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“Liberation” and “Conflict Termination”

March 6, 2003

Overview

Purpose, Summary and Recommendation

Purpose:

- Establish criteria to guide and inform decisions to declare "*Liberation*" and "*Conflict Termination*" in Iraq.

Bottom Line:

- *Liberation* refers to particular Iraqi territories, and
- *Conflict termination* refers to Iraq as a whole.

Declaring "liberation" of coalition-controlled areas of Iraq prior to conflict termination may help set the stage for post-conflict cooperation.

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Background

Strategic Goals and Objectives

US Objectives in Iraq: (Strategic Aims = "Winning the Peace")

- **Free Iraq in order to:**
 - Eliminate Iraqi WMD, means of delivery and associated programs.
 - Cut Iraqi links to and sponsorship of international terrorism.
 - End Iraqi threats to neighbors.
 - Maintain Iraq's unity and territorial integrity.
 - Liberate Iraqi people from tyranny and assist in creating society based on moderation, pluralism, and democratic institutions.

"Goals, Objectives, Strategy"
NSC Paper on Iraq
29 Aug 02

Coalition Military Objectives in Iraq: (War Aims = "Winning the War")



- Destroy Iraqi WMD capability and infrastructure.
- Destroy terrorist networks in Iraq. Gather intelligence on global terrorism, detain terrorists and war criminals, and free individuals unjustly detained under the Iraqi regime.
- Protect allies and supporters from Iraqi threats and attacks.
- Destabilize, isolate, and overthrow Iraqi regime and provide support to new broad-based government.
- Support international efforts to set conditions for long-term stability in Iraq and the region.

Planning Order
"Iraq"
9 Jul 02

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Differentiation between Liberation and Conflict Termination Stages of Success

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- Regime loses control and coalition gains control of geographical region (e.g. Iraqi Province).  ***Declare "Liberation" of local area or Province***
- All organized armed resistance ends across the country.  ***Institute "Conflict Termination"***
- Stabilize and initiate recovery.
 - * Operate against pockets of resistance.
- Transition to civilian authority.



Achieve Strategic Objectives

Criteria for Declaring Liberation

- **General criteria** - *local replacement of old authority with new authority*
 - a) local populace no longer has allegiance to current regime
 - b) regime can no longer control events in the region
 - c) regional institutions look to coalition as civil authority
- **Specific criteria for local area** -
 - ***Ba'athist regime no longer in control***
 - Regional regime leaders captured, dead, or isolated from means of control
 - Internal Security organizations neutralized
 - Fleeing elements controlled or destroyed
 - ***Organized Iraqi military resistance eliminated***
 - Iraqi military in region defeated and/or under coalition military control
 - ***Pro-Regime forces' ability to employ locally-based WMD neutralized***
 - ***With Iraqi help, coalition stewardship of regional revenue resources and economic activity***
 - Energy infrastructure being secured
 - Economic activity resuming

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Criteria for Declaring Conflict Termination

- **General criterion** - replacement, throughout entire country, of old Regime with new national authority compatible with "Strategic Objectives" and "War Aims." More specifically:
 - all areas of Iraq liberated.
 - institutions of government no longer look to old regime for direction.
 - government authorities look to new national authority for direction.
- US-led coalition can declare conflict termination at a time and in a manner of its own choosing.

Significance of Conflict Termination

- The legal instruments documenting the end of active hostilities have significant bearing on any occupation of Iraq.
- Negotiated Suspension of Active Hostilities: e.g., cease-fires, truces, armistice – do not end the war, but rather suspend active hostilities.
 - Usually include matters like: when it begins, prohibited acts, status of prisoners, relations with civilian population, establishment of consultative organs, etc. Occupation may be ongoing before and during the operation of such an instrument.
 - Differences among examples are comprehensiveness, duration (cease-fire/least, armistice/most).
 - Implications: state of war still exists; occupation continues; EPWs may continue to be held; premature cease fire exposes Coalition forces; premature declaration may create international pressure to exit prior to attaining strategic objectives

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Significance of Conflict Termination cont'd

- **Peace Treaty** -- the "final" document. Represents the legal termination of a war. Could be by treaty or other international agreement.
 - Implications: state of peace established (e.g., normal rights and duties between nations resume, diplomatic relations resume); EPWs repatriated; occupation ends, but UN presence may remain; diminished ability to influence Iraqi government; increased expectation Coalition forces will exit country