

This paper is
still being reviewed
for sensitivity

RESTRICTED

Doc 3

From:

Date:

8 November 2004

Copies to:

PS

COUNTING IRAQI CASUALTIES

Following the Secretary of State's meeting this morning, I have looked through the Lancet article. My initial thoughts are as follows:

I agree that the statistical methodology appears sound. The authors accept that there is considerable uncertainty over their central estimate of excess deaths, and provide a careful assessment of various possible statistical biases. Their conclusion is that, despite these, the results are sufficiently strong to raise concern and at the very least justify further study.

The method involves taking 33 random samples from the Iraqi population, each comprising 30 households living in the same neighbourhood. Interviews were used to establish how many deaths occurred in each cluster of households in the 17.8 month period after the invasion compared with the 14.6 month period preceding it. Provided the samples are genuinely random, statistically valid inferences can be drawn for the Iraqi population as a whole. Survey techniques of this kind are widely used (e.g. in measuring unemployment in the UK). There are five main types of question worth asking in judging the validity of this particular study:

- Was the sampling genuinely random? The authors have tried hard to achieve this despite sometimes severe constraints on where their survey staff could go. One reason for dropping the Falluja sampling point from the calculations behind the headline estimate was that the authors could not be sure the cluster of households in the Falluja district was selected in a genuinely random way. Equally, while they sought to reduce the travel and risk faced by interviewers by dropping certain Governorates from the sample, they did so in such a way as to ensure the overall sample was not biased.
- Was the information provided by interviewees accurate? The paper discusses the possibility of "recall" bias – i.e. that deaths before the invasion were not remembered as accurately as those after. However, they argue – pretty convincingly – that deaths are unlikely to be forgotten. Another possibility is that families might exaggerate the number of deaths since the invasion because of hostility to the coalition/interim government. Death certificates were only sought in 78 out of 988 households. In these cases there was a high rate of confirmation (63 out of 78, with plausible explanations in all cases where

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certificates could not be produced). However, it is possible that this gives a biased picture of accuracy if interviewers tended to ask for certificates mainly when the information they had received was most plausible and hence the risk of causing offence minimised.

- How accurate were the inferences made about the broader population? One possibility is that the size of households was under-estimated (because respondents wished to protect members who were insurgents) in which case the scaling up would have over-estimated the total number of deaths. However, the authors argue that the bias may just as likely go the other way as families might seek to justify higher ration distributions by overestimating household size. Another possibility is that the sampling strategy might have missed various categories of people – homeless, soldiers etc. This seems likely to have been more of an issue. But the bias introduced – particularly vis-à-vis soldiers – could be to underestimate the figure for excess deaths.
- Even if the estimates of excess deaths are sound, can the same be said of the breakdown between different causes of death, and in particular the extent to which additional deaths were caused by air attacks from coalition forces? The scaled up estimates of deaths from particular causes will be more uncertain than the estimates of excess deaths in total, simply because the samples are smaller still. It is also possible that interviewees might exaggerate the proportion of deaths caused by coalition action vis-à-vis other causes not directly linked to the activities of coalition forces.
- If the methodology is sound, how can one reconcile the 98,000 death estimate with other data. In particular (a) the much lower casualty estimates based on press reports; and (b) the lack of anecdotal evidence of much larger numbers of injured attending Iraqi hospitals. The divergence with estimates based on press reports might be explained through the passive nature of press reporting and the partial territorial coverage of journalists. However, it would seem much harder to explain the mismatch between the estimated number of deaths and the anecdotal evidence on injuries. Assuming a ratio of four injured for every death (as reflected in the Iraqi MOH figures from hospital admissions) would suggest 400,00 injuries (although given the variability in death/injury ratios with different conflict circumstances some caution needs to be exercised here too).

Conclusions

Overall, it is perhaps not surprising that the methodology appears sound, since the Lancet's pre-publication reviewing process should have revealed significant methodological weaknesses.

The authors describe a series of possible biases in both directions, but none of these (or others noted above) seems at first sight so striking as to invalidate the overall findings. The hardest discrepancy to explain is the lack of anecdotal evidence of injured people in proportion to a 98,000 central estimate for deaths.

In commenting on the study we should certainly continue to emphasise the considerable uncertainty around the central estimate (reflecting the small sample

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size),¹ as well as the lack of corroborating evidence - particularly evidence of injured in the numbers one might expect. We could also highlight some of the factors which might bias the study towards an over-estimate of deaths. However, there are as many reasons why the study might be biased in the other direction (so probably safer not to go down this road).

There are various ways to try and check the validity of the estimates using data from other sources (hospital reports, casualty figures reported by soldiers and police, reports of funerals etc) and trying to refine it to remove biases. It might also be possible, as Gerard Russell has suggested, to try and validate the study's pre-invasion estimate of mortality by checking it against unpublished MOH health figures. But there is (a) no certainty at this stage that this kind of work would invalidate the Lancet findings, or (b) any guarantee that if it does produce a different answer, that the rejection of the Lancet findings would be conclusive. In the absence of a detailed census (impossible in the current security environment), the best way of narrowing down the uncertainty in the Lancet article is likely to be to conduct a similar survey with a significantly larger sample.

¹ While at the same time avoiding belittling the efforts of the interviewers who faced considerable obstacles and risk.

FW: Lancet Report

Joc 6

Ad: [redacted]

From: [redacted]
Sent: Thursday, November 04, 2004 10:59 AM
To: [redacted]
Subject: FW: Lancet Report

Further background to your Directorate's work.

K

-----Original Message-----

From: [redacted]mailto:[redacted]
Sent: 04 November 2004 10:55
To: [redacted]
Cc: [redacted]
Subject: FW: Lancet Report

Hi [redacted] you might want to pass this to your press ppl, also relevant for whatever response the FCS puts to the House on the Lancet report.

Give me a ring if you want to discuss

p.s. Pls pass on my thanks for the very high standard of FCO PMQs briefing this week.

-----Original Message-----

From: [redacted]
Sent: 04 November 2004 10:25
To: [redacted]
Cc: [redacted]
Subject: Lancet Report

[redacted] to be aware

JS said something slightly different to what the PM said on the Lancet Report - PM was emphatic that we do not accept Lancet figures, JS said we are still looking into it.

The Prime Minister: In respect of the first part of my hon. Friend's question, I agree entirely with him. In respect of the second part, we do not accept the figures released by The Lancet last week at all. The Iraqi Ministry of Health has put out figures for the six months up to October, which suggest just over 3,000 deaths, but that includes people who are either terrorists or insurgents and those who have been the victims of terrorist attack. We do everything we possibly can to limit civilian casualties, but when our troops and Iraqi forces come under fire, they have to return fire. The way to stop all civilian casualties in Iraq is for insurgents and terrorists to lay down their weapons, allow the elections to go ahead in January and allow Iraq to become a stable democracy. (PM, PMQS - Hansard - 03/11/04)

Straw on Today

JH: Right let's talk very briefly we haven't got very long left I'm afraid, about Iraq. The last time we spoke to you was the day after we'd had the report from, that had been published in The Lancet about a hundred thousand civilian deaths. You said you took it seriously because it was in The Lancet but you

04/11/2004

... if you do, do you accept that that's pretty appalling?

JS: (Indistinct) I mean yes I have, I have been looking in to it, our people are still looking in to epidemiologists and statisticians. I haven't in fact got any briefing on that this morning. We will continue to examine the methodology which was used and as, as you'll know what The Lancet is saying is not that these are the number of direct casualties but what they have predicted from a number of surveys ...

JH: They died of violence yes ...

JS: ... it's, it's, no ...

JH: ... at the hands of the occupying forces.

JS: ... no, no sorry I don't think that's, that is the case although I've not got The Lancet in front of me ...

JH: Well I do, I do actually have the words in front of me at the present time ...

JS: ... okay, well I, I what my understanding ...

JH: ... violence accounted for most of the excess deaths and air strikes from coalition forces accounted for most of the violent deaths.

JS: ... my, my understanding was that it was, that what they were seeking to do was to extrapolate a general increase in death rates for which ...

JH: Indeed there was an extrapolation, it was an accepted academic exercise as you'll appreciate

JS: ... and violence was one of the major contributory factors to that ...

JH: Indeed the major, yes ...

JS: ... but not the only but just to go back to the point no we've not yet finished our examination that. As soon as we do I'll obviously make it available to Parliament.

04/11/2004

Doc 11
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From: [REDACTED]
IPU
Date: 04 November 2004
cc: [Click here to see copy addressee\(s\) and
originator's contact details](#)

To:	Private Secretary

CIVILIAN CASUALTIES IN IRAQ: LETTER TO GEOFF HOON

ISSUE

1. What to say about civilian casualties in Iraq.

RECOMMENDATION

2. That the Foreign Secretary write to Geoff Hoon explaining why MOD should be in the lead on this issue; and that Ministers note the attached lines to take. *J.P.S. from sect 30*

DETAIL

3. I attach a draft reply to Geoff Hoon's letter to the Foreign Secretary of yesterday (A), which argued that the FCO rather than the MOD should lead in Whitehall on casualty figures in Iraq. It explains that MPs are looking to the MOD for this information, that our troops on the ground are better positioned than diplomats to provide it, and that this is a requirement of open government which the MOD will inevitably need to address in the future.
4. As the letter also acknowledges, the FCO will need to help the MOD formulate its lines to take with the press and Parliament, and the Foreign Secretary will be asked about the issue whoever it is that formally leads. We will need to work together to have a line for the Foreign Secretary to take at TOPS next Tuesday. *Policy formulation sect 35*
5. In particular, we have undertaken (Foreign Secretary's interview this morning – transcript at B) to present to Parliament an assessment of the Lancet report claiming 100,000 extra civilian deaths since the invasion of Iraq. One option for this is that we rely on assessments from the Iraqi Ministry of Health; another is that we draw on the help of MOD experts. We have already had the views of the MOD chief scientific adviser, at C.

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It is not a promising start. We are awaiting a report from the Iraqi Ministry of Health setting out their assessment of civilian casualties: we believe this will be a better line of response. We will submit further on Monday. In the meantime however we should seek further assessments from MOD experts. No10 is separately seeking advice from the Department of Health.

6. In the meantime we propose Ministers should use the following lines:

- It is genuinely difficult to estimate civilian casualties in Iraq. We know who our own casualties are because we recover them. We do not have the same level of knowledge regarding Iraqis.
- While we do all we can to avoid civilian casualties, they can be caught in airstrikes or in crossfire. Terrorists display no such concern for loss of civilian life. In many cases we are not on the scene; when we are, we cannot be certain of the numbers involved nor whether they are civilians or insurgents.

Instead we rely on the Iraqi government to have this information. The Iraqi Minister of Health made the following statement on 1 November:

"The Ministry of Health has been collecting information on civilian casualties based on hospital admissions for the last six months. Every hospital reports daily the number of civilians (which may include insurgents) who have been killed or injured in terrorist incidents or as a result of military action. All casualties are likely to be taken to hospital in these circumstances except for some insurgents (who may fear arrest) and those with minor injuries.

The figures show that between 5 April and 5 October 2004, 3853 civilians were killed and 15,517 were injured. I am satisfied that this information is the most reliable available.

This contradicts the claim that more than 100,000 civilians have been killed by military and terrorist action since the war. The claim was based on article published in the Lancet on 29 October."

7. On the Lancet article, besides the comment of the Iraqi Minister of Health, we can add:

- This was an estimate of total deaths in Iraq, not deaths of civilians. The authors acknowledge "many of the Iraqis reportedly killed by US forces [in their survey] could have been combatants". The greatest increase they report in deaths was among

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15-59 year old men, while for instance among the elderly in their survey there was a much more limited increase in deaths.

- The scientists responsible have themselves said that the data they based their projections on was of "*limited precision*". They were based on extrapolating from an increase of 61 deaths in the households surveyed, across the whole of Iraq. These included deaths from heart attack and road accidents.
- However there is an immense discrepancy between the 'Lancet' article statistics and the figures produced by Iraqi hospitals and compiled by the Iraqi government. Likewise the Lancet figures differ greatly from those produced by NGOs (Iraq Bodycount - hardly a pro-war organisation - estimates between fourteen thousand two hundred to sixteen thousand three hundred and fifty two Iraqi civilian casualties caused by the war, including victims of terrorist action).

- We will set out our view on the article in detail and lay it before Parliament.

8. We should be careful about the Iraq Bodycount estimate - this is of civilian casualties of violence, whereas the Lancet figure is for all casualties (so the discrepancy, though still large, is not as great as it first seems).

IPU

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Doc 121

D/CSA/11/6 (388/04)

29 October 2004

D News

Copy to:

APS/Secretary of State

PS/PUS

PSO/CDS

DG Op Pol

IRAQI CIVILIAN DEATHS: LANCET ARTICLE

1. Further to your discussion with CSA this morning, Professor Anderson has quickly reviewed the recent Lancet article on Iraqi civilian deaths.
2. CSA has concluded that the design of the study is robust, the methodology section is (unusually for the Lancet) long and detailed and that good quality statistical advice has been sought and applied in the presented analysis. He therefore believes that the paper is a sensible one, except perhaps for some of the language in the final paragraph, and that the results are probably as robust as one could have achieved in the very difficult circumstances. He therefore recommends that we should proceed with caution in publicly criticising the paper.
3. He would, however, add three caveats. First, the extrapolation from a very small sample size to the whole of Iraq is a weakness, especially given the rather small sample size (a total of 58 excess deaths) on which part of the extrapolation is based. Second, there are weaknesses in the way that deaths have been recorded. Attempts to get families to provide death certificates as evidence of death often met with a hostile response, so sub-sampling was adopted, further reducing the net sample of "confirmed" deaths. This means that in many cases the only evidence of a death having occurred, and of the cause of death, was the verbal information provided from (not necessarily disinterested) family members. And finally, as the penultimate paragraph of the paper notes, there were excess of deaths amongst males, possibly indicating that some of those who died were combatants rather than civilians.

[original signed]

S: consult MOD

PS/CSA

Level 5 Zone G Main Building 86588WH

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Doc 24

1450 1 01 2

From: [REDACTED]
Sent: 10 November 2004 18:29
To: [REDACTED]
Subject: FW: Iraq Civilian casualties

Interesting and useful, a bit more forward from [REDACTED] than his letter I think.

-----Original Message-----

From: [REDACTED]
Sent: 10 November 2004 18:23
To: [REDACTED]
Subject: RE: Iraq Civilian casualties

Thanks - very helpful. I agree - the extrapolation is based on the increase in mortality generally, not on the 61 deaths reportedly caused by coalition forces (of which, as you say, one may have been a combatant, two were mistakes, and the remaining 58 were from aerial weaponry). So I'd propose to say:

The estimate of deaths is based on an extrapolation from an increase of 33 deaths (excluding the data from Fallujah, as the *Lancet* researchers did) among the over 7,000 people in the households surveyed across the whole of Iraq.

-----Original Message-----

From: [REDACTED] [mailto:[REDACTED]@mod.uk]
Sent: 10 November 2004 18:10
To: [REDACTED] [mailto:[REDACTED]@fco.gov.uk]
Subject: Iraq Civilian casualties

[REDACTED] We spoke with regard to the figure of 58 in my note to Pam Teare of 29 October.

This figure (which is mentioned half way down the second column on page 7 of the report) refers to the number of killings of civilians directly attributed to coalition action by those from whom evidence was taken. Arguably, two of three cases attributed to servicemen on the ground might also be included in this number, giving a total of 60.

In fact, the extrapolation to determine the total number of excess deaths (the oft quoted 98,000 figure) is based on the following data:

Number of deaths identified post conflict - 142 per 138439 person-months

Number of deaths identified pre conflict - 46 per 110538 person-months, or 57.6 per 138439 person-months

Excluding Falluja (53 of the post-conflict deaths and expected to be 1.4 pre-conflict), this gives a total number of recorded excess deaths over the study period in the 33 cluster areas of $(142-53) - (57.6 - 1.4) = 33$.

As the CSA made clear in his note, this extrapolation from a very small number of cluster samples to the whole country is the key weakness of the paper, resulting in the very wide error bars (8,000 to 194,000) around the oft quoted 98,000 figure. This uncertainty was to CSA's mind not adequately exposed in the *Lancet* article and has largely been omitted from subsequent press reporting.

08/02/2005

Please let me know if you need anything more.

PS/ [REDACTED]
0207 2186588

08/02/2005

Doc 26 All sect 35

From: [REDACTED]
Sent: 09 November 2004 18:49
To: [REDACTED] * Baghdad -Conf
Subject: FW: Foreign Secretary's draft statement on civilian casualties

You've been out of the loop rather - sorry. Another e-mail you should see. My bull-points are at end.

-----Original Message-----

From: [REDACTED]
Sent: 09 November 2004 14:29
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Foreign Secretary's draft statement on civilian casualties

I'm still very worried about where we may be heading. Obviously if the estimate of 100,000 is wrong, we must make that clear. But for every flaw identified, there is a testament to the study's sound method. The Economist last week quoted Scott Zeger, head of the department of biostatistics at Johns Hopkins that clustered sampling is the rule in public health studies. Death by epidemic also varies by location. If this is how these people usually calculate the effects of epidemics, we need to be very careful about criticising it, especially as we have made no attempt of our own to make an estimate - a very major weakness. And I still suspect someone somewhere either has a rough estimate, or the means to pull one together from different pieces of evidence and reporting. If it one day emerges, under FAC questioning for example, that someone in the Mod or FCO though the number were higher than we've acknowledged, we will deservedly face public criticism.

This study says 60% of the extra deaths are due to violence, the rest by accidents, disease etc. That's 60,000 - still way out of line. But, as far as I can make out from its appalling prose, there is no attempt to apportion deaths by coalition violence and deaths from terrorism, and deaths by criminal violence of a less spectacular kind. Even if the breakdown is in truth 50-50 between deaths by coalition forces and deaths by insurgents, that means the headline figure that the media is interested in is 30,000. That's high but not incredible.

On the point about the 8-194,000 range, I share Gerard's uneasiness about this, because as I understand it the top end is as likely to be true as the bottom, according to the study (it's a symmetric graph with a hump in the middle - is that right?). But the FS is right that this detracts from the authority of the figure that has taken hold, 100,000. It does make this look like, in the end, for all the numbers and verbiage, this is straight from the department of guesswork.

None of this is very constructive. Could our argument be:

- we have made a careful analysis of this study
- serious piece of work but well out of line with all other estimates
- number of possible explanations, including.....[all the factors]
- given the wide range of the study's estimate (8-194) and the obvious difficulty of making estimates (a) amid conflict and (b) where there is such wide disparity between violence in a few places and calm elsewhere, not safe to conclude as high as 100,000.

-----Original Message-----

From: [REDACTED]
Sent: Tuesday, November 09, 2004 1:43 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Foreign Secretary's draft statement on civilian casualties

Thanks for this useful comment (and thanks to Chris for his forwarding the debate Bns Symons took part in, where she spoke rather well I thought). The comparison with Iraq Bodycount is one we should drop, also because it is only giving a figure for civilian casualties whereas this includes, as you say, all deaths. I've amended the lines slightly. We've added too some elements on individual atrocities.

The range from 8,000 to 194,000 isn't I think a good argument against the 98,000 figure because its a range of decreasing probability. ie 8 and 194 k are both equally improbable.

I am puzzled by one thing in the report. It implies a pre-invasion mortality rate of 46 of 7438, so something like 6 in 1000. This seems very low indeed given that this is a 14-month period. But I'm not an expert.

do you want these elements to go to No10 and MOD before you start work, or after? The addressee at MOD should be [redacted]@mod.uk (and perhaps the [redacted] as well).

Gerard

-----Original Message-----

From: [redacted]
Sent: 09 November 2004 13:06
To: [redacted]
Cc: [redacted]
Subject: RE: Foreign Secretary's draft statement on civilian casualties

As I understand it, the Lancet is not claiming that (most probably) 98,000 people have been killed, but that there was this number of excess deaths compared to mortality before the invasion. They include excess infant mortality (eg you don't go to hospital to have your baby because it's dangerous to travel); and deaths from accidents. About 60% of the excess mortality seems to be deaths directly from violence.

If that's the right reading, two things flow:

- the discrepancy with Iraqbodycount is still big, but not as big - Iraqbodycount I guess only counts those directly killed by violence;
- the point on expecting more wounded would need nuancing - we would expect them for the violent incidents, and for accidents, but not for other causes eg higher infant mortality.

One other point - do we have Iraqi Ministry of Health figures for the same period as that covered by the Lancet survey, rather than those for the shorter period which you quote?

-----Original Message-----

From: [redacted]
Sent: 09 November 2004 12:36
To: [redacted]
Cc: [redacted]
Subject: Foreign Secretary's draft statement on civilian casualties

[redacted] tasked me and [redacted] to produce a draft statement for the FS to deliver on civilian casualties. I aim to provide [redacted] with elements by 1330 to work into a statement that can be cleared with No10 and MOD. Grateful any quick initial comments on these elements.

[redacted] request was for it to contain:

- a rehearsal of 1483, reminding the House that the SRC required co-operation with the MNF. On-going violence is caused by terrorists
- an explanation of why it is inherently difficult to effectively count casualties
- an brief analysis (as promised in his Today interview) of the figures in the Lancet article.

Proposed elements below.

- The multinational force is in Iraq at the request of the Iraqi government and the United Nations. Security Council Resolution 1511 authorizes the multinational force "to take all necessary measures to contribute

to the maintenance of security and stability in Iraq". This is essential for the political process and the holding of elections in January and December next year, and so for the long-term future of Iraq.

- Iraq faces violent insurgency aimed at preventing the political process. This has targeted the Iraqi security forces and civil institutions. Most recently, on 6 November two car bombs in Samarra killed at least 33, injuring more than 48. On 30 September at least 34 children were among some 37 people killed when co-ordinated IEDs were detonated near a water treatment plant in Baghdad as people celebrated its re-opening. I am sure we can all recall the 49 Iraqi army trainees who were slain in an ambush in Diyala province on 23 October. These, and other, attacks show how the insurgents and terrorists are targeting those Iraqis working hard to build a better future for their country.
- In the face of these attacks the MNF has a duty to act to repress the insurgency, in coordination with the Iraqi Government. Of course it must do so with a minimum loss of life, especially of civilians. We understand from Prime Minister Allawi for example that as of 8 November, of more than 17,000 structures in Fallujah, fewer than 100 have been damaged by coalition action since 1 September. This despite the fact that the insurgents have shown no compunction in using mosques and other civilian structures as defensive bases.
- The MNF has been mindful of its humanitarian obligations. They are currently providing food and other supplies to civilians in the Fallujah area and are working closely with the Iraqi Ministry of Health to ensure medical supplies.
- I understand from the Ministry of Defence that estimating the number of civilians killed in a military operation poses several difficulties. Soldiers obviously do not fire indiscriminately, but in a combat situation they cannot be expected to record individually every person they wound or kill. They are not always able to tell whether the person survives or not. Civilians can sometimes be caught in airstrikes or in crossfire; and they are killed by terrorists. Our military and Embassy staff are not always on the scene to observe this; nor, when they are, can they be certain of the numbers involved or that they are civilians and not insurgents.
- The article published in the Lancet on [date] was an estimate of total deaths in Iraq, not deaths of civilians. It estimates that the majority of these occurred through violence - from terrorists or the coalition forces. The authors acknowledge "many of the Iraqis reportedly killed by US forces [in their survey] could have been combatants". The greatest increase they report in deaths was among 15-59 year old men, while for instance among the elderly in their survey there was a much more limited increase in deaths.
- Their survey was professionally done, and we have no criticism of its authors as scientists. But they themselves have said that the data they based their projections on was of "limited precision". They were based on extrapolating from an increase of 61 deaths in the households surveyed, across the whole of Iraq. These included deaths from heart attack and road accidents. The authors list reasons why their conclusions might be incorrect. The sampling might not have been genuinely random; the information provided by interviewees might have been inaccurate; the inferences made about the broader population might have been unjustified.
- Our principal reason for doubting the Lancet figures is that they conflict with those produced by the Iraqi Ministry of Health. The Ministry of Health has a procedure for counting Iraqi casualties, which its Minister has described as follows: "Every hospital reports daily the number of civilians (which may include insurgents) who have been killed or injured in terrorist incidents or as a result of military action. All casualties are likely to be taken in hospital in these circumstances except for some insurgents (who may fear arrest) and those with minor injuries. The figures show that between 5 April and 5 October 2004, 3853 civilians were killed and 15,517 were injured. I am satisfied that this information is the most reliable available."
- This figure is obviously at variance with that produced by the Lancet survey. One would expect, if a majority of 100,000 deaths, eg 60,000, had happened through violence that there would be considerably more than this number of wounded - perhaps as many as five times the number - and that this would be reflected in the figures compiled by hospitals. The article does not explain this discrepancy. We see no reason to believe that the Iraqi Ministry of Health figures are widely inaccurate. Hospitals have no interest in reducing the bodycount. We therefore propose to

continue to rely on the Iraqi Ministry of Health for our statistics on Iraqi casualties.

- The article published in the Lancet on 29 October acknowledges that it had encountered no evidence of widespread wrongdoing on the part of individual MNF soldiers on the ground. It suggests that there is an implicit obligation under the Fourth Geneva Convention for the MNF to have a reckoning of the number of civilian casualties it has caused. The basic obligations under international humanitarian law as regards civilian casualties in an armed conflict are those set out in Article 51 of Additional Protocol 1 to the Fourth Geneva Convention, which also reflects customary international law. In particular, indiscriminate attacks are prohibited, and this includes any -

"attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated".

It is, therefore, essential in advance of any particular attack to assess the likely civilian casualties. But there is no obligation, after the event, to make any assessment of either the civilian casualties resulting from the attacks or of the overall civilian casualties of a conflict.

[REDACTED]
[REDACTED] Iraq Policy Unit
Foreign and Commonwealth Office (Room [REDACTED])
Tel: 020 7008 [REDACTED] Fax: 020 7008 4119

Dec 27

From: [REDACTED]
Sent: 09 November 2004 18:39
To: [REDACTED] Baghdad -Conf; [REDACTED] Baghdad -Conf; [REDACTED]
Cc: [REDACTED] * Baghdad -Conf; [REDACTED]
Subject: RE: IMMEDIATE: Iraq/Lancet: Written Statement

I don't think the survey made this assumption at all, it took samples from a whole range of areas. the idea is these average out. They describe their methodology with great care. If it's the same as we use as Govt anywhere at all and we criticise it in this context, we'll be ripped apart. eg what if we use the same methodology for estimating unemployment and base major decisions on it? '

I do think though that Thursday is too early (and the wrong day with PM in US) so we may have more time to think.

-----Original Message-----

From: [REDACTED] Baghdad -UBS
Sent: 09 November 2004 18:32
To: [REDACTED] Baghdad -UBS; [REDACTED]
Cc: [REDACTED] Baghdad -Conf
Subject: RE: IMMEDIATE: Iraq/Lancet: Written Statement
Importance: High

Nothing seen from Duncan yet.

Re the methodology - if i recall rightly, the survey assumed that (except for Fallujah) violent deaths would have occurred uniformly at the same rate across Iraq? ie sleepy Muthanna is treated the same as Anbar? The Sunni Triangle the same as the Kurdish areas? I don't have the article to hand but did the survey allow for this? If not, the methodology would seem to be inadequate.

Also - impartiality of the lead researcher has been called in to question - see my earlier email.

-----Original Message-----

From: [REDACTED]
Sent: Tuesday, November 09, 2004 9:09 PM
To: [REDACTED] Baghdad -UBS; [REDACTED]
Subject: RE: IMMEDIATE: Iraq/Lancet: Written Statement

Thanks. Hope you saw the bullpoints earlier from Duncan? Nic is in charge of the drafting process, but whatever we say about the Lancet has to be consistent with the assessments we've had from Govt scientists, economists etc who have all endorsed its methodology. The methodology too is one widely used - I wouldn't be surprised if there were cases where the Govt itself has used it, so we must be careful.

Also we will be (have been asked, actually) which Govt scientists subscribed to our statement.

The IRI survey seems to me to harm our argument rather than help, though it is certainly useful to know about.

-----Original Message-----

From: [REDACTED] Baghdad -UBS
Sent: 09 November 2004 17:54
To: [REDACTED]
Cc: [REDACTED] Washl -
Conf; [REDACTED] Baghdad -Conf; [REDACTED] (No 10); [REDACTED] @no10.x.gsi.gov.uk;
[REDACTED] Baghdad -Conf; [REDACTED] Basra - Conf; [REDACTED] (Cabinet Office)
Subject: RE: IMMEDIATE: Iraq/Lancet: Written Statement

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I'll phone [REDACTED] with some detailed comments including from [REDACTED]

rgds
[REDACTED]

A nationwide poll conducted across the country

-----Original Message-----

From: [REDACTED]
Sent: Tuesday, November 09, 2004 8:01 PM
To: [REDACTED]; [REDACTED]
Cc: [REDACTED]

[REDACTED] Washi -Conf; [REDACTED] Baghdad -Conf; [REDACTED] (No 10); [REDACTED] @no10.x.gst.gov.uk; [REDACTED] Baghdad -UBS; [REDACTED] Baghdad -Conf; [REDACTED] Basra - Conf

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-----Original Message-----

From: [REDACTED]
Sent: 09 November 2004 16:48
To: [REDACTED]
Cc: [REDACTED]
[REDACTED] Washi -Conf; [REDACTED] Baghdad -Conf; [REDACTED]
[REDACTED] (No 10); [REDACTED] @no10.x.gsl.gov.uk'
Subject: RE: IMMEDIATE: Iraq/Lancet: Written Statement

Can't we say:

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-----Original Message-----

From: [REDACTED]
Sent: 09 November 2004 15:45
To: [REDACTED]
Cc: [REDACTED]
[REDACTED] Washi -Conf; [REDACTED] Baghdad -Conf;
[REDACTED] @mod.uk; [REDACTED]
[REDACTED] @no10.x.gsl.gov.uk'
Subject: IMMEDIATE: Iraq/Lancet: Written Statement
Importance: High

ACTION BY 1700

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Thanks - [REDACTED]

<< File: Iraq casualties written statement - draft 1.doc >>

[REDACTED]
Foreign Secretary's [REDACTED]
020 7008 [REDACTED]
<< File: EXCHANGE(SE).RA-ATT >>

Doc 28 Sect 35

From: [REDACTED]
Sent: 09 November 2004 18:32
Cc: [REDACTED] * Baghdad -Conf; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED] Washi -Conf; [REDACTED] Baghdad -Conf; [REDACTED] (No.10); [REDACTED] Baghdad -Conf; [REDACTED] Basra - Conf; [REDACTED] (Cabinet Office)
Subject: RE: IMMEDIATE: Iraq/Lancet: Written Statement

Thanks Jeremy. Not wanting to cut across Nic's views, I think some of these points can be addressed in the nuance and order of the statement. But whatever we say must reflect the views we have had from Govt scientists and economists (MOD chief scientific adviser, our chief economist) who have said the article's methodology is sound. That doesn't mean the figures it comes up with are right. Perhaps this can be spelled out more clearly; I suggest we can discuss this tomorrow.

It would not be at all surprising if we one day have to release the documents on which our assessment of the Lancet is based.

I agree that the MOH figures are the most reliable, though we cannot say they are 100% accurate given that we have ourselves acknowledged some flaws in their figures. We can truthfully say that they are in our view the most reliable figures there are - I think we should say this, as discussed separately with Nic.

22% of 30 million is rather a lot of people so this may back up the Lancet's claim, or be seen to?

(If we are not satisfied collectively with the opinions we have had from experts so far, we could go further afield to e.g. National Statistics. I think we'll get the same verdict though.)

-----Original Message-----
From: [REDACTED] Baghdad -UBS
Sent: 09 November 2004 17:54
To: [REDACTED]
Cc: [REDACTED] Washi -Conf; [REDACTED] Baghdad -Conf; [REDACTED] (No.10); [REDACTED] @no10.x.gsi.gov.uk; [REDACTED] Basra - Conf; [REDACTED] (Cabinet Office)
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<< File: Iraq casualties written statement - draft 1.doc >>

Foreign Secretary's [REDACTED]
020 7008 [REDACTED]

<< File: EXCHANGE(SE).RA-ATT >>

Draft statement

IRAQ: *LANCET* STUDY

I promised the House a response to the article "Mortality before and after the 2003 invasion of Iraq: cluster sample survey", published in *The Lancet* on 29 October.

The article estimates that between 8,000 and 194,000 more people died following the invasion of Iraq than previous rates of mortality would have predicted, with the most likely figure being 98,000 extra deaths. Around 60% of those deaths are judged to have occurred through violence from the coalition forces or from terrorists. Other deaths recorded were the result for example of heart attacks or road accidents, not of coalition or terrorist action.

The Government judges that given the circumstances in which it was conducted, the design of the *Lancet* study was robust, and its statistical methodology appears sound. It must of course have passed the process of peer review before publication.

However, as the authors of the study themselves acknowledge, it was carried out under exceptionally difficult conditions which in particular restricted the size of the samples surveyed. The estimate of deaths is based on an extrapolation from an increase of 61 [or is it 58 as in MOD-CSA's minute? Gerard pls check] deaths in those households surveyed, across the whole of Iraq. The number of deaths confirmed by death certificates or other evidence is smaller still.

The authors of the study have therefore noted that the data on which they based their projections was of "limited precision". The large range which they use for their estimate of excess mortality (8,000 – 194,000) reflects this.

The authors also acknowledge that "many of the Iraqis reportedly killed by US forces could have been combatants". The greatest increase in deaths which they report was among 15-59 year old men, while for instance among the elderly in the survey there was a much more limited increase in deaths.

Other questions about the *Lancet* study relate to the significant differences between its estimate and other evidence, notably the figures on casualties produced by the Iraqi Ministry of Health.

The Iraqi Ministry of Health has a procedure for counting Iraqi casualties, which its Minister has described as follows: "Every hospital reports daily the number of civilians (which may include insurgents) who have been killed or injured in terrorist incidents or as a result of military action. All casualties are likely to be taken in hospital in these circumstances except for some insurgents (who may fear arrest) and those with minor injuries. The figures show that between 5 April 2004 [when the Ministry started collecting statistics] and 5 October 2004, 3853 civilians were killed and 15,517 were injured. I am satisfied that this information is the most reliable available."

If, as the *Lancet* survey suggests, the number of violent deaths was much higher, we could have expected Iraqi Ministry of Health figures, compiled by hospitals, to show a considerably higher number of people wounded over that period than they in fact do. The *Lancet* article does not explain this discrepancy.

The Government sees no reason to believe that the Iraqi Ministry of Health figures are grossly inaccurate. Hospitals in Iraq have no obvious interest in under-reporting the number of dead and injured.

So while recognising the bravery and professionalism of those conducting the *Lancet* study, the Government continues to believe that the most reliable

figures for casualties in Iraq are those provided by Iraqi hospitals to the Iraqi Ministry of Health. The difficulties of security and movement encountered by the *Lancet* researchers are greater still for soldiers engaged in combat operations, so other methods of estimating the number of civilians killed in a military operation are fraught with difficulties.

The *Lancet*'s researchers acknowledge that they encountered no evidence of widespread wrongdoing on the part of individual Multi-National Force (MNF) soldiers on the ground. The study does, however, suggest that there is an implicit obligation under the Fourth Geneva Convention for the MNF itself to have a reckoning of the number of civilian casualties it has caused.

The basic obligations under international humanitarian law as regards civilian casualties in an armed conflict are those set out in Article 51 of Additional Protocol 1 to the Fourth Geneva Convention, which also reflects customary international law. In particular, indiscriminate attacks are prohibited, and this includes any

"attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated".

It is, therefore, essential in advance of any particular attack to assess the likely civilian casualties. But there is no obligation, after the event, to make any assessment of either the civilian casualties resulting from the attacks or of the overall civilian casualties of a conflict. In combat situations, it is (as already observed) extremely difficult to do so.

The Government deeply regrets the loss of civilian and military life in Iraq, on all sides. It is however important to recall the background to the current violence there.

Iraq faces a violent insurgency which continues to target the Iraqi security forces and civil institutions, the troops of the Multi-National Force, and ordinary Iraqis. On 30 September at least 34 children were killed when co-ordinated bombs were detonated near a water treatment plant in Baghdad, as people celebrated its re-opening. 49 Iraqi army trainees were butchered in an ambush in Diyala province on 23 October. These and other despicable attacks show clearly that the terrorists' targets are not a supposed occupation force, but anyone working to build a better future for Iraq.

If the terrorists and insurgents gave up their campaign, the violence in Iraq would cease. It is not the Multi-National Force nor the Iraqi security authorities, but the insurgents who are maintaining instability in Iraq.

However, as long as the insurgents' continue to attempt to derail the political process leading to elections, and to attack those rebuilding Iraq's infrastructure and public services, the Multi-National Force and the Iraqi security authorities will work to defeat them. That will have to include the use of force if, as in Fallujah, the insurgents refuse to contemplate a political solution.

The Multi-National force, of troops from 30 nations, is in Iraq at the request of the Iraqi government and the United Nations. Security Council Resolution 1511 authorizes the Force "to take all necessary measures to contribute to the maintenance of security and stability in Iraq". This is essential for the political process and the holding of elections in January and then in December next year, and so for the long-term future of Iraq.

The MNF and Iraqi forces – in stark contrast to the terrorists – continue to act so as to minimise civilian casualties. In Fallujah, for example, we understand from Prime Minister Allawi that as of 8 November, of more than 17,000 structures in Fallujah, fewer than 100 have been damaged by coalition action since 1 September. This is despite the fact that the insurgents have shown no compunction in using mosques and other civilian structures as defensive bases. The MNF is currently providing food and other supplies to civilians in the Fallujah area, and working closely with the Iraqi Ministry of Health to ensure medical supplies.

The Iraqi Government and its international partners remain committed to defeating the terrorists and insurgents in Iraq. The terrorists are the source of violence in Iraq, and only their defeat will allow the Iraqi people to build the safe, democratic country which they want. I pay tribute to all those who are working to that end.

[1,251 words]