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~~DAVID MANNING~~

Cc Jonathan Powell
Jim Drummond
Tom Dodd

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IRAQ

JD
10m McKane
Frank. I think we
should engage the Attorney
after the Texas Summit.
Am 7/3

I took a call today from Paul Berman in the Attorney General's Office. The Attorney General had asked him to contact me to say that he would hope to be involved in Ministerial thinking about Iraq as policy was being formulated rather than be consulted formally only at the last minute.

2. I drew Paul Berman's attention to the minutes of yesterday's Cabinet meeting, where the Prime Minister had made it clear that decisions on whether or not to take military action were not imminent. I said that it was well understood that the Attorney General needed to be properly engaged at the right time but this was most unlikely to be before the Prime Minister's meetings with President Bush in April at the earliest.

3. Comment. I think that there is a good case for engaging the Attorney General in a discussion, so that he understands the options and the policy background, before he is asked formally for advice. Intriguingly Paul Berman said that the Attorney General did not rule out justification for military action based on Article 51 (self defence) but would certainly want to be assured that the alternatives (UN Security Council Resolutions) had been thoroughly explored in the first instance.

Pl

TOM MCKANE

8 March 2002

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