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DRT
Feb 05

OSD Policy
4 Mar 03

Ultimatum Strategy—Exile and Asylum as an Alternative to War

- **Proposal:** USG/UN issues an ultimatum offering exile, asylum and immunity to Saddam, his sons, some “second tier” officials and their families if they leave Iraq within five days. (See attached list.).
 - Saddam would be required to turn power over to U.S./coalition (or to a U.S.-sponsored provisional government.)
 - Purpose: Demonstrate that USG is taking credible steps to avoid war; may shift perception of blame for conflict to Saddam.
- **Action Plan:**
 - 1) State Department informs Turkey, Saudi Arabia, UAE, Kuwait, Bahrain and other regional states that USG supports offering asylum and immunity from prosecution to Saddam and others.
 - 2) State Department approaches Chile and Japan to determine if either would be willing to provide asylum.

Note: Exile candidate countries should be:

 - Far away from Iraq.
 - Politically stable and reliable.
 - Without large populations of pro-Saddam sympathizers.
 - 3) If either is willing, State Department negotiates conditions of exile (see attached list) with the receiving country.
 - 4) USG consults with Free Iraqis to explain general concept.
 - 5) President announces offer of exile and immunity from prosecution to Saddam and others in the context of an ultimatum.
 - Announcement includes U.S. promise to work for UNSCR to secure immunity for the exiles in return for their preventing war.

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~~Classified by [redacted]~~
~~Reason: [redacted]~~
~~Declassify on: [redacted]~~

List of Exilees

- Saddam Hussein
- Qusay Saddam Hussein
- Uday Saddam Hussein
- Abid Hamid Mahmoud al-Tikriti, Presidential secretary.
- Izzat Ibrahim al-Duri, Deputy Command in Chief of Iraq's military, Vice chairman of the Revolutionary Command Council
- Hani `Abd al-Latif Tilfah al-Tikriti, Director, SSO.
- Kamal Mustafe Abdallah Sultan al-Tikriti, Republican Guard Secretary,
- Ibrahim Admad Abd al-Sattar Muhammed al-Tikriti, Armed forces chief of staff.
- Barzan `Abd al-Ghafur Sulayman al-Majid al-Tikriti, Commander, Special Republic Guard.
- Muzahim Sa'b Hasan al-Tikriti, Air Defense Comander.
- Sayf al-Din Fulayyih Hasan Taha al-Rawi, Chief of Staff, Republican Guard.
- Rafi' Abd al-Latif al-Tilfah, Director, Directorate General of Security.
- Tahir Jalil Habbush al-Tikriti, Director, IIS.

4 Mar 03

[REDACTED]

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- [REDACTED]

- [REDACTED]

• [REDACTED]

- [REDACTED]

- [REDACTED]

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- [REDACTED]

Draft UN Security Council Resolution

The Security Council,

Recalling the Council's previous resolutions on Iraq,

Desiring to achieve the objectives set out in those resolutions in the most expeditious and least costly manner possible,

Acting under Chapter VII of the UN Charter,

Decides to offer immunity to prosecution, except as discussed below, to Saddam Hussein and the thirteen other Iraqi officials listed in the annex to the resolution,

Decides that, in accordance with the first operative paragraph of this resolution, all member states shall refrain from prosecuting Saddam and the listed officials for any war crimes, atrocities and crimes against humanity they may have committed prior to the date of this resolution,

Decides further that if Saddam and the other listed officials violate the conditions of exile as described in the annex, the provisions of the first two operative paragraphs of this resolution shall be null and void,

Decides to remain seized of this matter.