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From: Peter Westmacott

Date: 5 February 2001

cc: PS/Mr Wilson
PS/PUS
Dr Jones Parry
Mr Goulty
Mr Patey, MIED

Private Secretary

+ (by fax) (ok):

Sir C. Meyer, Washington
Sir J. Greenock, UKMI

JW 5/

VISIT TO WASHINGTON: IRAQ

1. I thought it might be useful to supplement the brief you have already got on Iraq with a short paper placing our policy aims in the specific context of this week's talks with the Americans. I attach the result.
2. Washington seem to have been thinking on similar lines - see their telno 121 (attached), which has just arrived. I will fax Sir C Meyer a copy of this paper too.

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IRAQ: TALKING TO THE AMERICANS

1. The US side share our view that the present situation is unsustainable. On many, but not all, points we share the same assessment:
 - Saddam has not complied with 1284 (no UNMOVIC deployment);
 - Iraq retains a significant WMD capability;
 - The P5 are split (some Members actively undermining agreed UN SC policy);
 - Iraq's Arab neighbours and other members of the international community - are wobbling (MEPP problems have not helped);
 - Saddam's brutal regime looks as strong as ever.
2.
 - the humanitarian cost in Iraq of the present stalemate;
 - the creation of a lost and embittered generation of young Iraqis;
 - the growing criticism on the part of NGOs and Western public opinion more generally of what is seen to be US/UK, not UNSC, policy towards Iraq.
3. As we talk to Powell, Rice et al about the way forward, we need also to keep in mind that:
 - the Americans will not be able to go along with a package that suggests they are going soft on Saddam. (Nor, of course, will we.);
 - they doubt whether UN inspectors would do anything useful even if Saddam did let them in;
 - the Bush family, and some officials of the last Bush Administration, have unfinished business with Saddam. They will therefore be keener than us to include in any new package elements specifically designed to get rid of him.

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- US lawyers seem to be less concerned than ours about legal cover for, eg, maintaining the NFZs.

4. In Washington, our aim should be to reach agreement on a new, integrated approach which (a) offers additional lures to Iraq to comply with 1284, but also (b) increases the cost to the regime of not doing so, while (c) getting the Security Council back on to the moral high ground. Devising such a package, properly balanced, should allow us (d) to restore P5 unity. But achieving that is likely to mean persuading the Americans that some of their ideas for punishing/overthrowing Saddam will have to be kept in reserve for now.

5. Agreement this week on such a framework, or something like it, would be a useful achievement. But the Americans may already wish to go into the details of what might go into the package. This requires a lot of further work/consultation. But it would be worth sharing with them our view that it might usefully include:

- (a) A new, concerted effort to address the growing problem of Iraqi oil smuggling. We and the US could do more in the Gulf; the Americans must put more pressure on Turkey and Syria.
- (b) Elaboration of what post-suspension relaxation of controls over oil revenues and imports would be available if Iraq complied with 1284. (To be sellable to the US, there will have to be convincing and workable snap-back provisions too.)
- (c) "Narrower and deeper" sanctions as long as Iraq does not comply. This should be sellable as long as by "narrower and deeper" we mean smarter and tougher. Possible elements:

Alter financial/contractual controls to allow individual Iraqis to trade normally while using the existing escrow arrangements (and tougher measures against smuggling - see above) to exert more control over oil revenues flowing to the regime. (Comment: clearly, we need to preserve the 661 Committee's ability to block imports of prohibited goods, but there is room for a less draconian approach (especially by the US) to contract holds.

A travel ban on Iraqi leaders (largely symbolic, but presentationally are useful in the US, and therefore worth trying for).

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- Tighter border controls (binding in some of Iraq's neighbours). - how?

(d) Support for the Iraqi opposition (the US are already stepping this up, so it will in any case be a part of their policy, even if the rest of the P5 fail to agree, as in the past).

(e) Incorporation of the NFZs into the package, on the basis of regional security needs () as well as humanitarian protection. (Comment: useful, if we can get it, given the problems at the London end over legal cover the maintenance of NFZ aerial patrols.)

(f) Clear military options for responding to breaches of key elements of SCR Resolutions such as reconstitution of WMD, or moves against neighbouring states/ Kurds.

6. A package on these lines would require a new SCR. But the best chance of getting agreement to a new Resolution would lie in retaining 1284 as the basis of the revised approach. The package itself nonetheless needs to be crafted in the expectation that Saddam will not comply. So it needs to be forthcoming enough to command P5 support but firm enough to remain relevant in the likely event that the carrots it contains fail to deliver Iraqi compliance.

7. We might tell the US side that we are ready to send a team of experts to Washington to discuss the details in greater depth as soon as they are ready for us. Only then will we seek French agreement and, subsequently, that of the rest of the P5.

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