

# DECLASSIFIED

cc PS

PS/PUS

Edward Chaplin

Handed over by  
Mr. on Thursday  
evening (17 October 2002)  
DB

Mr. Ricketts

Iraq: UN Route

The concerns in my minute to Edward Chaplin earlier today are reinforced by Matthews Rye's record of the Prime Minister's meeting this morning, suggesting that "if for some reason ... there were no second Resolution agreed [if Blin reported on Iraqi breach of the first Resolution], we and the US would take action."

2. I have spoken briefly to the Foreign Secretary, who assured me that the Prime Minister understood that action could not be taken if the Attorney advised that it was unlawful; only in the most exceptional circumstances would action be lawful without a Security Council authorisation e.g. if Iraq attacked a neighbour or gassed thousands of Kurds.

The Foreign Secretary saw no point in writing again to No 10. The Rye's record was only an abbreviated account of the discussion. The Foreign Secretary had made clear to the Prime Minister the legal advice.

3. I think it is important, even if we do not write, that we ask David Manning to draw the Prime Minister's attention to your minute of 2 October. Mr. .