational capability increases. Iraqi forces play a full part in the security of the offshore oil platforms, and are expected to take responsibility for these assets later this year. With the arrival of new vessels over the next 12 months, Iraqi influence will extend and the Iraqi Navy is expected to take control of territorial waters before the end of 2006. The extent to which MNF-I are able to disengage from maritime security operations in the Northern Arabian Gulf, will not simply depend on the rate of Iraqi Navy development; other issues such as the incidence of piracy, smuggling and the behaviour of the Iranians, will affect the transfer of responsibility.

## Iraqi Police Service

**22. The Coalition's early efforts at Security Sector Reform—particularly in the civil policing area—were characterised by short-termism and indecision. Weaknesses in that reform programme came close to undermining the success of the initial military operations. We are disappointed that two years after the start of those operations the Government's response to the systemic shortcomings, which contributed to those weaknesses, has amounted only to the establishment of a 'Strategic Task Force' to examine the deployment of UK police to post-conflict situations. (Paragraph 169)**

In the period immediately after the end of combat operations there were no Iraqi government structures to decide on security force policies. As a result, while ad hoc police groups had been reformed by local coalition military commanders no organised reconstitution of the police was undertaken for six to eight weeks after the cessation of fighting in mid-April 2003. The immediate need at that stage was to build a police service from the bottom up, and it was only later, once the Iraqi Interim Government and Iraqi government Ministries had been established, that it was possible for appropriate dialogue on national policing policies to take place.

The Cross-Departmental Strategic Task Force mentioned in the report was set up to address the identified shortcomings in international UK policing assistance, including the generation of personnel with appropriate skills to deploy to post-conflict situations. The Task Force has been meeting for about five months, and is expected to put forward their recommendations to Ministers in the near future.

**23. We welcome recent initiatives by the Government and the EU to train the Iraqi Police Service in complex policing techniques. We note, however, that assistance to develop Iraq's policing arrangements was not incorporated in the post-conflict planning. As a result, there was an absence of strategic policing advice at senior levels in the Coalition while the policing policy was unduly 'militarised'. Consequently, the kind of police forces that were established in Iraq were unprepared for the complex policing tasks subsequently expected of them. (Paragraph 170)**

The report correctly identifies the strategic vacuum at the post-conflict stage. There have, however, been senior UK police advisers embedded with the Ministry of Interior for over 18 months, providing advice to the Minister of the Interior.

Responsibility for the development of the Iraqi Police Service (IPS) has evolved over the last two years through a process of review aimed at ensuring the size and capability of the IPS reflects the requirements. Initially responsibility for generating a community-based police force was vested with the Coalition Provisional Authority (CPA) and the Senior CPA Adviser to the Iraqi Minister of the Interior. As the nature of the insurgent and terrorist threat has grown and evolved, the need for better capabilities has naturally emerged. This has required a change from a purely community based force towards the development of a paramilitary capability. Following a study by a senior MNF officer in February 2004, the responsibility for training, equipping and mentoring the Iraqi police moved from the CPA to MNF-I. Although this gave IPS development a military lead, the policy lead has stayed with the Iraqi Ministry of Interior.

It is ultimately for the Iraqi Government to decide whether paramilitary capability should rest with the police or the army. The need to have an effective counter-insurgency capability does not remove the need for a community-based policing function.

### Iraqi National Intelligence Service

**24. We accept that there was good reason for the Coalition not to retain the intelligence apparatus, which Saddam Hussein used to terrorise Iraq's citizens. At the same time, we acknowledge that developing indigenous Iraqi intelligence capabilities is necessary for the Iraqi Security Forces to engage the insurgency. We call on MoD to provide assistance to the Iraqi Transitional Government and National Assembly so that the need for intelligence is balanced with the need to maintain judicial and political oversight of all intelligence activities. (Paragraph 177)**

MOD is currently providing assistance to the Iraqi Ministry of Defence by training and mentoring intelligence analysts and senior personnel working within the defence intelligence area. The intelligence assessments that are produced by these analysts are intended to be used to inform Iraqi Ministers, and to plan intelligence-led operations. MND(SE) also share intelligence assessments with the Iraqi Security Forces as part of their partnership arrangements. Our objective is to help the Iraqis develop an intelligence capability that is not only effective but also accountable; operating within the law and with respect for human rights. The support we provide is shaped accordingly. Ultimately, however, it is for the Iraqis to decide what kind of intelligence structures they wish to have.

### Iraqi Army

**25. The Iraqi Army is a central element of the Iraqi Security Forces both at the present time and in the future. We note that time has been lost in establishing the Iraqi Army and that changes in policy have slowed down its full establishment. It will be important to ensure that the future development of the Iraqi Army, including its prospective merger with the Iraqi National Guard, does not compromise its operational effectiveness or organisational coherence. (Paragraph 183)**

The development of the Iraqi Army remains on track, with the smooth transition of the Iraqi National Guard into the Iraqi Army structure taking place early this year. The Coalition is steadily delivering increasing numbers of operationally capable Iraqi military personnel. At the beginning of July 2005, there are approximately 70,000 trained and equipped personnel in the Iraqi Army, with additional numbers in Special Forces and support units. A few leading units are capable of conducting independent counter-insurgency operations. An example of this is the ongoing Operation Al Barq (Lightning) to establish security in Baghdad, which is being jointly conducted by Iraqi Police and Army units, and has resulted in the capture of many insurgents, the discovery of arms caches, and the interdiction of vehicle-borne improvised explosive devices.

We fully expect this progress to continue, with the Iraqi military increasingly taking the lead for operations, or supporting operations led by the Iraqi police, and the Iraqi Ministry of Defence playing an every greater role in the planning. Obviously, establishing the command and control structures, logistics and support structures for the Iraqi Army will take some time.

## Judicial Reform

**26. Reforming the Iraqi judicial system is key to the country's post-Saddam transition. We welcome MoD's assurance that progress is being made. It is moreover essential that Iraqi Security Forces act within the parameters of the judicial process and it is incumbent upon MNF-I to do what they can to ensure that they do. (Paragraph 190)**

The lead Government Department providing assistance to the Iraqi Justice sector is the Department for International Development (DFID). DFID is providing over £2 million to support training for judges, prosecutors and lawyers to support the rehabilitation of Iraq's judicial system, to increase independence, professionalism and respect for human rights.

To date, 267 judges, prosecutors, lawyers and justice department officials have been trained in International Human Rights Law with a focus on fair trial and due process. Iraqi trainers have been trained in International Human Rights Laws and adult education techniques, and have in turn been able to train Iraqi lawyers in International Human Rights Law with support from the Iraqi Bar Council in Iraq.

As well as training Iraqi Security Forces on international human rights as part of their basic training, we also provide more specific training and advice where appropriate. For example, senior UK prison and police officers in Basra regularly visit police and prison detention facilities and monitor whether detainees are being legally held and that custody time limits are observed. In addition, there are plans in Basra to introduce specialised training for custody officers, focussing on how to process and look after detainees.

## Militias

**27. Paramilitary militias continue to exercise considerable power in Iraq. We understand the need to prioritise MNF-I's limited forces in the counter-insurgency campaign and we realise that some militias made a contribution to the stabilisation of the country. But militias exist to protect particular sectional interests and we believe that until all Iraq's militias are disbanded, questions will continue to hang over the Iraqi Security Forces' authority. We welcome MoD's assurance that MNF-I will be willing to assist the Iraqi Government in dismantling the militias if circumstances should so require. (Paragraph 195)**

We note the Committee's comments.

## Disarmament and Small Arms

**28. Understandably, small arms were low on the list of Coalition priorities, which, in the initial stages, were focused on finding weapons of mass destruction and securing heavier conventional weapons. But the well-armed insurgency, which subsequently emerged, suggests that focusing on small arms could have been beneficial in the longer-term and that in the medium-term ways must be found to reduce the very large amounts of small arms in circulation. It also appears that more planning and resources should have been devoted by the Coalition to securing Iraq's many arms depots immediately following the invasion. These arms depots have now become a key source**

**of the insurgency's material for Improvised Explosive Devices (IEDs) and heavy weapons. (Paragraph 200)**

Steps were taken following the invasion to secure arms caches. UK armed forces launched operations in April 2003 in Basra and Maysan to secure arms caches though our priority remained maintenance of security.

The keeping of small arms is, however, a very common feature of Iraqi society, and before the invasion the former regime attempted through distribution of weapons to create conditions for insurrection. Any attempt by the coalition to systematically take away small arms from the general Iraqi population would have met with stiff resistance. While some arms depots were raided by Iraqis soon after the invasion, it is unlikely to have made a significant difference to the level of violence.

### **Private security companies**

**29. It is now three years since the Government published its Green Paper on private military companies. We recommend the Government urgently brings forward proposals for the regulation of the overseas activities of private security and military companies. We do not believe that the current reliance on contracts is sufficient. We are well aware of the complexities involved in a licensing regime for individual contracts not least from our experience of the export control regime. We suggest that the FCO should enter into discussions with the Security Industry Authority to find ways in which its offices could be used. Once a mechanism has been established to regulate these companies, Parliament should consider how best it could undertake the necessary oversight. (Paragraph 211)**

The report highlights well known problems surrounding the accountability of private military and security companies operating in Iraq. In part because of these problems, and as a follow up to the Green Paper on Private Military Companies of 2002, the Foreign Secretary initiated a review of options for regulation of private military and security companies last autumn. This review has now been completed and its recommendations will be considered by Ministers.

### **Civil-Military issues**

**30. Non-governmental organisations, the private sector, international organisations, all have a crucial role to play in addressing matters of governance, justice and reconciliation, and economic and social needs in Peace Support Operations. (Paragraph 215)**

We note the Committee's comments.

**31. In MND (SE), British forces have carried out their reconstruction-related tasks admirably. But we remain concerned about the support offered by other departments. (Paragraph 220)**

We welcome the Committee's positive comments on the achievements of the British Armed Forces in MND(SE). UK Forces have committed around £30 million through Quick Impact Projects. Examples include assistance with road resurfacing tasks, completion of over 300 projects in education, and improvements to water and power supply.

Other Government Departments, in particular the Department for International Development (DFID), have made substantial contributions towards reconstruction in Iraq. The UK Government has pledged a total of £544 million for reconstruction in Iraq from 2003 until 2006. Of this, DFID has committed over £391 million for humanitarian and reconstruction assistance in Iraq since the conflict in 2003, and disbursed over £268 million.

As well as their reconstruction efforts elsewhere in Iraq, DFID have undertaken, and continue to undertake several projects in the South. These include £30 million worth of infrastructure projects during 2003 and 2004, and £16.5 million towards employment generation projects. Recently, DFID have launched a new £40 million power infrastructure rehabilitation project, and contributed \$40 million to a point power electricity generating scheme in MND(SE) in close coordination with the UK military.

Of course, the security situation restricts the freedom of movement of DFID and FCO personnel. However, an increasingly close working relationship in-theatre (there are, for example, DFID personnel working in the UK military headquarters) as well as in Whitehall, has meant that we are able to make real progress with reconstruction tasks.

**32. We are pleased to hear of the improved cooperation between DFID and MoD since the publication of our Lessons of Iraq Report in March 2004. In this light, we welcome DFID's participation in planning and command exercises. Once the Government has made a commitment to post-conflict stabilisation, as it has in Iraq, that commitment will only be effectively delivered through the planned and coordinated effort of all the relevant government departments. (Paragraph 227)**

We agree with the Committee that good planning and coordination between Government Departments is a vital part of delivering an effective contribution towards post-conflict stabilisation. As the report acknowledges, there has been a lot of work across government to further improve our capacity to deal with post-conflict situations—in particular, establishing the Post-Conflict Reconstruction Unit.

**33. New ways of describing military activity in the transition from war-fighting to Peace Support Operations, i.e. the “three-block war”, illustrate how the Armed Forces are presented with a more complex range of tasks than previously; they require the military to work more closely with NGOs and other non-military actors to fulfil their objectives. This, in turn, requires a level of mutual understanding, which has not always been present. We hope Operation Telic has provided a degree of mutual insight as well as an opportunity to improve cooperation between British forces and key NGOs. (Paragraph 231)**

While Operation TELIC has provided the opportunity to learn a number of lessons relating to the post-conflict operations, not least improved coordination between MOD and DFID, the security situation in Iraq has meant that there are few NGOs working in

theatre. The relationship between the military and NGOs has therefore not been a key feature of the operation. However, the MOD has supported DFID in helping to build links between donors' organisations and the Provincial Reconstruction Committees which guide the reconstruction effort in the four provinces of MND (SE).

## Broadening the Coalition

**34. We strongly urge the United Nations to expand its presence in Iraq especially in the southern governorates, and engage actively in the reconstruction effort. (Paragraph 235)**

The UN have an important role to play assisting the Iraqi people in the political transition, advising on the constitution and with the reconstruction and economic development of Iraq. The UN played a key role in making the January elections a success, working closely with the Independent Electoral Commission of Iraq (IECI). The UN has opened an Office of Constitutional Support, headed by Nicholas "Fink" Haysom (a South African), and is already engaged with the Iraqi Constitutional Committee at the invitation of the Transitional National Assembly. The United Nations Assistance Mission for Iraq (UNAMI) currently has 49 staff members in Baghdad with 150 Fijian guards, plus a small number of staff members in Basra and Irbil. The UK continues to urge the UN to expand its presence in Iraq and we are working closely with them in Basra in particular.

**35. We welcome the Government's support for NATO's technical assistance programmes in Iraq. We remain concerned by the slow manning of NATO's mission and the fact that the majority of assistance provided by NATO takes place outside Iraq. We urge the Government to lobby for an expansion of NATO's programmes in-theatre. We are also concerned that the countries contributing to MNF-I may be tempted to 'switch' their support to the NATO mission and thereby deprive the MNF-I of front-line capabilities before the Iraqi Security Forces are ready for the increased responsibilities. We also urge the Government to examine the scope for offering the prospect of Partnership-for-Peace-like arrangements to Iraq. (Paragraph 241)**

In addition to existing Multinational Force (MNF) efforts to train the Iraqi Security Forces (ISF), the UK supports the expansion of the NATO Training Mission in Iraq (NTM-I). The majority of out of country assistance by NATO Allies is done on a bilateral, rather than NATO basis. NATO itself undertakes some training at its training facilities in Europe (Oberammergau, Stavanger and Rome) but so far only a small number of officers have been trained there. The main NATO effort remains Baghdad, where NTM-I currently has 119 personnel who have trained nearly 400 Iraqi officers in the joint operations centres. The UK welcomes Allied agreement to expand this effort later this year to create a Training Education and Doctrine Centre (TEDC) that will provide a centre of excellence for the Iraqi officer corps. The NATO Secretary General intends for NATO to train approximately 1000 Iraqi officers each year at the TEDC. NTM-I has an important role to play in training and we welcome all contributions to the mission.

While some states have refocused their effort through the NATO training mission (notably Hungary and Portugal), there are still 27 states in the MNF including Bosnia which has recently deployed troops. The UK continues to encourage our allies to maintain their forces in Iraq until the ISF are fully capable of taking over security.

On Partnership for Peace, there has been some informal discussion on whether Iraq could usefully be invited to join NATO's Istanbul Co-operation Initiative (ICI). Current members include Kuwait, Bahrain and Qatar. Our own concerns are that while politically valuable, such an invitation may be premature and may place additional bureaucratic burden on Iraq's Defence Ministry while delivering little more than NATO is already offering through NTM-I. There is unlikely to be consensus at this stage, but we shall continue to keep the idea under review.

**36. We urge the Government and our NATO allies to give early consideration as to how NATO might be able to assist a democratic Iraq to play some role in a regional security arrangement. (Paragraph 242)**

Under Article 59 of the Transitional Administrative Law (TAL) the Iraqi Transitional Government (ITG) has the power to conclude international agreements. Any decision to negotiate a regional security agreement would clearly be a matter for Iraq. The Iraqi Defence Minister has just announced the signing of a Memorandum of Understanding with the Iranian MOD to provide for improved security on the Iran-Iraq border.

**37. We welcome the increased involvement by the EU in the non-financial aspects of Iraq's reconstruction, including the deployment of a mission to train Iraqi judicial, police and prison personnel. We note, however, that this training is to take place primarily outside Iraq and we urge the Government to lobby for an expansion of the EU's programmes in-theatre as soon as possible. (Paragraph 246)**

The EU is currently undertaking a single, clearly defined twelve month, cross sectoral rule of law training mission. The concept of operations for the programme acknowledges that it would be preferable to undertake training inside Iraq, but rules out the possibility given the current security environment. Unless there is a significant reduction in the levels of violence the EU is unlikely to undertake in-theatre training.

## Future Commitment to Iraq

**38. Until such time as the private sector is confident that the necessary security can be provided by the Iraqi Security Forces, British troops are likely to be invited by the Iraqi Government to stay in Iraq. This may be a substantial period of time. (Paragraph 254)**

We agree that British troops are likely to be invited by the Iraqi Government to stay in Iraq until they are confident that Iraqi Security Forces can provide the necessary security. We believe, however, that this judgement will be based on the Iraqi Government's assessment of the threats facing them, and the capabilities of their security forces to deal with these threats, rather than the attitude of private companies and investors.

**39. In light of the state of the insurgency and the condition of the Iraqi Security Forces, and subject to the continuing agreement of the Iraqi Government, it seems likely that British forces will be present in Iraq in broadly similar numbers to the current deployment into 2006. We support this commitment and believe that calls for a withdrawal of British forces are premature. Experience has taught us that, if nation-building exercises, such as that in Iraq, are to succeed, they must have a serious commitment of time, energy, financial resources and political resolve. (Paragraph 255)**

We welcome the Committee's support for our commitment in Iraq to continue until the job is done. We will remain in Iraq for as long as the Iraqi Government judge that our forces are required to provide security and assist in the development of the Iraqi Security Forces. Progress towards withdrawal will depend on achieving certain conditions, as the Iraqi Security Forces become more and more able to take on the full range of security tasks, not on reaching certain dates.

**40. We welcome the Government's announcement that the lump sum benefits under the existing Armed Forces pension scheme are to be at least doubled. We also welcome the announcement in the Budget that compensation payments for injured serving personnel will not be taxed in future. We regret, however, that these changes are effective only from 6 April 2005. We urge MoD to consider making them retrospective to the start of combat operations in Iraq. (Paragraph 257)**

The Government does not introduce pension and compensation improvements retrospectively. It would be inequitable to draw the line at any particular conflict or point in history. Therefore, the new pension and compensation arrangements will only apply to injuries and deaths from 6 April 2005.

## Whitehall Issues

**41. The first step to achieve a systematic and multifaceted post-conflict planning process will be for MoD to conduct and publish a comprehensive study on all the lessons of the post-conflict period in Operation Telic. Such a report should cover the post-conflict challenges faced not only by British forces, but also by British civilian organisations that have operated in Iraq alongside the military. In particular it should examine relationships with other Coalition partners, including the United States, and what lessons can be learned for future Coalition operations. Without a clear baseline of the problems encountered, it is near-impossible to correct failures. (Paragraph 260)**

The MOD does conduct a rigorous and comprehensive internal lessons learnt process on all operations. The Directorate of Operational Capability (DOC) produced a report (Operation TELIC Lessons Study Volume 2) which covered the post-conflict period from 1 August 2003 to 30 November 2004. This report was endorsed by the Chiefs of Staff committee earlier this year and included dedicated sections on Coalition Relationships with a focus on the UK/US relationship, as well as post-conflict reconstruction including our relationship with DFID. DOC are also about to embark on a third volume (to report in the Autumn) in which relationships with coalition partners within MND(SE) will be addressed.

Conclusions and analysis are shared with other government departments as appropriate, and will be made public as appropriate.

**42. MoD's own analysis of the international security environment 'Delivering Security in a Changing World' envisages that the UK will be regularly engaged in stabilisation and post-conflict efforts for the foreseeable future. Successfully meeting this challenge will require effective planning and preparations well in advance of the outbreak of hostilities. The establishment of the Post-Conflict Reconstruction Unit (PCRU) should contribute significantly to the creation of capabilities to do this. But the PCRU faces a**

**number of challenges in establishing itself. We are concerned that it may not achieve its initial operating capability by the target date of Spring 2005. (Paragraph 270)**

The Post-Conflict Reconstruction Unit achieved its Initial Operating Capability, on schedule, this spring. It is now working hard to build up full capacity, in order to contribute successfully to the significant stabilisation challenges faced in post conflict environments. The unit is on target to reach full capability in spring 2006.

**43. If the Government manages to establish a cross-departmental capacity to coordinate the UK's post-conflict activities, then the House of Commons will need to consider how best to provide oversight of this work. This is likely to include the Defence, Foreign Affairs and International Development Committees. (Paragraph 271)**

We note the Committee's comments, and would respond appropriately to any new arrangements put in place to provide appropriate parliamentary oversight of the UK's post-conflict activities.