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TO.7847

DAVID MANNING

cc Jonathan Powell  
Jeremy Heywood  
Andrew Allberry  
John Scarlett  
Jim Drummond

IRAQ

1. The Chiefs of Staff discussed Iraq this morning.
2. The discussion was preparatory to military talks with the US, which were foreshadowed when Donald Rumsfeld visited the UK on 5 June, at which Tony Piggot and Desmond Bowen would represent the UK. Among the points raised in discussion, the following struck me -
  - a. There is a huge amount of work to be done if the UK is to be in a position to participate in any operation against Iraq. The same point was made in Geoff Hoon's minute of 31 May to the Prime Minister. -attached
  - b. We may need to confront the legal base for military action sooner rather than later. The MOD say that the US will not admit the UK to detailed joint planning

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1224  
Jonathan  
David  
I think there is  
a danger of getting  
ahead of ourselves  
about this  
(1) absolutely necessary  
to get us into a default  
military planning with  
US. I suggest  
you discuss  
with Rumsfeld  
We certainly need much more  
greater protection from  
MOD.  
David 15/6

unless we are able to agree that regime change is a legitimate and legal objective.

3. On the first of these points I recommend that you reply to Geoff Hoon's minute of 31 May seeking further and better particulars on time-lines and precisely what decisions incurring significant expenditure would be required now in order to keep open the possibility of a large scale deployment in six months time. (I understand that at official level the Treasury and the Ministry of Defence are already examining this issue.)
4. On the legal point, the question is when to start to engage with the Attorney General, bearing in mind, on the one hand, the difficulty of framing a case in the abstract and, on the other hand, the need to be able to assure the US that we will not face insuperable problems downstream on the legal base. I will provide further advice on this point shortly.
5. In the meantime I attach a draft letter for you to send to Peter Watkins in MOD.



**TOM McKANE**

18 June 2002